

TESTIMONY OF DR. MAMIE PARKER, ASSISTANT DIRECTOR FOR FISHERIES AND HABITAT CONSERVATION, ACCOMPANIED BY MARVIN MORIARTY, REGIONAL DIRECTOR FOR THE NORTHEAST REGION,

U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE COMMITTEE ON RESOURCES, SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS, OVERSIGHT HEARING ON H.R. 5381, THE NATIONAL FISH HATCHERY SYSTEM VOLUNTEER ACT OF 2006, H.R. 5061, THE Paint Bank and Wytheville National Fish Hatcheries Conveyance Act, AND H.R. 4957, THE Tylersville Fish Hatchery Conveyance Act

June 15, 2006

Mr. Chairman and Members of the Committee, I am Dr. Mamie Parker, Assistant Director for Fisheries and Habitat Conservation, U.S. Fish and Wildlife Service (Service). I am accompanied today by Marvin Moriarty, Regional Director for the Northeast Region. Thank you for the opportunity to present testimony for the Department of the Interior (Department) regarding H.R. 5381, National Fish Hatchery System Volunteer Act of 2006, H.R. 5061, Paint Bank and Wytheville National Fish Hatcheries Conveyance Act, and H.R. 4957, Tylersville Fish Hatchery Conveyance Act

H.R. 5381 National Fish Hatchery Volunteer Act of 2006

The National Fish Hatchery System Volunteer Act (Hatchery Volunteer Act) would improve the ability of the Service's Fisheries Program to work with program partners to support stewardship of the nation's fishery resources and increase awareness of the Fisheries Program's role in restoring and conserving fishery resources. The Hatchery Volunteer Act would also facilitate contribution of financial and in-kind resources to directly support National Fish Hatcheries and other Fisheries Program office activities.

The Department of the Interior supports this bill. Similar to the National Wildlife Refuge Volunteer Act of 2003, the bill provides that donations can be made to hatcheries to assist with restoration and conservation efforts. We note that the Service already has existing authorities to generally accept volunteer services and to implement educational programs. In addition, the bill authorizes \$1.75 million over 5 years. This funding is not in the President's 2007 budget. Any additional funding for this act will have to compete with existing activities.

The Service's volunteers play a vital role in helping to fulfill our mission to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. In many cases, volunteers provide essential services that we do not have the resources or staff to provide. Further, many Americans are interested in volunteering their time and energy to help improve the environment. The National Fish Hatchery System (Hatchery System) is one place the public can satisfy their desire to make a difference while assisting the Service in accomplishing its mission.

The Hatchery Volunteer Act is modeled after the National Wildlife Refuge System Volunteer and Community Partnership Act of 1998 (Refuge Volunteer Act), which gave the Refuge System the authority to enter into cooperative agreements with partner organizations to promote stewardship of refuge resources; support the operation and maintenance of refuges; and increase awareness of the Refuge System and its mission through the use of refuges as outdoor classrooms. The Refuge Volunteer Act also allowed partner organizations to contribute financial resources for the exclusive benefit of a specific refuge and authorized the donation of net revenues from the sale of educational products. The Refuge Volunteer Act helped broaden and increase the size of refuge volunteer programs from 4,251 volunteers donating 128,440 hours of service in 1982 to more than 34,000 volunteers contributing over 1.2 million hours of service in 2002. Over the last two years, creative efforts of volunteers complete more than 20 percent of the work conducted on refuges, and volunteer contributions over the last two years are valued at \$28.8 million.

As with the National Wildlife Refuge System prior to the Refuge Volunteer Act, the National Fish Hatchery System and other Fisheries Program offices have a base of individuals willing to volunteer their time and resources to conserve the nation's fishery resources and habitats. These individuals want to give back to their communities. They are parents who want to be good stewards of the land and set examples for their children, retired people willing to share their wealth of knowledge, concerned citizens of all ages who want to learn more about conservation, and passionate people who enjoy the outdoors and want to spread the word about America's greatest natural treasures. Enactment of the Hatchery Volunteer Act will give the National Fish Hatchery System and other Fisheries Program offices the same authority to accept gifts, use those gifts, carry out community partnership enhancement projects, and provide for education program development that was given to the National Wildlife Refuge System in 1998. It recognizes the importance of working with volunteers to perform a variety of tasks, such as providing information and interpretation to the visiting public, leading hatchery tours, conducting surveys and habitat improvement projects, completing construction and repair projects, and assisting with

laboratory and scientific research.

#### Volunteer Coordinator

The Hatchery Volunteer Act calls for a volunteer enhancement pilot project. Under this pilot effort, the Service could establish a full-time volunteer coordinator position, charged with recruiting, training, managing, and supervising volunteers and seeking partnerships between hatcheries and Fisheries Program offices and local communities. The pilot project is envisioned to demonstrate the link between hatcheries and neighboring communities, serving as a bridge between government and local citizens and providing a model to help foster new and stronger partnerships at other hatcheries or Fisheries Program offices.

#### Community Partnerships

The Hatchery Volunteer Act will help to facilitate partnerships between the Service and non-federal entities to promote public awareness of the fishery resource conservation efforts of the Hatchery System and Fisheries Program by allowing our partners to support projects and programs and make contributions to hatcheries directly that can then be used without further appropriation to pay the costs of expenses related to volunteer activities. It will encourage public participation in the conservation of those resources and will also encourage donations and other contributions by persons and organizations to individual hatcheries and program offices because our partners will be able to direct their contributions to the hatcheries with which they are partnering.

In many cases, community partnerships take the form of "Friends" groups for a specific hatchery. "Friends" are groups of local citizens who join together to form 501(c)(3) nonprofit organizations to support the mission of their local hatchery. They provide many important services to the hatchery system, including community outreach, educational programs, habitat restoration support, volunteer staffing, and fundraising. Many of the groups are well established and provide far reaching assistance. Others are just getting started. Currently, the Hatchery System is supported by a national network of 18 Friends groups. A significant portion of the 120,000 hours of volunteer work donated throughout the System can be attributed to the efforts of these Friends groups. As with the Refuge System, which saw a huge increase in Friends groups following passage of the Refuge Volunteer Act, we expect the Hatchery Volunteer Act will result in an increase in the number of Friends groups and volunteer hours at hatcheries and other Fisheries Program offices.

This bill is consistent with the Fisheries Program Strategic Plan which recognizes that the main strength of our program is the ability to work collaboratively with our partners and volunteers on almost every issue, problem, or opportunity to conserve and restore the Nation's fish and other aquatic resources. H.R. 5381 will help the Fisheries Program achieve our strategic goal of open, interactive communication with our partners and support our objective to establish new Friends groups to promote the goals and purposes of hatcheries and other Fisheries Program offices.

As you know, the National Fish Hatchery System is a highly sophisticated, maintenance intensive system of facilities, some of which are over 100 years old. Encouraging creative, effective partnerships with outside organizations and individuals is becoming an increasingly important element of wildlife conservation. Creative, effective partnerships will add considerably to our ability to interact with the private sector to carry out the mission of the National Fish Hatchery System and the Fisheries Program. The Hatchery Volunteer Act recognizes the importance of hatchery volunteer programs for helping the Fish and Wildlife Service to continue building upon its successful efforts to engage and involve private citizens in accomplishing our mission. For all of these reasons, we support the legislation and appreciate the leadership of this Committee and the co-sponsors in seeking passage of the bill.

H.R. 5061 Paint Bank and Wytheville National Fish Hatcheries Conveyance Act  
H.R. 4957 Tylersville Fish Hatchery Conveyance Act

H.R. 5061 would direct the Secretary of the Interior (Secretary) to convey to the Commonwealth of Virginia, without reimbursement and within 180 days after enactment, all right, title and interest of the United States in the Federal fish hatcheries located in Paint Bank and Wytheville, Virginia. H.R. 4957 directs the Secretary to convey, with the same conditions, to the Commonwealth of Pennsylvania, the Federal fish hatchery located in Tylersville, Pennsylvania. In addition, both bills include a reversionary clause that would transfer ownership back to the United States if the property so conveyed is used by the Commonwealth for any purpose other than for fish culture programs. The Department of the Interior supports this legislation.

To provide some background, the Service has closed or transferred to States or other partners 41 National Fish Hatcheries since 1970. These closures and transfers were undertaken after a careful analysis by the Service in which we identified facilities that would be more appropriate for a State or other agency to manage and the hatcheries that are most appropriate for the Service to retain within the Hatchery System. Some closures or transfers were the result of factors relating to

age, condition, and operational efficiency. Others have been necessitated by shifts in program priorities, such as the termination of a program to stock privately-owned farm ponds, an increased focus on the recovery and restoration of threatened and endangered species, or an emphasis on coastal and anadromous species in response to concerns over decline of species and habitat alteration. Existing law also authorizes the General Services Administration to transfer land to States for conservation purposes. Under this authority, federal hatcheries have been transferred to State ownership in the States of New York, Mississippi, Colorado, and Texas. Twenty-one of the 41 Service hatcheries have been conveyed to State ownership through enactment of hatchery-specific public laws. The remainder, although still owned by the Service, are being operated by other Federal Agencies or States under a variety of long-term Memoranda of Agreement (MOA). Seven of these MOAs with States, including agreements on Paint Bank, Wytheville, and Tylersville National Fish Hatcheries, are due to expire within the next two years. Other MOAs extend as far into the future as 2021. The transferred hatcheries fulfill an important role in enhancing recreational fishing opportunities across the nation on Federal and non-Federal lands. These programs support a strong State/Federal partnership that provides for recreational fisheries augmentation in State waters and mitigation stocking for the loss of recreational fisheries in the tail waters of Federal water development projects. In addition, the hatcheries still under Service management significantly contribute to the agency's mission and strategic goals including endangered and threatened species conservation, mitigation for Federal projects, recreational and educational opportunities for our nation's youth, and other important goals. We need the hatcheries managed by our state partners and those managed by the Service to fulfill the nation's fisheries conservation objectives.

### *Paint Bank and Wytheville Fish Hatcheries*

In Virginia, Paint Bank National Fish Hatchery was originally constructed in 1960 and Wytheville National Fish Hatchery was constructed in 1966. Both facilities were developed to produce trout for recreational stocking on Federal lands and were put into caretaker status when the Service shifted program priorities in the early 1980's. In 1983, the Service entered into an agreement with the Commonwealth of Virginia to maintain and operate the facilities for the Commonwealth's recreational trout program. Currently, the hatcheries produce rainbow, brook, and brown trout. The Paint Bank facility also participates in the National Broodstock program. The National Broodstock Program is a cooperative venture coordinated by the Service that each year produces about 100 million disease-free eggs of specific genetic make-up to help ensure that healthy, high-quality fish are available to anglers in more than 30 states. Both facilities have excellent water supplies and produce a significant amount of trout for the Commonwealth's recreational fisheries program. The Commonwealth of Virginia has made significant investments in the facilities over the last 23 years. The Service believes that the Commonwealth should assume ownership of these hatcheries and, therefore, we support H.R. 5061.

### *Tylersville Fish Hatchery*

The Tylersville fish hatchery was originally constructed in 1963 by the Service to produce and stock trout for recreation and enhancement on Federal lands. The hatchery was a division of the Lamar National Fish Hatchery and Technology Center and comprises about 40 acres. The hatchery was placed in caretaker status in 1977 when the Service began to curtail the trout enhancement program for Federal lands. In 1984, the Service entered into an agreement with the Pennsylvania Fish and Boat Commission (Commission) to maintain and operate the hatchery for the Commonwealth of Pennsylvania's recreational trout program. The hatchery has an excellent water supply, primarily supported from eight springs that originate from Big Fishing creek. The facility currently produces around 525,000 adult brook, rainbow, and brown trout per year -- approximately 13% of total trout production for the Commonwealth. These fish have an estimated annual economic impact in Pennsylvania of \$63 million. The Commission has made, and continues to make, substantial investments in the Tylersville Fish Hatchery. From 1988 through 2002, infrastructure investments in the Tylersville hatchery facility have been estimated at \$2 million. Currently, the Commonwealth is in the process of completing a wastewater treatment upgrade to meet National Pollution Discharge Elimination System (NPDES) requirements of the Pennsylvania Department of Environmental Resources. For these reasons, we support H.R. 4957.

### *Future Transfers*

In FY 2004, the Service re-committed to its role as a partner in conserving America's fish and other aquatic resources by developing a new Fisheries Strategic Plan based on a Strategic Vision for the Future. Both documents were developed in close cooperation with our State, Tribal, and private partners. Working with our partners, the Fisheries Program identified seven areas of emphasis with associated goals, objectives, and actions. The Fisheries Program will continue to focus its efforts on objectives and actions that best position the Program to successfully meet the goals of the Fisheries Strategic Plan. To that end, as other MOAs expire, the Service will base future conveyance decisions on the individual merit of such transfers, taking into consideration the strength of State/Federal partnerships established to meet our mutual resource goals, our Federal trust responsibilities, emerging conservation issues, water rights, and the goals and objectives of the Fisheries Strategic Plan.

The transfer of the Paint Bank, Wytheville, and Tylersville facilities supports strong partnerships that have evolved between

the Service and our resource management partners in Virginia and Pennsylvania. The transfers are supported by the Commonwealths and will not have an impact on high priority Service recovery and restoration programs in the Northeast Region. The transfer and continued operation of these facilities will support important recreational fisheries in both Virginia and Pennsylvania. In addition, the transfers will provide the Commonwealths with the long-term security for the capital improvements they have put into the facilities. The Department fully supports both transfer bills.

Mr. Chairman, this concludes my prepared testimony. I would like to extend the Service's and the Department's appreciation to you and the rest of the Subcommittee for your leadership and interest in the Fisheries Program and the National Fish Hatchery System. I would be happy to respond to any questions you may have.