

**Statement of
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**Prepared for the
Subcommittee on Insular Affairs, Oceans and Wildlife
Of the House Committee on Natural Resources**

H.R. 5284, The Sikes Act Amendments Act of 2010

May 25, 2010

Introduction

Madam Chairwoman and distinguished members of the Subcommittee, I appreciate the opportunity to discuss with you the Sikes Act and its importance to the military.

Background

The Sikes Act is the fundamental lynchpin for the success of the Department of Defense's (DoD) Natural Resources Conservation Program. For almost 50 years, it has proven instrumental in helping our installations, in coordination with the U.S. Fish and Wildlife Service (USFWS) and state fish and game agencies, develop many cooperative plans and projects that have benefited fish and game resources and other natural resources on DoD lands. More importantly, its promotion of sustainability is instrumental in ensuring the Military Departments are able to test and train efficiently and effectively.

Because military lands are often protected from human access and impact, they contain some of our nation's most significant remaining large tracts of valuable natural resources. DoD lands include over 29 million acres, containing some 420 federally-listed threatened or endangered species, more than 520 species at-risk, and many high quality habitats.

In the 1997 amendments to the Sikes Act, Congress required installation commanders to prepare and implement Integrated Natural Resources Management Plans (INRMPs).

INRMPs Guide Installation Natural Resources Management

INRMPs are highly effective planning and implementation tools that benefit both the training and testing missions and long-term natural resource sustainability. They provide direction for daily natural resources management activities and serve as an investment strategy. Preparation of INRMPs provides an opportunity to take a holistic look at natural resources on a broad landscape or ecosystem basis rather than by individual project or species.

Our INRMPs are successful because our installations develop them with Federal and state resources management agencies and the military operators – both test and training. They are living documents, subject to periodic review. The process for updating INRMPs allows us to respond to changing needs of both the plant and animal species under our stewardship, as well as military mission needs.

The Department has over 340 installations with significant natural resources and, therefore, that must have an INRMP. Since 1998, the Department has invested over \$1.14 billion in implementation of the management practices and projects identified in our INRMPs. The annual obligation nearly tripled over the last ten years, with \$188.1 million invested in fiscal year 2009.

Examples of projects funded based on these INRMPs include natural resource assessments, species and habitat monitoring programs, forestry and rangeland management, noxious and invasive weed control, native habitat restoration, threatened and endangered species management, wildlife education, and recreational hunting and fishing programs.

The INRMPs allow DoD to:

- provide for more comprehensive and up-to-date resource planning that reflects emerging biodiversity protection needs and facilitates adaptive management actions;
- enhance the installation commander's ability to ensure that mission requirements are met while better managing installation natural resources; and
- take full advantage of the expertise of USFWS and state resource agency personnel without jeopardizing either the installation commander's discretion to ensure military preparedness, or the USFWS or a state agency's ability to exercise the legal authorities they each possess apart from the Sikes Act.

2004 Amendments

In the National Defense Authorization Act for Fiscal Year 2004, Congress amended the Endangered Species Act to leverage INRMPs to promote the recovery of threatened and endangered species. The amendment states that where the USFWS or the Fisheries Service of the National Oceanographic and Atmospheric Administration determines, in writing, that an INRMP provides a benefit to a species for which critical

habitat has been proposed, the USFWS or the Fisheries Service need not designate critical habitat on the military lands encompassed by that INRMP. This provision recognizes the value, scientific thoroughness, and flexibility of INRMPs as an alternative to critical habitat designation in promoting the conservation of imperiled species. This alternative procedure has been used 46 times since its enactment.

DoD and its Military Departments greatly appreciate the efforts of this Committee, the USFWS, and the Association of Fish and Wildlife Agencies, in developing these and other amendments to strengthen and improve the Sikes Act.

DoD Comments on H.R. 5284

H.R. 5284 largely mirrors the Department's legislative proposal. The Department supports expansion of the Sikes Act to include state-owned National Guard installations. These installations are used to train Guard and active component soldiers, both to the same military standards. Under this amendment, state-owned National Guard installations that receive federal funding for Guard training would now be eligible for coverage under the Sikes Act. As a practical matter, the amendment would only apply to state-owned Army National Guard installations. All Air National Guard installations are already covered by the Sikes Act because the Air Force has a property interest—ownership or long-term lease—meeting the definition of a “military installation.”

Currently, funding for natural resources management on state-owned Army National Guard installations is provided for specific natural resources projects, such as wetland protection, sensitive species, and soil erosion control. These installations have INRMPs developed as a matter of policy. They are similar to Sikes Act INRMPs but do not require that the National Guard prepare them in cooperation with regulators or allow for critical habitat exclusion. Producing Sikes Act INRMPs at state-owned National Guard installations would allow for strategic investment decisions based on holistic management plan in the same manner as on active Army installations. Such strategic investment strategies would lead to more efficient and effective natural resources management. This proposal would improve our ability to manage natural resources on 45 installations totaling 467,650 acres in 29 states and territories.

H.R. 5284 also expands the invasive species provision pertaining to Guam to cover all DoD installations. DoD recognizes the importance of identifying and managing for invasive species before they become significant management and budgetary challenges. Our INRMPs currently address management for invasive plants and animals as appropriate. Due to the widespread nature of some invasive species, a statutory requirement to address them in the INRMP may overburden the process. This would impede the development of INRMPs that would otherwise have substantial beneficial impact. We will be glad to work with the Subcommittee and DOI to ensure that invasive

species threats to both fish and wildlife conservation and DoD goals for military lands are minimized.

Conclusion

Installation natural resources professionals within the Military Departments must continue to demonstrate that the two goals of supporting the military mission and protecting natural resources are compatible. With upfront planning, we can continue to make effective and cost-efficient management decisions. As the 50th anniversary of the Sikes Act approaches, we will look for new ways in which this landmark legislation can continue to protect our nation's safety and its priceless resources.

In closing, Madam Chairwoman, I sincerely thank you for this opportunity to discuss the Sikes Act, its applications, and its importance to the military. We appreciate your strong support of our mission and our troops. I will be happy to answer any questions.