

Testimony of
Dave Mathewson
Academy of Model Aeronautics
District 2 Vice President

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Committee on Resources
Subcommittee Fisheries and Oceans
U. S. House of Representatives

Mr. Chairman, ranking member, members of the committee, my name is Dave Mathewson. I am a district vice president with the Academy of Model Aeronautics. The Academy is a national organization of over 160,000 members involved in the international hobby and sport of model aviation.

In 1997 the training facility at Galeville NY was deemed excess by the West Point Military Academy. Control of the property was reassigned to the US Fish & Wildlife Service and renamed the Shawangunk National Wildlife Refuge. On December 7, 1997, after over 26 years of co-existence between aeromodelers and the grassland inhabitants, the Service, claiming incompatibility, banned our members from continuing their use of this facility for Free Flight modeling. I'm here today to describe to you the Academy's efforts to return aeromodeling to this property and the unyielding reluctance of the Fish & Wildlife Service to fairly consider our request.

On May 23, 2001 Mr. Wes De Cou, the Academy's Flying Site Assistance Coordinator, testified before the Committee On Resources examining recreational access to federal lands. The briefing paper on this hearing, condensing Mr. De Cou's remarks, described how our members flew at Galeville to the satisfaction of biologists at West Point, and in fact, were involved in a working relationship with those biologists to create and maintain a grasslands area on the property. The briefing noted the Army conducted two separate environmental studies at Galeville and found no adverse impact in the region as a consequence of aeromodeling. The briefing describes how modelers approached the Service, after being restricted from the site, expressing a desire to continue to use the facility. The modelers committed to a plan that included a limited flying schedule, the hiring of an environmental professional to monitor impacts on wildlife, and maintaining the grasslands. The Service refused the modelers' request despite the studies, past history, and the modelers' commitment to continuing to be sensitive to the surrounding environment.

On November 6, 2001 a draft compatibility determination (CD) was released by the Fish & Wildlife Service focusing on free flight modeling activities at Galeville. The Academy's review of the draft revealed several misleading statements, erroneous conclusions, and references to studies having no direct relationship to model flying. The Academy contracted Mr. Ken Scartelli, of Northeast Environmental Management Systems, to prepare a response to the draft. Mr. Scartelli had authored a site survey in 1996 concerning the Galeville property. In both his 1996 study and his 2001 response, Mr. Scartelli concluded that, "....use of the site for free-flight activities would pose no significant negative impacts to the site." Referring specifically to the draft CD, Mr. Scartelli concluded that, "The CD contains numerous errors, exaggerations, and distortions of data. These include mismanagement of fact, ignoring pertinent information, speculation, citing of unrelated studies, and internal inconsistencies. Moreover, it provides no credible data to support its conclusion."

Members of the Academy provided over 2100 responses objecting to the conclusion of the CD. Included in these responses were several letters by noted experts and others having direct involvement in refuge management that indicated the draft's conclusion was flawed. In spite of this, the Service upheld their position in issuing the final CD on February 20, 2002.

On February 27, 2002 the Academy appealed this decision. This resulted in a meeting with Dr. Mamie Parker, Fish & Wildlife Service Regional Director, and members of her staff. The Academy presented a letter from former Congressman James Hansen, at the time Chair of the Congressional Committee on Resources, and a sponsor of the National Wildlife Refuge Improvement Act of 1997. That letter indicated the Service, in denying modelers access to Galeville, was misinterpreting this legislation regarding use policies at National Wildlife Refuges. In essence, the response of the staff at this meeting was , "It doesn't matter!" The meeting concluded with our efforts being dismissed.

Subsequent to this meeting, the Academy suggested to Dr. Parker that limited short-term use of the facility for free flight aeromodeling be allowed so that a relevant study could be conducted to prove conclusively the impact of aeromodeling on the habitat. Once again, our efforts were rebuffed. In her reply Dr. Parker did recognize and thank the modelers for their past stewardship of the site.

The Eastern US Free Flight Conference, with the support of the Academy, has worked hard to try to negotiate an agreement to return to Galeville while being extremely sensitive to the primary purpose of the refuge. In each instance they've met with unreasonable resistance. The irony is that the Service is quick to point out that Shawangunk is a man-made facility. The fact is, Shawangunk is a man-made refuge. What the Service fails to tell you is that it was the aeromodelers who played a major part in its creation. In return for their efforts, the modelers were simply told to get out. In his closing statement from the Resource Committee hearing in 2001, Congressman Hansen said, "Today's hearing made it clear that we have lost the proper balance between protecting the environment and allowing the American people to enjoy their own public lands. A prompt and sharp course correction is called for." The Academy agrees.

Mr. Chairman, members of the committee, on behalf of the Academy of Model Aeronautics and the Eastern US Free Flight Conference thank you for this opportunity.

Supporting Documents

- 1. Remarks of former Congressman James Hansen**
 - a. Closing comments of Congressman James Hansen from the May 23, 2001 Resource Committee Hearing investigating public access to federal lands.**
 - b. Letter from Congressman Hansen to US F&WL Director, Steven Williams**
- 2. History and overview of model aviation at Galeville by Aram Schlosberg.**
- 3. May 23, 2001 house Resource Committee hearing investigating public access to federal lands.**
 - a. Testimony of AMA's Flying Site Assistance Coordinator, Wes De Cou, from the May 23, 2001 Resource Committee hearing investigating public access to federal lands.**
 - b. Committee Briefing Paper from the Resource Committee hearing of May 23, 2001 investigating public access to federal lands.**
- 4. Academy of Model Aeronautics' response to the US F&WL draft Compatibility Study dated November 8, 2001.**
 - a. AMA's written response to the 2001 US F&WL draft Compatibility Determination.**
 - b. Includes the 1996 Scartelli study and the 2001 Scartelli response to the draft Compatibility Determination.**
- 5. Remarks of former Congressman Ben Gilman.**