

STATEMENT OF DUANE L. SHROUFE
DIRECTOR, ARIZONA GAME AND FISH DEPARTMENT
ON
H.R. 5180
LOWER COLORADO RIVER MULTI-SPECIES CONSERVATION PROGRAM
BEFORE THE
HOUSE OF REPRESENTATIVES
RESOURCES COMMITTEE
WATER AND POWER SUBCOMMITTEE
OCTOBER 10, 2006
SCOTTSDALE, ARIZONA

Mr. Chairman and members of the Committee on Water and Power, I am Duane Shroufe, Director of the Arizona Game and Fish Department. I greatly appreciate the opportunity to speak with you today on behalf of House Bill 5180 that addresses Congressional appropriations for funding the Lower Colorado River Multi-Species Conservation Program.

The Lower Colorado River, downstream from the Grand Canyon, is a broad geographic area that once hosted a wide diversity of aquatic, semi-aquatic, wetland, marsh and riparian habitats. Those free-flowing riverine habitats supported many species of fish, mammals, birds, reptiles and amphibians. Wildlife habitat along the Lower Colorado River has been severely and negatively impacted by the multitude of water control and power production projects implemented over the last 150 years. The Bureau of Reclamation, acting on behalf of the Secretary of Interior in his role as watermaster of the Lower Colorado River, oversees the operation and maintenance of the water control and power producing structures in the lower river. Many thousands of acres of aquatic, riparian and wetland habitats have been lost or degraded as a result of these operational and maintenance activities through the years. In April of 2005, the Secretary signed a record of decision beginning implementation of the LCR MSCP to address some of this habitat degradation and begin conservation measures for 6 federally endangered or threatened species and 20 other species of concern.

Under the LCR MSCP, a secure and long-term funding source and a management framework have been put in place that will enhance and restore some of the degraded habitat types, providing a long-term benefit to wildlife in the area. My agency, the Arizona Game and Fish Department relishes the opportunity to collaborate with Federal, State and other partners under the umbrella of the MSCP to assess needs and approaches to conduct the habitat restoration. Some of the basic requirements of the MSCP are to create more than 8,100 acres of riparian, marsh and backwater habitat, monitor those habitats for use by the 26 covered species and maintain and augment existing populations of endangered fish through a rearing and stocking program aimed at releasing over one million endangered fish in the Lower Colorado River. These activities will benefit not only the 26 identified species in the MSCP, but serve to provide additional habitats for many other species of wildlife as well.

As a signatory and funding contributor to the MSCP, the Arizona Game and Fish Department under the Biological Opinion issued for the program, has received Federal permits to undertake some actions specific to our State trust responsibilities that may result in incidental take of the Federally listed species. These activities are tied to existing statutory authority under existing state law. These covered activities include vegetation and habitat management that benefit wildlife species. Up to 10 acres of aquatic, riparian and wetland habitat can be maintained or restored in any 5 year period. Up to 10 acres of fish attractor structures can be installed in any 5 year period, leading to increased satisfaction of our sportfish anglers.

Covered activities also include fishery surveys. Management of sportfish populations requires periodic assessments of their populations and dynamics. These surveys have potential to incidentally take (as defined by the ESA) listed species. The Sportfish Management Program is partially funded through Federal-Aid, creating a Federal nexus requiring consultation on the management activities. The existence of the LCR MSCP provides the permit for AZGFD to undertake these sportfish management activities without need for additional consultation with the US Fish and Wildlife Service, saving us time and money.

Another of our covered activities is the maintenance of aids to navigation and boating access facilities. The Arizona Game and Fish Department places and maintains the navigation buoys found along the lower Colorado River. Buoys are used to mark hazards, provide guidance on regulated areas or provide other navigational information to recreational boaters. We also maintain boating access improvements such as docks and launch ramps throughout the Lower Colorado River. Under the MSCP, the AGFD may continue to improve and maintain these facilities.

Finally, as the wildlife management agency and a public safety agency, we conduct law enforcement patrol activities throughout the MSCP area. Enforcement of state statutes (Title 5 and 17) require periodic law enforcement patrols in the area. These patrols have the potential to impact species covered under the ESA. As with the fish surveys, these activities receive incidental take coverage through our continued participation in the MSCP.

The LCR MSCP only works for all of us if the US Bureau of Reclamation is adequately funded to carry out the requirements laid out in the program. If the conservation measures identified in the final Biological Opinion are not met, then incidental take coverage for all of the covered activities of water control, diversions, power production and our state actions may go away. The resulting need for all 56 signatories to then consult independently on their individual actions would tie up the system for years, if not decades. It is in the best interest of my Agency, the state of Arizona and all of us to ensure that the LCR MSCP continues to be adequately funded, and that includes a permanent appropriation for the Federal share of the program that comes through Reclamation as a result of Congressional action.

I thank you for the opportunity to present testimony before you today in support of H.R. 5180 for a permanent appropriation to the USBR for implementation of the LCR MSCP.

Duane L. Shroufe, Director
Arizona Game and Fish Department
Biographical Sketch

Duane Shroufe has been Director of the Arizona Game and Fish Department since January 1989. His employment with the Arizona Game and Fish Department started in April 1984 as an Assistant Director. Prior to coming to Arizona, Duane worked for the Indiana Department of Natural Resources' Division of Fish and Wildlife for 17 years, where he served as a property manager, property staff specialist, and chief of wildlife.

Duane is a certified wildlife biologist with a BS degree in wildlife biology from Michigan State University.

Duane was the President of the International Association of Fish and Wildlife Agencies and currently chairs several of the Association's committees. He has also been President of the Western Association of Fish and Wildlife Agencies. He was the President two different years of the Colorado River Fish and Wildlife Council and Chairman two different years of the Pacific Flyway Council. He is the current Chairman of the North American Wetlands Conservation Council. His current memberships include the Arizona Outdoor Recreation Coordination Commission, University of Arizona School of Renewable Natural Resources Advisory Council and Arizona's Growing Smarter Oversight Council.

Duane received the 2000 Director's Award from the Western Wildlife Law Enforcement Association for outstanding support of wildlife law enforcement. He received the

Leadership in Promoting Outdoor Ethics Award in 2000 from the Boone and Crockett Club and Wildlife Professional of the Year Award in 1997 from the Western Association of Fish and Wildlife Agencies. He received the International Association of Fish and Wildlife Agencies' Ernest Thompson Seton Award in 1996 and the Outstanding State Statesman's Award in 1993 from the Foundation for North American Wild Sheep. He was the recipient of the Seth Gordon Award in 2001 given by the International Association of Fish and Wildlife Agencies for working steadfastly and effectively for the best use of North America's natural resources in the public trust and for contributions to the programs of the International.

DISCLOSURE REQUIREMENT
Required by House Rule XI, clause 2(g)
and Rules of the Committee on Resources

1. **Name:** Duane L. Shroufe
2. **Business Address:** 2221 W. Greenway Rd. Phoenix, AZ 85023
3. **Business Phone Number:** 602-789-3286
4. **Organization you are representing:** Arizona Game and Fish Department
5. **Any training or educational certificates, diplomas or degrees or other educational experiences which add to your qualifications to testify on or knowledge of the subject matter of the hearing:**
BS Wildlife Biology – Michigan State University (1967)
6. **Any professional licenses, certifications, or affiliations held which are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing:**
Chair – North American Wetland Conservation Council (NAWCA)
Past President – International Association of Fish and Wildlife Agencies
Chair – Western Association of Fish and Wildlife Agencies
7. **Any employment, occupation, ownership in a firm or business, or work-related experiences which relate to your qualifications to testify on or knowledge of the subject matter of the hearing:**
17 year employment - Indiana Dept. of Natural Resources
17 year Director – Arizona Game and Fish Department
8. **Any offices, elected positions, or representational capacity held in the organization on whose behalf you are testifying:**
Arizona Game and Fish Department - Director