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TESTIMONY BEFORE THE HOUSE SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS

ON HR 1497, SIKES ACT REAUTHORIZATION ACT OF 2003

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INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES

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Thank you, Mr. Chairman. I am John Baughman, Executive Vice-President of the International Association of Fish and Wildlife Agencies, and I'm here today to share with you the strong support of the Association for HR 1497, reauthorization of the Sikes Act as it applies to military installations. The Association applauds the significant progress for fish and wildlife conservation that has been made through the cooperation of the Department of Defense (DoD) installations, US Fish and Wildlife Service (USFWS) and State fish and wildlife agencies since the passage of the Sikes Act Improvement Act in 1997. While improvements can and should be made, and we will suggest some areas for attention, I believe we can all be proud of the conservation benefits achieved from this often unknown and unheralded success story of public lands management on approximately 25 Million acres. Our successes have certainly substantiated that not only is achievement of the military preparedness mission and sound stewardship of the land and its fish and wildlife resources not mutually exclusive, they are indeed mutually necessary and beneficial.

The International Association of Fish and Wildlife Agencies was founded in 1902 as a quasi-governmental organization of public agencies charged with the protection and management of North America's fish and wildlife resources. The Association's governmental members include the fish and wildlife agencies of the states, provinces, and federal governments of the U.S., Canada, and Mexico. All 50 states are members. The Association has been a key organization in promoting sound resource management and strengthening federal, state, and private cooperation in protecting and managing fish and wildlife and their habitats in the public interest.

The 1997 amendments to the Sikes Act, which provide for enhanced management of fish, wildlife and recreational resources on military installations, remain of great importance to state fish and wildlife agencies. States, as you know, have primary management responsibility and authority for fish and wildlife resources found within state borders, including on most public lands.

Although the opportunity for management of fish and wildlife resources on military installations has always existed, the 1997 Sikes Act Improvement Act amendments mandate that these resources be managed for the benefit of the public, the natural resources of the installation, and in cooperation with those responsible for management of the surrounding land areas. The principal means of doing this is through the development and implementation of the Integrated Natural Resource Management Plans (INRMPs) through the cooperation of the DoD installation, USFWS and respective State fish and wildlife agency. With respect to the fish and wildlife conservation provisions of INRMPs, the Act compels mutual agreement of the 3 statutory partners. The Sikes Act was intended to assure continued and active participation and cooperation with state fish and wildlife agencies for all phases of fish and wildlife management on military installations, from planning and design to implementation and monitoring of the plans.

The many exemplary installations on which INRMPs embody the Congressional intent and direction in the SAIA of 1997 are most often the result of early and excellent cooperation between the 3 statutory parties, adequate funding to the respective agencies, and the availability of professional staff in the 3 agencies with the time and dedication to devote to fulfilling the INRMP objectives. While all of the 3 statutory partners will acknowledge that some problems and issues remain unresolved at some individual installations, I believe that all of the partners are committed to finding solutions to those problems. I can firmly assure you of the commitment of the State fish and wildlife agencies to cooperating with DoD and the USFWS to advance fish, wildlife and habitat conservation on military installations.

There are 3 areas where we suggest improvements can be applied to the application of the Sikes Act on the ground, none of which require statutory amendments in our opinion. First, the cooperation and consultation among the 3 statutory partners needs to began at the earliest stages of conception and design of the INRMP for the individual installation, as Congress originally intended in the SAIA amendments mandating the preparation and implementation of INRMPs. Second, DoD needs to request and Congress needs to

appropriate the necessary funds to successfully implement INRMPs. And third, DoD needs to ensure that they retain the professional civilian staff necessary to successfully design, develop and implement INRMPs in cooperation with the USFWS and State fish and wildlife agencies.

First, let me compliment and thank DoD for the revisions to their Sikes Act Implementation Guidance which was published in October of last year. The revisions to this guidance make it clear that early consultation between the 3 parties is instrumental in achieving meaningful and successful INRMPs.

Without belaboring the point, it seems apparent to us that where mutual agreement on INRMPs has not been achieved, it is most often because the INRMP had been prepared essentially by the installation or its contractor, and then presented to the USFWS and State fish and wildlife agency for concurrence. The 2 principal statutory tenets of INRMPs require that they be prepared "in cooperation" with the Secretary of the Interior, acting through the Director of the USFWS, and with the head of each appropriate State fish and wildlife agency for the state in which the military installation is located. The law further provides that the resulting INRMP "shall reflect the mutual agreement of the parties concerning conservation, protection and management of fish and wildlife resources". Obviously, cooperation of the statutory parties, begun at the earliest stages of conception and development of the INRMP, is the contemplation of the statute. Such cooperation should go far to reconcile potential differences, and consensus building and problem solving throughout the process will most likely facilitate the "mutual agreement" required by the statute. The Association strongly encourages DoD to continue to remind the Armed Services of the need for and value of early consultation and cooperation by all 3 parties.

I will acknowledge that some of our State fish and wildlife agencies have not had the staff or budget to participate as fully in the development of INRMPs as the law contemplates. This leads me to the second recommendation of the Association which is to encourage DoD to request, and Congress to appropriate, additional funds for Sikes Act INRMP development and implementation. And, the Association would further suggest that some of these funds should be used by DoD to contract with the State fish and wildlife agency to develop the INRMP for the installation in cooperation with USFWS and the base. Mutual agreement would still be required, of course, and the State fish and wildlife agency would have to review the plan through its appropriate chain of command, but especially in circumstances where State fish and wildlife agency budgets are a limiting factor, this contracting by DoD to the state would greatly facilitate arriving at an INRMP that will engender mutual agreement.

Finally, we are aware of continuing concerns regarding the loss of civilian professional natural resource positions in favor of contracting or out-sourcing these functions. We strongly encourage DoD to re-examine the basis for doing this as opposed to retaining civilian staff in these capacities. We believe that the functions performed by DoD professional biologists on military installation are appropriate governmental functions. These are public lands, and the fish and wildlife resources found on them are held in trust by the state and federal governments for the benefit of all citizens. While some "laborer" type skills in carrying out conservation programs can certainly be contracted out, we strongly support the retention of professionally trained civilian biologists in permanent career positions to oversee the fish and wildlife and natural resource conservation programs on installations. We see no difference between the need to retain these functions under permanent professional staff on a DoD installation and retaining these functions under similar type staff on a National Wildlife Refuge.

In summary, the Association strongly supports HR 1497 and reiterates our commitment to working closely with both DoD and USFWS in successful development and implementation of meaningful INRMPs on installations. The security of our Nation and its fish and wildlife resources both are well-served by the application of the Sikes Act to military installations.

Thank you, Mr. Chairman, for the opportunity to share the Association perspectives with you, and I would be pleased to answer any questions.