

**Statement of The Nature Conservancy
H.R. 5284, the Sikes Act Amendment Act of 2010
Subcommittee on Insular Affairs, Oceans, and Wildlife
The Committee on Natural Resources
U.S. House of Representatives
May 25, 2010**

Madam Chair and members of the Subcommittee, I appreciate this opportunity to present the views of The Nature Conservancy on H.R. 5284 in the context of the Sikes Act as a whole. My name is Joseph R. Barnes, and I am the Senior Policy Advisor (Department of Defense) in the Office of U.S. Government Relations at The Conservancy.

Introduction

The Nature Conservancy is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. We are best known for our science-based, collaborative approach to developing creative solutions to conservation challenges. Our on-the-ground conservation work is carried out in all 50 states and more than 30 foreign countries and is supported by approximately one million individual members. We have helped conserve nearly 15 million acres of land in the United States and Canada and more than 102 million acres with local partner organizations globally.

We view the Department of Defense (DoD) as one of our most important partners, and have enjoyed an extensive and mutually beneficial working relationship with DoD for more than thirty years. The more than 25 million acres of lands and waters managed by the Department represent some of the most ecologically important areas within the Federal land inventory.

We commend the Subcommittee and in particular Chairwoman Bordallo for her leadership in continually reviewing the provisions of Title I of the Sikes Act and amending and updating the Act as lessons are learned and requirements change. This process has helped to ensure that the Act creates and supports the most effective framework possible for protecting these valuable lands while ensuring that the military can meet vital readiness and other mission requirements. The actions of the Chairwoman and the Subcommittee, in partnership with the House Armed Services Committee, to implement what is in effect continual legislative "adaptive management" to meet changing conditions has been highly commendable.

For example, in each of the last three years, section 103 of the Act (section 670c-1 of title 16, United States Code) has been amended to broaden the authority of DoD to enter into

cooperative agreements with States, local governments, nongovernmental organizations, and individuals, and to enter into interagency agreements with other Federal departments and agencies to address the maintenance and improvement of natural resources located not only on military installations but also outside such installations where doing so will help ensure that the military is able to meet its environmental responsibilities and conduct its mission activities.

Those recent amendments addressed the reality that military installations, like other Federal lands, function not in isolation but as part of an entire ecosystem, and that conditions outside the "fenceline" of military installations impact both the ecological health of and mission capacities of such installations. Those amendments also addressed the reality that successful management of those installations, like management of other Federal lands, cannot be done in isolation but rather must be accomplished as part of a much larger, collaborative effort involving private landowners, NGOs, state and local governments, Tribal Nations, and other Federal agencies addressing ecological conditions and needs at the regional and landscape scales.

Most importantly, those amendments not only addressed those realities, but assisted the Department of Defense in dealing with those realities by providing the Department some of the practical, workable tools and fiscal and other authorities necessary to work collaboratively with and pool resources with private, state, tribal, and other federal entities.

The Conservancy supports H.R. 5248 as an important additional step in that ongoing, evolutionary improvement of Title I of the Sikes Act. H.R. 5284 begins the process of bringing the more than 1 million acres of military installations throughout the country that consist in whole or partially of lands owned by the States within the framework of Title I of the Sikes Act. Those installations, like their Federal counterparts, contain very valuable ecological resources, and are critical to supporting the readiness of the National Guard and others state and federal organizations that depend on those installations to meet their mission requirements. H.R. 5248 will assist those installations in meeting both their environmental stewardship responsibilities and their military missions.

Title I of the Sikes Act and the Provisions of H.R. 5248

Specifically, H.R. 5284 would allow state-owned military installations to participate in the management framework established by the provisions of section 101(a) of Title I of the Sikes Act (section 670a of title 16, United States Code).

Those provisions establish a framework for extensive cooperation and collaboration among the Department of Defense, the US Fish and Wildlife Service, and appropriate State agencies in the development, implementation, oversight, and continual improvement of Integrated Natural Resource Management Plans (INRMPS) to ensure that military lands and waters are managed successfully from a balanced perspective of military mission needs, recreational opportunities, and preservation and restoration of the important ecological resources. Critically, that framework also assists in ensuring that those plans are fully consistent with the statutory and regulatory requirements and

authorities of those DoD partners not only as those plans are written but, importantly, as they are actually resourced and implemented.

By bringing military installations consisting in whole or in part of lands owned by the States within that highly successful, tri-party framework for the management of natural resources on military installations, H.R. 5284 continues the pattern of adjusting and updating Title I of the Sikes Act to respond to lessons learned and changing conditions. Additionally, by defining "State" for the purpose of the Sikes Act to include the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands, H.R. 5284 recognizes the key national security role and important natural resources that military installations in all of those jurisdictions have and ensures that military installations in the country as a whole will benefit from the provisions of the Act..

H.R. 5284 also extends to state-owned military installations the benefits of the innovative tools for cross-jurisdictional management and improvement of natural resources outside military lands that amendments over the last three years to section 103(a) of the Act have provided to military installations under the jurisdiction of the Department of Defense. As has been the case with Federal military installations, the tools provided by section 103(a) of the Act, as amended, will be critical in helping state-owned military installations meet both their environmental stewardship and military mission requirements.

Finally, H.R. 5284 extends the important pilot requiring Integrated Resource Management Plans for military installations on Guam to address invasive species to the military as a whole, and makes that requirement part of permanent law. Invasive species are one of the most important threats to biodiversity, and The Conservancy supports extending to the military as a whole the requirement to address invasive species in INRMPs.

The Sikes Act as a Potential Framework for Creating the Tools Needed to Address Landscape Scale and Regional Conservation and Adaptation to the Impacts of Climate Change

As noted above, the evolutionary, adaptive management approach to continually updating and revising Title I of the Sikes Act over time has been highly important to ensuring the successful management of the natural resources on military lands. The multi-party framework for planning and implementing natural resource management, and the addition of new authorities and tools to allow that management to be implemented across jurisdictional lines under formal agreements with multiple partners within and beyond the Federal government has been key to that success.

However, that same evolutionary approach has not been applied to Title II of the Sikes Act, addressing management of lands under the jurisdiction of the Department of the Interior and the Department of Agriculture.

As has been forcefully articulated by Secretary Salazar and Secretary Vilsack and many others, protecting and restoring our natural resources will require action at landscape

scales, and will require successful and innovative partnerships and collaboration between government and private landowners and organizations, between and among Federal, state and local, and Tribal governments, and finally between and among Federal agencies. Such collaboration and effective partnerships will become even more critical as we establish new programs and strategies to adapt to the impacts of climate change.

In his memorandum of April 16th establishing the America's Great Outdoors Initiative, the President established as one of the goals of that Initiative to "[b]uild upon State, local, private, and tribal priorities for the conservation of land, water, wildlife, historic, and cultural resources, creating corridors and connectivity across these outdoor spaces, and for enhancing neighborhood parks; and determine how the Federal Government can best advance those priorities through public private partnerships and locally supported conservation strategies." The President also charged federal agencies to align their policies and programs to achieve the goals of the Initiative, to review successful and promising nonfederal conservation approaches and to analyze existing Federal resources and programs that could be used to complement those approaches.

The Conservancy strongly supports the many initiatives and programs of the Administration, such as the America's Great Outdoors Initiative, Landscape Conservation Cooperatives, Secretary Vilsack's "All lands" program, and other such initiatives designed to advance science-based, multi-party collaboration in protecting and restoring our natural resources. We also strongly support action by the Administration and by Congress to identify and put in place the additional tools and authorities needed to facilitate such collaboration, reduce existing barriers to effective partnerships, and to gain the maximum ecological benefits possible for the resources expended.

The collaborative planning and management authorized and empowered by the provisions of Title I of the Sikes Act and the tools provided by the Act to implement management actions across jurisdictional lines and combine resources from multiple sources may represent in many ways a model that could be instructive for regional and landscape scale partnerships involving other Federal land management agencies.

Over the last several years, The Nature Conservancy and other conservation organizations have participated in informal discussions with the Association of Fish and Wildlife Agencies, the Department of Defense, the Department of the Interior, the US Forest Service, and others to consider potential additional changes to Title I of the Sikes Act and possible revisions to Title II of the Sikes Act. Those discussions included assessments of the potential for a revised Sikes Act to create a framework for partnerships between and among private landowners, conservation organizations, state and local authorities, and Indian Nations to address conservation across jurisdictional lines and at landscape and regional scales. The participants in those discussions were encouraged to evaluate their respective existing programs and authorities and assess the potential for revisions to both Titles I and II of the Sikes to provide additional tools and authorities that may be needed.

Conclusion

The Nature Conservancy encourages the adoption of H.R. 5284 as another step in the successful evolution of Title I of the Sikes Act in providing the framework and the tools needed for the successful maintenance and improvement of natural resources both on military lands and on non-military lands as needed to ensure that the military can meet both its environmental stewardship responsibilities and its military mission.

The Conservancy also encourages the Subcommittee to continue its evolutionary, adaptive management approach to Title I of the Sikes Act. Finally, we encourage consideration of an equally evolutionary approach to Title II of the Sikes Act in the context of landscape scale conservation, adaptation to climate change, and ensuring in today's challenging fiscal environment that we gain the maximum ecological benefits from the resources we expend.

Thank you for the opportunity to present The Nature Conservancy's recommendations regarding H.R. 5284, the Sikes Act Improvement Act of 2010.