

Melissa Simpson
Director of Government Affairs, Safari Club International
Testimony on H.R. 1825
"Recreational Fishing and Hunting Heritage And Opportunities Act"
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Mr. Chairman and members of the committee, I appreciate the opportunity to appear before you today to share my views, the views of Safari Club International and the hunting community, all of whom support H.R. 1825, the Recreational Fishing and Hunting Heritage and Opportunities Act.

My name is Melissa Simpson. I serve as the Director of Government Affairs for Safari Club International (SCI). SCI's missions are protecting the freedom to hunt, and promoting wildlife conservation worldwide. SCI works locally, nationally, and globally to protect hunting opportunities and strengthen the link between hunting, sustainable use, and wildlife conservation.

SCI believes that federal lands should be managed under the principles of multiple-use. Outdoor recreation, including hunting and fishing, have been and should continue to be a primary use of federal lands and are fully compatible with other uses. According to data from the U.S. Fish and Wildlife Service, these activities generated 90 billion dollars in 2011, fueling our rural economies. The opportunity to hunt and fish on federal lands should be a priority in every land and resource management plan. H.R. 1825 is designed to provide federal land managers and the hunting public with the tools necessary to defend these recreational opportunities from attacks from those who either do not appreciate or do not understand the positive role that hunting and fishing play on federal land.

Rest assured that H.R. 1825 does not create hunting, fishing or recreational shooting opportunities where they are not already authorized. The bill does not remove Wilderness Act protections from lands properly designated as Wilderness, nor does it authorize motorized vehicle use, or the development of permanent roads in Wilderness Areas. This bill simply protects congressionally authorized activities from legal challenges that seek to interfere with statutorily authorized hunting, fishing and recreational shooting on federal land.

For example, H.R. 1825 corrects a legislative ambiguity that opened the door to almost a decade of litigation brought by anti-hunting groups who tried to stop hunting throughout the National Wildlife Refuge System. This bill removes a redundant planning requirement for the provision of hunting opportunities in National Wildlife Refuges. It not only protects hunting from vicious and costly legal attacks, but conserves federal resources at a time when federal agencies are seeking ways to eliminate unnecessary spending.

The bill also makes it more difficult for litigants to interfere with conservation efforts designed to benefit game species. For example, in a lawsuit concerning the Kofa National Wildlife Refuge, some groups challenged the use of artificial water developments designed to benefit a population of Desert Bighorn Sheep that serve as a seed population for sheep restoration efforts throughout the West.

Most of this bill's provisions focus exclusively on U.S. Forest Service and Bureau of Land Management lands. Although these are public lands where hunting, fishing and recreational shooting are statutorily authorized, anti-hunting groups and others have relied on statutory loopholes and ambiguities to whittle away at the existing opportunities on these federal lands. For example, right now, a litigant in federal district court in Michigan is trying to convince the court that his recreational interests in cross-country skiing should deprive the hunting community of access to and use of portions of the Huron and Manistee National Forests. The provisions in this bill could help provide the Forest Service with an important defense against this type of legal challenge.

The threat to hunting, fishing and recreational shooting comes not only from the anti-hunting public, but also, at times, from within the agencies themselves. There is a growing concern that fewer and fewer agency personnel have first-hand experience of these activities. When given discretion in the planning for federal public lands, federal public land managers often fail to recognize and afford appropriate and adequate hunting, fishing and recreational shooting opportunities on the lands that they administer. In some cases, agency personnel have sought to impose unnecessary and unfair restrictions on hunters and shooters. For example, in 2011, the Bureau of Land Management attempted to adopt a policy that would have placed needless limitations on opportunities for recreational shooting on BLM land. Fortunately, the hunting and shooting community was able to quickly band together to prevent the adoption of that policy.

More recently, the Forest Service proposed planning directives designed to facilitate the agency's 2012 Planning Rules. Like the rules themselves, the draft directives leave hunting and fishing at risk of being crowded out by other types of recreational activities. These rules and directives leave our nation's forests vulnerable to the whims of those who do not understand, let alone participate in sustainable use activities. We cannot let the policies, rules and directives of those who do not hunt and fish become the downfall of recreational pursuits that are a fundamental part of our nation's history and heritage, not to mention important elements of many state and federal wildlife management and conservation efforts.

These examples demonstrate the crucial need for H.R. 1825. If Congress does not expressly designate hunting and fishing as priority uses of our federal lands, it is only a matter of time before we lose these opportunities that have been central to the North American Model of Wildlife Conservation.

In August of 2000, America's leading wildlife conservation organizations met to identify how best to work collaboratively to help chart the course for the future of wildlife conservation in the United States. These organizations formed the American Wildlife Conservation Partners (AWCP), a consortium of over 40 organizations representing over 4 million hunters at the time. The impetus for this historic meeting was the urgent recognition that habitats on federal forests and rangelands were deteriorating; declines in hunter participation was putting America's hunting heritage at risk, and along with it, the tradition of America's game management; public conflict and polarization over wildlife issues were increasing; and finally, the stewardship of federal lands was hampered by conflicting laws and regulations guiding the management of these lands. AWCP subsequently presented "Wildlife for the 21st Century" policy recommendations to President George W. Bush in both his terms and to President Barack Obama in 2009. In the 14 years that AWCP has engaged the Administration, sportsmen and women have tirelessly worked to resolve the same ongoing issues with the federal land management agencies. During the Bush Administration, I served as a liaison to the sportsmen's community through high level positions at the Department of the Interior and U.S. Department of Agriculture, focusing on facilitating relationships between the Bureau of Land Management and the U.S. Forest Service with the sportsmen's community to better integrate sportsmen's issues into agency decision making, specifically focusing on access to public lands.

In 2005, I organized a conference between Interior and AWCP to advance their policy recommendations. Policy sessions with high-level Administration officials, the Interior Secretary, Interior Counsel and AWCP executives led to the recognition that the hunting community needed a more direct conduit to engage the Administration. Consequently, the Secretaries of the Interior and Agriculture established the Sporting Conservation Council (SCC), a federal advisory committee specifically for members of the hunting community to advise on access, conservation funding, habitat management, and hunter recruitment and retention. The SCC recommendations resulted in President Bush's Executive Order #13443: Facilitation of Hunting Heritage and Wildlife Conservation, which called for a White House Conference on North American Wildlife Policy and a ten year Recreational Hunting and Wildlife Conservation Plan. The ten year plan was referenced by the Obama Administration in the charter for the current sportsmen's federal advisory committee, the Wildlife Hunting Heritage Conservation Council.

In 2006, 40 hunting, fishing and wildlife organizations and three federal agencies signed the Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding with the purpose of "implementing mutually beneficial projects and activities." The chief of the U.S. Forest Service has repeatedly reminded field staff of the importance of hunting and sport shooting on national forest lands through directives. Lastly, the Sport Fishing and Boating Partnership Council was established to benefit recreational fishing. Despite all these

efforts and the supposed commitment of the present Administration to hunting and fishing opportunities, the reality is that the hunting, fishing and recreational shooting communities need statutory help to protect their interests.

While sportsmen and women began with high hopes for the Administration, it has become increasingly clear that these hopes were based on paper promises. The continual stream of regulations that discourage participation in outdoor recreation has come from many different agencies and appears to be a coordinated affront to our hunting heritage. The current Administration has made little if any progress in implementing the ten year Recreational Hunting and Wildlife Conservation Plan.

Mr. Chairman, at the beginning of the last century, sportsmen saw the problems that over-utilization can do to wildlife. Hunters and anglers asked to contribute to conservation through license fees and excise taxes to ensure that wildlife would be around for future generations. Over the last century, sportsmen and women have upheld our end of the bargain and provided billions of dollars to conserve wildlife, including over 75% of all funding for state conservation agencies. Now we need your help. We need Congress to pass H.R. 1825 to help protect our outdoor heritage.

Thank you for this opportunity to speak and I would be happy to answer any questions that the Committee might have.

List of Anti-hunting Regulatory and Administrative Actions Taken During the Current Administration

U.S. Fish and Wildlife Service Vision Document

The National Wildlife Refuge System “vision” document entitled “Conserving the Future: Wildlife Refuges, The Next Generation” was published by the U.S. Fish and Wildlife Service (FWS) in October 2011. The document is designed to provide direction for National Wildlife Refuges for the next generation. Despite the fact that Congress, through the National Wildlife Refuge System Improvement Act, made hunting and fishing a priority for the refuges, the vision document neglects hunting and recreation while greatly expanding the FWS’s mission to include controversial climate change adaptation.

Forest Service Planning Rules and Directives

The Forest Service’s Planning Rules affect every land management plan on the 193 million acres of the National Forest System. These rules provide little support for hunting and fishing on Forest lands:

- The Rules make negligible mention of hunting and, as such offer little in the way of expressing protections for hunting. As published the Planning Rules potentially relinquish to the courts the discretion to resolve questions over the role that hunting will play on National Forests in the future.
- The Planning Rules offer an ambiguous definition of “sustainable recreation” that makes no specific mention of hunting. In addition, the definition is troublesome because it restricts “sustainable recreation” to opportunities, uses and access that are ecologically, economically and socially sustainable, without providing a definition of what qualifies as “socially sustainable.”

The Forest Service has proposed a set of Directives that will facilitate planning under authority of the Planning Rules. Although these Directives provide more references to hunting than the Planning Rules, the Directives do nothing to protect hunting and fishing activities from direct competition with other forms of forest recreation.

Forest Service Planning in Inventoried Roadless Areas

Following a Wyoming District Court’s removal of an injunction against implementation of the Roadless Rule, the Forest Service adopted directives that instill in the Chief authority for general planning for road construction, reconstruction, timber cutting, sales and removal in all inventoried roadless areas. Instead of allocating such decision-making authority to individual forest managers who are naturally more in tune with the recreational uses of their individual forests as well as the wildlife and habitat needs and concerns in that particular forest, the agency has placed that decision-making at the national level. By removing these powers from local land managers, the Secretary’s office is greatly limiting the ability of local land managers to thin forests to reduce the chances of catastrophic wildfires, mitigate insect infestation, and manage forest habitat for the benefit of wildlife and those who seek to engage in the sustainable use of that wildlife.

BLM Shooting Range Policy

In 2011, the BLM attempted to adopt a shooting range policy. The policy failed to acknowledge the traditional and historic use of public lands for recreational shooting. Even worse the policy endorsed BLM's existing policy of not operating shooting ranges or issuing new leases for shooting ranges because of the "potential liability related to lead contamination of the environment," despite the fact that the EPA has developed guidance for management of spent lead ammunition at shooting ranges. SCI and other sporting organizations voiced strong opposition to the shooting range policy, prompting the BLM to withdraw the draft. The BLM's attempt to introduce such a policy sends a negative message to land managers about the role that recreational shooting should have on BLM land and expresses the agency's general lack of support for recreational shooting on federal public lands.

Wild Lands Order

In December 2010 Secretary Salazar issued Secretarial Order 3310, containing the controversial Wild Lands policy, without any public input. This policy would have allowed the BLM to circumvent congressional authority over designating wilderness by allowing the BLM to use the public resource management planning process to designate certain lands with wilderness characteristics as "Wild Lands." Sportsmen and the Association of State Fish and Wildlife Agencies (representing the 50 state fish and wildlife agencies) opposed this order because it would have undermined states' authority by creating unnecessary barriers to fish and wildlife management and related recreation on public lands. The Secretary reversed this Order only after Congress acted to remove funding for this policy.

The FWS's Approach to Importation

Those who seek to import hunting trophies into the United States have faced greater obstacles in the last few years due to the FWS's rigid enforcement of procedural requirements imposed by CITES and the Endangered Species Act. Such enforcement practices led to an increase in the number of seizures of hunting trophies being imported into the United States. The FWS has taken the approach that any variation from CITES documentation requirements, regardless of how minor, qualifies as a violation of U.S. law. The FWS manual directs personnel to consider trophy seizure or forfeiture as the agency's first recourse in the face of such violation. Seizure or forfeiture of expensive wildlife trophies is an outsized penalty for minor technical errors, where there is no evidence of intent to violate the law. Although the FWS has made efforts to work with range nations and with CITES to clarify the requirements necessary for the documentation required for particularly troublesome trophy importation, the FWS continues to follow an approach to trophy importation that discourages rather than encourages U.S. hunters to engage in sustainable use conservation of foreign species.