

H.R. 2591, "MODERNIZING THE PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS ACT OF 2017"; H.R. 4429, "CORMORANT CONTROL ACT"; H.R. 4609, "WEST FORK FIRE STATION ACT OF 2017"; H.R. 4647, "RECOVERING AMERICA'S WILDLIFE ACT"; AND H.R. 4851, "KENNEDY-KING ESTABLISHMENT ACT OF 2018"

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

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**LEGISLATIVE HEARING ON H.R. 2591, TO AMEND THE
PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT TO
MODERNIZE THE FUNDING OF WILDLIFE CONSERVATION,
AND FOR OTHER PURPOSES, "MODERNIZING THE PITTMAN-
ROBERTSON FUND FOR TOMORROW'S NEEDS ACT OF 2017";
H.R. 4429, TO DIRECT THE SECRETARY OF THE INTERIOR TO
REISSUE A RULE RELATING TO EXTENSION OF THE EXPIRA-
TION DATES FOR DOUBLE-CRESTED CORMORANT DEPREDA-
TION ORDERS, AND FOR OTHER PURPOSES, "CORMORANT
CONTROL ACT"; H.R. 4609, TO PROVIDE FOR THE CONVEY-
ANCE OF A FOREST SERVICE SITE IN DOLORES COUNTY,
COLORADO, TO BE USED FOR A FIRE STATION, "WEST FORK
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WILDLIFE AGENCIES, AND FOR OTHER PURPOSES, "RECOV-
ERING AMERICA'S WILDLIFE ACT"; AND H.R. 4851, TO ESTAB-
LISH THE KENNEDY-KING NATIONAL HISTORIC SITE IN THE
STATE OF INDIANA, AND FOR OTHER PURPOSES, "KENNEDY-
KING ESTABLISHMENT ACT OF 2018"**

**Thursday, February 15, 2018
U.S. House of Representatives
Subcommittee on Federal Lands
Committee on Natural Resources
Washington, DC**

The Subcommittee met, pursuant to call, at 2:30 p.m., in room 1334, Longworth House Office Building, Hon. Tom McClintock [Chairman of the Subcommittee] presiding.

Present: Representatives McClintock, Thompson, Tipton, Bergman, Bishop (ex officio), and Hanabusa.

Also Present: Representatives Austin Scott, Fortenberry, Graves of Louisiana, Carson, and Dingell.

Mr. MCCLINTOCK. The hour of 2:30 has arrived, and the Subcommittee on Federal Lands will come to order. We are meeting today to consider five bills that have been submitted to the Subcommittee.

I would ask unanimous consent that all Members on the witness list testifying on today's panel be allowed to sit with the Subcommittee, give their testimony, and participate in the hearing on the dais.

I would also ask the gentleman from Louisiana, Mr. Graves, be allowed to sit with the Subcommittee and participate in the hearing, and that the gentlelady from Michigan, Mrs. Dingell, be allowed to sit with the Subcommittee and participate for the consideration of H.R. 4647. Hearing no objection, so ordered.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman, Ranking Minority Member, and Vice Chairman. This will allow us to hear from our witnesses sooner and help Members keep to their schedules.

I would ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted to the Subcommittee Clerk by 5:00 p.m. today. Without objection, so ordered.

We are continuing a parliamentary experiment here at the request of Chairman Bishop. The Committee will consider each bill individually, hearing all testimony on that bill. If a witness is addressing multiple bills, I think we have one today who is doing so, the complete testimony will be heard at one time on the first bill to be taken up.

After all the testimony is heard on the first bill, Members will have 5 minutes to ask questions on that bill, and we will then hear from our witnesses on the next bill and repeat the process.

It worked out fairly well last week. We will see if it works out well again.

So, with that, we will begin with opening statements.

STATEMENT OF THE HON. TOM McCLINTOCK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. McCLINTOCK. As I said, the Subcommittee meets today to hear five Federal Lands bills that recognize sites significant to our national heritage, protect communities from wildfire, promote sportsmen's access, take a hard look at how our Federal wildlife conservation programs operate, and the impacts and unintended consequences of conservation efforts on local communities.

H.R. 2591, by Congressman Austin Scott, amends the Pittman-Robertson Wildlife Restoration Act to modernize the funding for wildlife conservation.

The legislation clarifies that in addition to providing the funds to support the management of wildlife populations in their habitat, one of the purposes of the Pittman-Robertson Act is to extend financial and technical assistance to states for the promotion of hunting and recreational shooting. After all, the fund is dependent on hunters and recreational shooters in the first place. It comes to us with the support of many sportsmen and conservation organizations.

H.R. 4429, by Congressman Bergman of Michigan, directs the Secretary of the Interior to reissue a final rule on double-crested cormorant depredation orders to address conflicts between cormorants' natural feeding habitats and challenges they pose for the aquaculture and commercial and sportfishing industries in the Great Lakes region of the United States.

H.R. 4609, introduced by Congressman Scott Tipton of Colorado, would authorize the U.S. Forest Service to convey approximately 3.61 acres of Forest Service land in Dolores County, Colorado, to the county for the purpose of constructing a fire station and to provide fire protection to public and private lands in the region.

H.R. 4647, by Congressman Jeff Fortenberry of Nebraska, would amend the Pittman-Robertson Wildlife Restoration Act and create

a Wildlife Conservation and Restoration Subaccount to support state-based wildlife conservation and management projects.

Finally, H.R. 4851, by Congressman André Carson of Indiana, would designate the site in Indianapolis, Indiana, where Robert F. Kennedy gave his first remarks after learning of the death of Dr. Martin Luther King, Jr. as the Kennedy-King National Historic Site.

I would like to thank our witnesses for appearing before the Subcommittee today. I look forward to hearing their testimony.

With that, I yield back.

[The prepared statement of Mr. McClintock follows:]

PREPARED STATEMENT OF THE HON. TOM MCCLINTOCK, CHAIRMAN, SUBCOMMITTEE
ON FEDERAL LANDS

In furtherance of this Subcommittee's core objectives to restore sound management and public access to public lands, and ensure the Federal Government is a good neighbor to public lands communities, today the Subcommittee meets to consider five bills that recognize sites significant to our national heritage, protect communities from wildfire, promote sportsmen's access, and take a hard look at how our Federal wildlife conservation programs operate, and the impacts and unintended consequences of conservation efforts on local communities.

H.R. 2591, introduced by the gentleman from Georgia, Representative Austin Scott, amends the Pittman-Robertson Wildlife Restoration Act to modernize the funding for wildlife conservation. The legislation clarifies that—in addition to providing the funds to support the management of wildlife populations and their habitat—one of the purposes of the Pittman-Robertson Act is to extend financial and technical assistance to states for the promotion of hunting and recreational shooting.

H.R. 4429, introduced by a member of this Subcommittee, the gentleman from Michigan, General Bergman, directs the Secretary of the Interior to reissue a final rule on double-crested cormorant depredation orders to address conflicts between cormorants' natural feeding habits and challenges they pose for the aquaculture and commercial and sportfishing industries in the Great Lakes region of the United States.

H.R. 4609, introduced by the gentleman from Colorado, Representative Scott Tipton, would authorize the U.S. Forest Service to convey approximately 3.61 acres of Forest Service land in Dolores County, Colorado to the county for the purposes of constructing a fire station to provide fire protection to public and private lands in the region.

H.R. 4647, introduced by the gentleman from Nebraska, Representative Jeff Fortenberry, would amend the Pittman-Robertson Wildlife Restoration Act and create a Wildlife Conservation and Restoration Subaccount to support state-based wildlife conservation and management projects.

Finally, H.R. 4851, introduced by Representative André Carson of Indiana, would designate the site in Indianapolis, Indiana where Robert F. Kennedy gave his first remarks after learning of the death of Dr. Martin Luther King, Jr. as the Kennedy-King National Historic Site.

I'd like to thank our witnesses for appearing before the Subcommittee today and look forward to hearing their testimony.

Mr. MCCLINTOCK. I now recognize the Ranking Member for her opening statement.

**STATEMENT OF THE HON. COLLEEN HANABUSA, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF HAWAII**

Ms. HANABUSA. Thank you, Mr. Chairman.

These bills are focused on a wide range of issues.

First, H.R. 2591, introduced by Representative Austin Scott of Georgia, amends the Pittman-Robertson Wildlife Restoration Act, a law that directs taxed revenue from sporting arms and ammunition to states for wildlife management and conservation. This bill

would increase flexibility to use funds for the construction of public shooting ranges and enhance recruitment for hunting and shooting sports.

While I understand the rationale for this change, these are goals that could detract from wildlife conservation and restoration efforts, the original intent of Pittman-Robertson. Just this week, President Trump released a disappointing budget proposal to cut funding for the Interior Department by 17 percent.

Second, H.R. 4429, introduced by Representative Jack Bergman of Michigan, would require Interior Secretary Zinke to reinstate two depredation orders for double-crested cormorants. These orders were vacated by a Federal judge who found that the agency had not done its due diligence to take a hard look at the science to justify reissuing the orders.

I completely understand the importance of fisheries that support aquatic life and the need to find a balance between competing interests. However, I also think it is important that we allow the Fish and Wildlife Service to get this right.

The Fish and Wildlife Service has already completed the environmental assessment and reissued the depredation order for impacts to aquaculture, and they are also currently engaged in the environmental review for impacts to free-swimming fish.

Forcing a reissuance without adequately addressing the science sets a bad precedent that this Committee should want to avoid.

H.R. 4609, introduced by Representative Scott Tipton of Colorado, authorizes a conveyance of about 3 acres of National Forest System land to Dolores County, Colorado, for a fire station and related infrastructure. The bill includes a reversionary clause, so ownership would revert to the United States if there are land-use changes.

Although the Forest Service is in support of the conveyance, there is some concern about not requiring a market value compensation for the land. I look forward to learning more about the issue from Representative Tipton and the County Commissioner, Floyd Cook.

The next bill is H.R. 4647, introduced by Representative Jeff Fortenberry of Nebraska and Debbie Dingell of Michigan, which increases funding to states for wildlife conservation by directing Federal tax revenue from onshore and offshore oil and gas activity to state fish and wildlife departments.

With multiple attacks on our Nation's conservation efforts, I am pleased to see a bipartisan effort to support wildlife. I look forward to learning more about this effort from Representative Fortenberry.

The last bill we are looking at today is H.R. 4851, introduced by Representative André Carson of Indiana. This bill authorizes the National Park Service to acquire Kennedy-King Park in Indianapolis, Indiana, and establish the Kennedy-King National Historic Site as a unit of the National Park System.

This site is a touching tribute to Robert Kennedy's speech made shortly after Dr. Martin Luther King's assassination. The local community erected a memorial sculpture in honor of the speech and now wants national recognition.

Although the support is laudable, the site has not been evaluated by the National Park Service for designation, so it is unclear whether the park meets the appropriate criteria.

Because of the incredible history involved in this bill's request, I look forward to learning more about this issue from Representative Carson and Indiana State Representative Gregory Porter.

With that, Mr. Chairman, I yield back the balance of my time.
[The prepared statement of Ms. Hanabusa follows:]

PREPARED STATEMENT OF THE HON. COLLEEN HANABUSA, RANKING MEMBER,
SUBCOMMITTEE ON FEDERAL LANDS

Thank you, Mr. Chairman. Today, we meet to discuss five bills that impact conservation, land use, and wildlife.

The bills are focused on a pretty wide range of issues, but I am glad we are able to continue with this hearing despite the fact that tomorrow's votes were canceled and many of our colleagues are getting ready to head back to their districts.

First, H.R. 2591 introduced by Representative Scott of Georgia amends the Pittman-Robertson Wildlife Restoration Act, a law that directs taxed revenue from sporting arms and ammunition to states for wildlife management and conservation. This proposed amendment would increase flexibility to use funds for the construction of public shooting ranges and enhance recruitment for hunting and shooting sports.

While I understand that rationale for this change, these are goals that could potentially detract from wildlife conservation and restoration efforts, the original intent of Pittman-Robertson.

Just this week, President Trump released a budget proposal to cut funding for the Interior Department by 14 percent. Trump's dirty budget promotes energy development over all other concerns and seriously threatens national conservation efforts, so we should tread lightly with plans to retool programs like Pittman-Robertson that are designed to protect and conserve our natural areas, public lands, clean air and water.

Second, H.R. 4429 introduced by Representative Jack Bergman of Michigan would require the Interior Secretary Zinke to reinstate two depredation orders for Double-Breasted Cormorants. These orders were vacated by a Federal judge who found that the agency had not done its due diligence to take a hard look at the science to justify reissuing the orders.

Coming from Hawaii, I completely understand the importance of fisheries and the need to find a balance between competing interests. However, I also think it is important that we allow the Fish and Wildlife Service to get this right. The agency has already completed the Environmental Assessment and reissued the depredation order for impacts to aquaculture, and they are currently engaged in the environmental review for impacts to free-swimming fish.

Forcing a reissuance without adequately addressing the science sets a bad precedent that this Committee should want to avoid.

Third, H.R. 4609 introduced by Representative Tipton of Colorado authorizes a conveyance of about 3 acres of National Forest System land to Dolores County, Colorado for a fire station and related infrastructure. The bill includes a reversionary clause, so ownership would revert to the United States if there are land-use changes.

Although the Forest Service is in support of the conveyance, there is some concern about not requiring a market value compensation for the land. I look forward to learning more about this issue from Representative Tipton and County Commissioner Floyd Cook.

The next bill is H.R. 4647, introduced by Representative Fortenberry of Nebraska and Representative Dingell of Michigan, which would increase funding to states for wildlife conservation by directing Federal tax revenue from onshore and offshore oil and gas activity to state fish and wildlife departments.

With the many attacks on our Nation's conservation efforts, I am pleased to see a bipartisan effort to do the right thing. I look forward to learning more about this effort from Representative Fortenberry.

The last bill we are looking at today is H.R. 4851, introduced by Representative Carson of Indiana, which authorizes the National Park Service to acquire Kennedy-King Park in Indianapolis, Indiana and establishes the Kennedy-King National Historic Site as a unit of the National Park System.

It is a touching tribute to Robert Kennedy's speech shortly after Dr. Martin Luther King's assassination by the local community who erected a memorial sculpture in honor of the speech and now want national recognition. Although the support is laudable, the site has not been evaluated by the National Park Service for designation, so it is unclear whether the park meets the appropriate criteria.

Because of the incredible history involved in the bill's request, I look forward to learning more about this issue from Representative Carson and Indiana State Representative Gregory Porter.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. McCLINTOCK. Thank you very much.

We will now take up H.R. 4851, by Congressman André Carson. The gentleman is recognized for 5 minutes to discuss his bill.

STATEMENT OF THE HON. ANDRÉ CARSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. CARSON. Thank you, Chairman McClintock and Ranking Member Hanabusa, my buddy. It is a pleasure to be here today with you all, members of the Federal Lands Subcommittee. I especially want to thank Chairman Bishop for his leadership and hard work regarding this matter and Ranking Member Grijalva for his leadership, as well, and their efforts to protect a very special place in Indiana.

H.R. 4851 is a bipartisan and bicameral bill with the full support of the entire Indiana congressional delegation, including my colleague Representative Susan Brooks, who has helped move this bill forward.

I also want to thank one of my heroes, Representative John Lewis, and my friend, Representative Joe Kennedy, for joining the Hoosier delegation as original co-sponsors.

Our Indianapolis Mayor Joe Hogsett is also a strong supporter of this bill. He wasn't able to be here today, so I have a statement from him for the record I would like to enter.

Mr. McCLINTOCK. Without objection.

[The information follows:]

HON. JOE HOGSETT, MAYOR OF INDIANAPOLIS, INDIANA
STATEMENT FOR THE RECORD

As mayor of the city of Indianapolis, I strongly support H.R. 4851, the pending legislation establishing the Kennedy-King National Historic Site within Dr. Martin Luther King, Jr. Park. I'm honored to be working with our local congressional members, Rep. Carson, Rep. Brooks, Sen. Young and Sen. Donnelly, to highlight for the nation the history and importance of this site.

On the evening of April 4, 1968, Senator Robert F. Kennedy climbed onto the back of a flat-bed truck and delivered news to a crowd, largely unaware, that the Reverend Dr. Martin Luther King, Jr. had been assassinated. And while across the country, communities found themselves swept up in the winds of calamity, the city of Indianapolis remained united; standing in solidarity, and standing in peace. Their names—Bobby and Martin, Kennedy and King—have become cornerstones of our country, guideposts during some of our nation's darkest chapters in the decades since.

Located on the corner of Broadway Street and East 17th Street in the heart of our city, Dr. Martin Luther King, Jr. Park serves as a bedrock for the community. What was a place of near-panic almost 50 years ago, is now a place where children—regardless of race or gender or class or religion—are now able to run and play and imagine each day. That is Indianapolis' legacy.

As the 50th anniversary of that fateful night draws near, and given the rich history of the park and the Landmark for Peace Memorial that stands at its center, I believe there is no place more deserving of a National Historic Site designation and I am proud to offer my support.

Mr. CARSON. I am also happy to welcome a very good friend and leader in our state and nationwide. That is Representative Greg Porter, who traveled here from Indy to testify today.

H.R. 4851 will establish a unit of the National Park System to preserve and protect the place where Senator Robert F. Kennedy gave an extraordinary speech in Indianapolis in the spring of 1968. This historic location needs to remain available and interpreted for the benefit of present and future generations.

Some of my colleagues might not be aware that on April 4, 1968, Robert Kennedy had scheduled a speech in Indianapolis, Indiana, during his campaign for the Presidency of the United States. However, just before he was to give remarks, Senator Kennedy was told of the assassination of Dr. Martin Luther King, before the news became widely known. His adviser said he should not speak. They suggested he should just scrub the event in light of this terrible news.

But Robert Kennedy wanted to speak. Despite the risks of outburst or interruptions, he had something important to say, in person, face-to-face, to those gathered. He changed his planned remarks on the fly, and broke the news of Dr. King's assassination to the large crowd assembled in the local park. He called for a non-violent response to Dr. King's death.

Robert Kennedy's speech has been described as one of the greatest addresses of the 20th century, as a call for unity and non-violence in a time of great unrest.

I would like to include the text of the speech into the hearing record.

Mr. MCCLINTOCK. Without objection.

[The information follows:]

Senator Robert F. Kennedy
Indianapolis, Indiana
April 4, 1968

I have bad news for you, for all of our fellow citizens, and people who love peace all over the world, and that is that Martin Luther King was shot and killed tonight.

Martin Luther King dedicated his life to love and to justice for his fellow human beings, and he died because of that effort.

In this difficult day, in this difficult time for the United States, it is perhaps well to ask what kind of a nation we are and what direction we want to move in. For those of you who are black—considering the evidence there evidently is that there were white people who were responsible—you can be filled with bitterness, with hatred, and a desire for revenge. We can move in that direction as a country, in great polarization—black people amongst black, white people amongst white, filled with hatred toward one another.

Or we can make an effort, as Martin Luther King did, to understand and to comprehend, and to replace that violence, that stain of bloodshed that has spread across our land, with an effort to understand with compassion and love.

For those of you who are black and are tempted to be filled with hatred and distrust at the injustice of such an act, against all white people, I can only say that I feel in my own heart the same kind of feeling. I had a member of my family killed, but he was killed by a white man. But we have to make an effort in the United States, we have to make an effort to understand, to go beyond these rather difficult times.

My favorite poet was Aeschylus. He wrote: "In our sleep, pain which cannot forget falls drop by drop upon the heart until, in our own despair, against our will, comes wisdom through the awful grace of God."

What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness; but love and wisdom, and compassion toward one another, and a feeling of

justice toward those who still suffer within our country, whether they be white or they be black.

So I shall ask you tonight to return home, to say a prayer for the family of Martin Luther King, that's true, but more importantly to say a prayer for our own country, which all of us love—a prayer for understanding and that compassion of which I spoke.

We can do well in this country. We will have difficult times; we've had difficult times in the past; we will have difficult times in the future. It is not the end of violence; it is not the end of lawlessness; it is not the end of disorder.

But the vast majority of white people and the vast majority of black people in this country want to live together, want to improve the quality of our life, and want justice for all human beings who abide in our land.

Let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of this world.

Let us dedicate ourselves to that, and say a prayer for our country and for our people.

Mr. CARSON. The local park was renamed the Dr. Martin Luther King Jr. Park after his death and is owned by the city of Indianapolis. In 1994, a memorial sculpture to honor Dr. King and Mr. Kennedy was erected on the park site. This continues to be a vital community space, but it could be so much more if we are successful in elevating this place to a national historic site.

The city of Indianapolis looks forward to working with the National Park Service to transfer the Kennedy-King speech area to the Federal Government and arranging collaborative agreements that will make this a win-win for everyone.

As we approach the 50th anniversary of RFK's speech, it becomes very clear that America needs this national treasure to be preserved and promoted beyond the residents of Indianapolis. This powerful message of nonviolence in response to violence is more timely now than ever.

The Smithsonian has described the 1968 speech and that year as the year that shattered America. It was a time when divisions were sharp and the morale of our country was low. Many stirred up hatred and fear with venomous rhetoric, which drove people long left out of America's bounty to the limits of their humanity.

Many cities erupted in flames and violent riots. When other cities expressed their pain, anger, and disenfranchisement with destruction, Robert Kennedy's calm voice of reason changed the hearts and minds of people who were feeling so much pain. Indianapolis was the only major city in America that did not burn in that season of pain and violent disruption.

JFK was assassinated. MLK was assassinated. And just 2 months after RFK's emotional speech in Indy, he was assassinated. But in his youth and his ability to feel the pain of others, RFK called on those who were hurting to turn away from violence and hate and practice what MLK practiced. This message and this special place needs to be shared with all Americans across the country today and in the future.

I look forward to working with the Committee to report this bill. And thank you for your time and allowing me to testify today.

Mr. MCCLINTOCK. The gentleman's time has expired.

The Committee is now pleased to welcome the Honorable Gregory Porter, Indianapolis State Representative. He is the

Chairman of the Kennedy-King Memorial Initiative. He comes to us today from Indianapolis, Indiana.

Welcome to the Subcommittee.

STATEMENT OF THE HON. GREGORY PORTER, INDIANA STATE REPRESENTATIVE, KENNEDY-KING MEMORIAL INITIATIVE, CHAIR, INDIANAPOLIS, INDIANA

Mr. PORTER. Thank you Chairman McClintock, Ranking Member Hanabusa, and other members of the Committee. My name is Gregory W. Porter, and I am proud to represent House District 96 here in this great state of Indiana in the Indiana General Assembly.

My Indianapolis district, ladies and gentleman, includes the current local park named in honor of Dr. Martin Luther King, Jr., the Landmark for Peace Memorial, which includes a memorial sculpture of Robert F. Kennedy and Dr. King. This area, surrounding the memorial sculpture, is the site we want to preserve by establishing the Kennedy-King National Historical Site.

In addition to my work in the Indiana General Assembly, I also serve as the President of the National Black Caucus of State Legislators.

I am particularly honored to serve as Chairman of the Board of the Kennedy-King Memorial Initiative, a non-profit community organization that builds on the historic events of April 4, 1968, to raise awareness and to inspire action to eliminate division and injustice. Our organization is committed to promoting the nonviolent legacy of Dr. King and Robert Kennedy through civic engagement and courageous conversations.

The Kennedy-King Memorial Initiative is comprised of several individuals throughout our community. We are very honored that Congressman Carson is here to stress the importance of recognizing and preserving this special place we have in our city.

We are pleased with Congressman Carson's leadership, as well as the support from the entire Indianapolis delegation, House and Senate, for establishment of the National King-Kennedy Historical Site, the site where Robert Kennedy broke the news to the Indianapolis community of Dr. King's assassination. It needs to be preserved not just for Indianapolis, but for Indiana and for all Americans across this country.

As we approach the 50th anniversary of Kennedy's historic speech, I hope each member of this Committee can understand the powerful words that were said that evening, the way they were delivered, the way they were received, and their powerful impact today. What we see today is unimaginable of what happened years ago. Robert Kennedy was assassinated in Los Angeles. Robert Kennedy's message of hope and nonviolence made a big difference in 1968, and it can still make a difference today as our country continues to suffer with bitter divisions.

This historical site that sits in Indianapolis, Indiana, has a long tradition as a community gathering place. It is surrounded by seven different neighborhoods. Today, the location is part of a beautiful urban park maintained by the city of Indianapolis. It attracts neighborhood residents and other visitors for ongoing sports, recreational, and cultural activities.

In addition to preserving this national treasure, the establishment of the Kennedy-King Historic Site will widen awareness of the historic events and their impact on the region and the Nation.

Local leaders strongly support this effort because we know that becoming a permanent part of the National Park Service will increase the number of visitors to the Kennedy-King site and enhance the cultural tourism and economic development of our community.

We have been very fortunate to see impacts in other parts of Indianapolis, including the federally funded Indianapolis Cultural Trail, which has connected diverse communities and increased the health and well-being of our region.

Once part of the National Park System, we envision a number of improvements to the site, including a visitors center in an existing building adjacent to the site, interpretive materials, interactive exhibits, and other programming that can educate new generations about peace, nonviolence, and the improvement of American society for everyone.

Establishing the Kennedy-King Historic Site will be meaningful to many people still alive today whose lives were changed by Robert Kennedy's historic speech. With this memory in mind, our community strongly believes that Americans of all ages will benefit from the improved understanding of the social and political history of the 1960s, and particularly civil rights, peace, and nonviolence, which are the great legacies of Dr. King and Robert Kennedy.

A significant number of people in the crowd heard the speech that evening, those being Mr. Abie Robinson, Dorothy Burris, Jim Trulock, and other individuals; former Congresswoman Julia Carson, and State Representative Bill Crawford. And of course Congressman Lewis was also there and State Senator Theresa Lubbers.

The compelling story of what occurred in the park that night continues to inspire individuals in our community.

Thank you for the opportunity to testify today, and I look forward to answering any questions.

[The prepared statement of Mr. Porter follows:]

PREPARED STATEMENT OF GREGORY W. PORTER, INDIANA STATE REPRESENTATIVE ON
H.R. 4851

Good Afternoon. Chairman Bishop, Ranking Member Grijalva, Subcommittee Chairman McClintock and Subcommittee Ranking Member Hanabusa, and members of the Natural Resources Subcommittee on Federal Lands, thank you very much for inviting me to testify today in support of H.R. 4851, the Kennedy-King Establishment Act of 2018.

My name is Gregory Porter and I'm proud to represent the 96th House District in the Indiana General Assembly. My Indianapolis District includes the current local park named in honor of Dr. Martin Luther King, Jr. and the Landmark for Peace Memorial, which includes a memorial sculpture of Robert F. Kennedy and Dr. King. This area, surrounding the memorial sculpture, is the site we want to preserve by establishing the Kennedy-King National Historic Site.

In addition to my work in the Indiana General Assembly, I also serve as the President of the National Black Caucus of State Legislators. I am particularly honored to serve as the Chairman of the Board of the Kennedy-King Memorial Initiative, a non-profit community organization that builds on the historical events of April 4, 1968 to raise awareness and inspire action to eliminate division and injustice. Our organization is committed to promoting the non-violent legacy of Dr. King and Robert Kennedy through civil engagement and courageous conversations.

The Kennedy-King Memorial Initiative reached out to our Congressman, Rep. André Carson, to stress the importance of recognizing and preserving this special place. We are very pleased with Congressman Carson's leadership, as well as support from the entire Indiana delegation—House and Senate—for the establishment of a national Kennedy-King Historic Site.

The site where Robert Kennedy broke the news to Indianapolis of Dr. King's assassination is sacred to our community and our Nation. It needs to be preserved not just for Indianapolis, but for Indiana, and for Americans all across our country.

As we approach the 50th anniversary of Kennedy's historic speech, I hope each member of this Committee can understand the power of those words—the way they were delivered, the way they were received, and their powerful impact today. What is still unimaginable to me is that less than 2 months after this speech in Indianapolis, which helped prevent another wave of violence, Robert Kennedy was assassinated in Los Angeles. Robert Kennedy's message of hope and non-violence made a big difference in 1968, and it can still make a difference today as our country continues to suffer from bitter divisions.

The historic site in Indianapolis has a long tradition as a community gathering place, which is why it was selected as the location for presidential candidate Kennedy's campaign speech in 1968. Today, this location is a part of a beautiful urban park maintained by the city of Indianapolis. It attracts neighborhood residents and other visitors for ongoing sports, recreational and cultural activities.

In addition to preserving this national treasure, the establishment of the Kennedy-King Historic Site will widen awareness of the historic events and their impact on the region and the Nation.

Local leaders strongly support this effort because we know that becoming a permanent part of the National Park Service system will increase the number of visitors to the Kennedy-King site and enhance the cultural tourism and economic development. We have been fortunate to see similar impacts in other parts of Indianapolis, including areas surrounding the federally funded Indianapolis Cultural Trail, which has connected diverse communities and increased the health and well-being of our region.

Once part of the National Park System, we envision a number of improvements to the site, including a visitors center in an existing building adjacent to the site, interpretive materials, interactive exhibits and other programming that can educate new generations about peace, non-violence and the improvement of American society for everyone.

Establishing the Kennedy-King Historic Site will be meaningful to many people who are still alive today and whose lives were changed by Robert Kennedy's historic speech. With this memory in mind, our community strongly believes that Americans of all ages would benefit from an improved understanding of the social and political history of the 1960s—and in particular civil rights, racial equality, peace and non-violence, which are the great legacy of Dr. King and Robert F. Kennedy.

A significant number of people in the crowd who heard the speech went on to pursue lives of public service through elected office and community service. This includes great Hoosiers community leaders like Mr. Abie Robinson, Amos Brown, and Mrs. Simon, plus elected officials of both parties like Congressman Lewis, Congresswoman Julia Carson, and State Senator Theresa Lubbers.

The compelling story of what occurred in the park that night continues to inspire people today and the establishment of a National Historic Site will help further highlight an incredible moment in American history.

Thank you for the opportunity to testify today and I look forward to answering your questions.

Mr. McCLINTOCK. Thank you, Representative Porter.

That concludes our testimony on the bill. We will now proceed to questions. I just have a couple very briefly.

Representative Porter, one of the problems we are dealing with is we have about \$12 billion deferred maintenance on our current National Park Service responsibilities. We are trying to avoid taking on new responsibilities until we can adequately address those that we have already acquired.

My question is, has the Kennedy-King Memorial Initiative commissioned any cost estimates on the annual operating costs of the

proposed national historic site, maintenance, staffing, signage, or legal compliance?

Mr. PORTER. We are in the process of fundraising those dollars right now. We are looking at maybe less than a million dollars a year in regards to maintaining the park. It is a 14-acre park, and the building that we are looking at is to the southern end of that. It is maybe about an acre or so.

Mr. MCCLINTOCK. So, you are anticipating maintenance and ongoing costs being raised privately?

Mr. PORTER. Mr. Chairman, we are working on that, yes, sir. We are working with the city of Indianapolis, who currently owns the park, along with other business leaders that are committed to working with us to maintain the park.

Mr. MCCLINTOCK. Have you also looked at any alternatives like national historic site designation, placing on the National Register of Historic Places?

Mr. PORTER. Yes, Mr. Chairman. We have looked at those other two options, also.

Mr. MCCLINTOCK. Very good.

Well, I am old enough to remember that terrible day and having watched the broadcast of Robert Kennedy live on our old black and white television, and it is an important moment in the Nation's history.

With that, I will yield to the Ranking Member.

Ms. HANABUSA. Thank you, Mr. Chairman.

Representative Porter, the typical process for establishing a new unit of the National Park System involves a congressionally authorized special resource study. This process allows the National Park Service to evaluate the suitability of a given site and determine the most appropriate management options. There are several pending studies that this Committee has even approved over the last year or so.

Would you support a special resource study for the Kennedy-King Park?

Mr. PORTER. Madam Chairman, yes, I would, being straightforward, yes, ma'am.

Ms. HANABUSA. Your testimony mentions that the National Park Service management would include construction of new facilities. Do you have a cost estimate for the visitor center and other facilities?

Mr. PORTER. The visitor center that we are doing renovations on right now, we are looking at about \$500,000 in regards to the visitor center and the work that we have done. We have about \$200,000 that we have fundraised thus far in regards to the visitor center and some of the surrounding properties of the area.

Ms. HANABUSA. Is \$500,000 the total cost that you anticipate for the construction of the visitor center plus other facilities?

Mr. PORTER. No, Madam Chairman. We are phasing in the whole building, so we are looking at \$500,000 right now, and then continuing to phase in the property where we want to have our visitor center and interactive area.

Ms. HANABUSA. And from what you testified to earlier, it seems like you believe that the community will be able to raise this through private funding?

Mr. PORTER. Yes, ma'am. As a matter of fact, on this Tuesday we are having another meeting with about 25 or 30 business people that we are continuing to work on this.

Ms. HANABUSA. Thank you very much.

Mr. Chairman, I yield back.

Mr. MCCLINTOCK. Thank you.

Are there any other questions on H.R. 4851?

Chairman Bishop.

Mr. BISHOP. Mr. Carson, maybe let me address this to you.

The speech that was given was on April 4?

Mr. CARSON. Yes, sir.

Mr. BISHOP. So, this April 4 this will be the 50th anniversary?

Mr. CARSON. Yes, sir.

Mr. BISHOP. So, the real goal here is whatever designation becomes established would be helpful if it was done by April 4?

Mr. CARSON. Yes, sir. That would be extremely helpful. In fact, John Lewis is scheduled to speak. It is going to be a huge event obviously for great reason. And I think during these times for a Democrat to work across the aisle with great folks like you and Susan Brooks, it means so much. It has symbolic and substantive value, yes, sir.

Mr. BISHOP. Not if you have to give me a Valentine's card for it.

Mr. CARSON. Oh, I missed it, goodness. Fifty percent off at CVS. I will take care of you.

Mr. BISHOP. I will tell you who my Valentine was later.

Mr. CARSON. All right.

Mr. BISHOP. It hasn't been up and running yet, but we created by law a civil rights network. This would be an ideal part of that civil rights network regardless of where the control actually is, as being a part of that, being able to be part of the brand. We are going to work with you to see what we can do by April 4.

Mr. CARSON. Thank you. The city of Indianapolis is already committed to the maintenance of the park. Yes, sir. Thank you.

Mr. BISHOP. Here is the most important thing, though. Is there a baseball field in that park? You put a baseball field in it, you have a done deal.

Mr. CARSON. I know. That is right.

Mr. PORTER. Mr. Chairman, we have 14 acres. Anything is possible.

Mr. BISHOP. OK. I take that as a commitment. Thank you.

Mr. MCCLINTOCK. Further questions on this measure?

General Bergman.

Mr. BERGMAN. Thank you.

Representative Porter, inclusion of a site in the National Park System means activities at or near the site are subject to compliance with Sections 106 and 110 of the National Historic Preservation Act, as well as the National Environmental Policy Act.

Are the neighboring landowners, community developers, and the city of Indianapolis all aware of and prepared for the hurdles or potential restrictions on what they can do with their property if such a designation is issued?

Mr. PORTER. Yes, sir, absolutely. We have had this conversation over the last several months in regards to the pros or the cons, as

one would say. So, the landowners around the area are aware it is going to be a revitalization area, very, very big and very robust. As I said, we have \$200,000 that has gone into that we have set aside to work on the park right now.

So, the short answer is, yes, we are very familiar with that. But we will embrace any conclusions that we can come to as a community. This is a community effort. It is not just a small group of individuals.

Mr. BERGMAN. But the adjacent landowners know, everybody knows what could potentially—

Mr. PORTER. Yes, sir.

Mr. BERGMAN. OK.

Mr. PORTER. In my other job, I work for a health and hospital corporation, and we own two buildings adjacent to the park.

Mr. BERGMAN. Thank you. I yield back.

Mr. MCCLINTOCK. All right. Any further questions? Seeing none, that concludes the hearing on H.R. 4851.

Representative Porter, Congressman Carson, you are certainly welcome to stay, but you are also free to go.

Mr. CARSON. It is tempting. But thank you, Chairman and Ranking Member.

Mr. PORTER. Thank you very much.

Mr. MCCLINTOCK. Thank you very much.

We will next take up H.R. 2591, by Congressman Austin Scott, and recognize the gentleman from Georgia for 5 minutes.

STATEMENT OF THE HON. AUSTIN SCOTT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. SCOTT. Thank you, Mr. Chairman and ladies and gentlemen of the Committee.

I want to thank you for hosting me and for allowing me to speak at today's hearing.

As a lifelong outdoorsman and current Vice Chair of the Congressional Sportsmen's Caucus, I am honored to be here today to discuss H.R. 2591, the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017.

If enacted, H.R. 2591 would provide national, broad-based support to state fish and wildlife agencies to develop, guide, and enhance collective efforts to recruit hunters and recreational shooters, all while continuing to protect the natural resources we enjoy.

As you all are aware, through a system of user-paid public benefits, Pittman-Robertson is the foundation of wildlife conservation funding in the United States. Since it was first enacted in 1937, the Pittman-Robertson Wildlife Restoration Fund has collected over \$8 billion from hunters and recreational shooters to be used by states to fund wildlife conservation efforts, habitat acquisition and management, public access to lands, hunter education, and shooting ranges affiliated with hunter safety programs.

These funds are collected from an excise tax on firearms, ammunition, and archery equipment, and are matched by the state with funds from licenses paid by both hunters and recreational shooters.

Effectively, Pittman-Robertson creates a direct link between those that hunt and participate in sportsmen activities and the

health of the resources needed to expand and enhance those opportunities.

However, in recent years the increasing urbanization and suburbanization of our population has made it more difficult for the public to participate in hunting and recreational shooting. Correspondingly, the average age of Americans purchasing hunting licenses is steadily rising.

This has a significant ripple effect not only on the key Federal funding models that support conservation of fish and wildlife, but also on the base of our public lands and on thoughtful natural resources policy.

With no Federal mandate or any increase in existing user fees or taxes, H.R. 2591 will preserve the current user-paid public benefit funding of wildlife conservation for generations to come while further expanding the flexibility of the states to make decisions that are best fit for them.

Specifically, H.R. 2591 would clarify that a purpose of the Pittman-Robertson Fund is to extend public relations assistance to the states for the promotion of hunting and recreational shooting. However, to ensure that traditional wildlife conservation remains the primary focus of Pittman-Robertson, H.R. 2591 puts a cap on the PR funds that can be used for public relations.

Finally, H.R. 2591 would expand the Multistate Conservation Grant Program by providing an additional \$5 million per year for making hunter and recreational recruitment project grants that promote a national hunting and shooting sport recruitment program. This legislation simply provides the authority for existing funds to be used on programs that will help ensure participation in hunting and recreational shooting, thus securing the funding base long into the future.

It is important to note that H.R. 2591 does not mandate how Pittman-Robertson funds must be spent. The discretion to determine the amount of any wildlife restoration fund spent on hunter recruitment and recreational shooter recruitment activities would remain entirely with the state fish and wildlife agency.

Conservation organizations and state wildlife agencies alike have long advocated for increased flexibility in Pittman-Robertson Fund spending. I have received letters from numerous state agencies and conservation organizations that advocate in favor of this legislation, H.R. 2591. Mr. Chairman, if possible, I would like to ask for unanimous consent that these letters be entered into the record.

Mr. MCCLINTOCK. Without objection.

[The information follows:]

November 6, 2017

Hon. ROB BISHOP, *Chairman*,
Hon. RAÚL GRIJALVA, *Ranking Member*,
House Natural Resources Committee,
Washington, DC 20515.

Dear Chairman Bishop and Ranking Member Grijalva:

Our organizations represent millions of hunters, anglers, wildlife enthusiasts, and other conservationists. We strongly support The Pittman-Robertson Modernization Act of 2017, H.R. 2591, which will authorize the use of certain Pittman-Robertson (P-R) funds for state fish and wildlife agencies to recruit, retain and reactivate hunters and recreational shooters. The Dingell-Johnson/Wallop-Breaux Act provides

this authorization for recruitment, retention and reactivation of anglers and boaters, and it is past time that the P-R Act does likewise. We respectfully urge that you schedule a hearing on H.R. 2591 so that it can be expeditiously reported to the House floor.

Hunting, angling, recreational shooting, and boating provide vital and foundational funds to the state fish and wildlife agencies to deliver the conservation of fish, wildlife and its habitat on the ground, and to sustainably manage fish and wildlife for not only hunters and anglers but for all of our citizens who enjoy our natural resources and the outdoors. State hunting and angling licenses are matched with federal excise taxes on sporting arms and ammunition, and fishing tackle respectively, and apportioned to the states for the conservation of fish, wildlife and its habitat, and providing hunting, angling, recreational shooting, and boating opportunities. These funds provide the vast majority of the budget for state fish and wildlife agencies to conserve all species of fish and wildlife for all of our citizens, and future generations.

H.R. 2591 would define recruitment, retention and reactivation as it relates to hunters and recreational shooters, and remove existing statutory prohibitions against the use of P-R funds for these purposes. It also clarifies that P-R funds can be used on the development, construction, and maintenance of public shooting ranges that aren't explicitly used for hunter education programs. Absent the sanction of these uses of P-R funds for these purposes, we face the reality that hunters may continue to decline, thus threatening funding for the conservation of fish, wildlife and its habitat by the states, which have principal authority for fish and wildlife within their borders, including on federal lands. While the number of recreational shooters is on the increase, we must also accommodate the needs of this growing sport, and H.R. 2591 would allow the states to do that.

H.R. 2591 is very complementary to the Target Practice and Marksmanship Training Support Act which is Title II of H.R. 3668 (SHARE), which we also support. We defer (in lieu of section 4(a)(B) of H.R. 2591) to the provisions in H.R. 3668 section 203 of Title II which provides that a state may use up to 10% of its P-R section 4(b) funds, matched at a 90:10 federal:state match, to develop, construct and maintain shooting ranges on public lands. The other provisions of both bills are complementary.

Thank you very much for your consideration of our request, and we are committed to working with you to successfully move H.R. 2591 to the House floor.

Sincerely,

American Woodcock Society	National Wild Turkey Federation
Archery Trade Association	North American Grouse Partnership
Assoc. of Fish and Wildlife Agencies	Pheasants Forever
Camp Fire Club of America	Quail Forever
Catch-A-Dream Foundation	Quality Deer Management Assoc.
Congressional Sportsmen's Foundation	Rocky Mountain Elk Foundation
Conservation Force	Ruffed Grouse Society
Council to Advance Hunting and the Shooting Sports	Sportsmen's Alliance
Delta Waterfowl	Theodore Roosevelt Conservation Partnership
Ducks Unlimited	Whitetails Unlimited
Houston Safari Club	Wild Sheep Foundation
Izaak Walton League	Wildlife Forever
Mule Deer Foundation	Wildlife Management Institute

BASS PRO SHOPS,
SPRINGFIELD, MISSOURI
December 7, 2017

Hon. ROB BISHOP, *Chairman,*
House Committee on Natural Resources,
1324 Longworth House Office Building,
Washington, DC 20515.

Dear Chairman Bishop:

I respectfully urge you to schedule a hearing for H.R. 2591, the Pittman-Robertson Modernization Act of 2017. H.R. 2591 has widespread and bipartisan support, and with your help, can advance out of the House Natural Resources Committee for floor action before the end of 2017.

All state fish and wildlife agencies and numerous hunting and shooting non-governmental organizations (i.e., Ducks Unlimited, Congressional Sportsmen Foundation, Rocky Mountain Elk Foundation, Boone and Crockett Club, Theodore Roosevelt Conservation Partnership) openly support passage of H.R. 2591.

Bass Pro Shops supports H.R. 2591 and requests your assistance in ensuring a Committee Hearing is scheduled to discuss this important legislation. Thank you for your interest and support. If you have any questions, please feel free to contact me.

Sincerely,

JOHN L. MORRIS,
Founder.

GEORGIA DEPARTMENT OF NATURAL RESOURCES,
WILDLIFE RESOURCES DIVISION,
SOCIAL CIRCLE, GEORGIA

December 4, 2017

Hon. Austin Scott
U.S. House of Representatives
2417 Rayburn House Office Building
Washington, DC 20515

Dear Representative Scott:

I am writing today on behalf of the Association of Fish and Wildlife Agencies (AFWA) of which all 50 State Fish and Wildlife Agencies are members, to respectfully request that you co-sponsor H.R. 2591, the **"Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017"**. This legislation is important to ensure continued hunter supported funding for wildlife conservation, hunter education, and shooting sports, and will ensure the future of our American sportsmen's and sportswomen's heritage. Wildlife Resources Division and my colleague state fish and wildlife agencies enthusiastically support and will work for passage of H.R. 2591. Attached is a House "Dear Colleague" letter with further information.

Since first enacted in 1937, over \$8 billion has been collected, through the Pittman-Robertson Wildlife Restoration Fund, from hunters and recreational shooters, and awarded to states to fund wildlife conservation, habitat acquisition and management, public access, hunter education and safety, and shooting ranges affiliated with hunter safety programs. These funds are collected from an excise tax on firearms, ammunition and archery equipment, and are matched by the states with funds from hunting licenses, paid by both hunters and recreational shooters.

The increasing urbanization and suburbanization of our population has made it more difficult for the public to participate in hunting and recreational shooting. The average age of Americans purchasing hunting licenses is steadily rising. To prevent the imminent decline in revenue for the Wildlife Restoration Fund, it is necessary to update the provisions of the Pittman-Robertson Act. H.R. 2591 will provide state and territorial wildlife agencies the tools needed to recruit, retain and reactivate hunters and recreational shooters. This will ensure that funding for wildlife conservation will keep pace with the demands of our growing national population.

Without a federal mandate or any increase in user fees or taxes, H.R. 2591 will preserve the current user pay/public benefit funding of wildlife conservation for generations to come. This legislation simply provides the authority for the existing funds to be used on programs that will help ensure participation in hunting and recreational shooting, thus securing the funding base long into the future. In keeping with Congress' intent in 1937 to dedicate the majority of the funds to wildlife management and habitat conservation, the use of funds for hunter and recreational shooter recruitment, retention and reactivation are capped at no more than 25%. All decisions regarding the use of the funds remain at the discretion of the State Fish and Wildlife Director.

Again we ask that you co-sponsor H.R. 2591. This is important legislation to ensure the future conservation of America's wildlife and our hunting heritage. Please contact me should you have any questions and thank you in advance for your support.

Sincerely,

RUSTY GARRISON,
Director.

NATIONAL WILD TURKEY FEDERATION,
EDGEFIELD, SOUTH CAROLINA

February 13, 2018

Hon. ROB BISHOP, *Chairman,*
Hon. RAÚL GRIJALVA, *Ranking Member,*
House Natural Resources Committee,
Washington, DC 20515.

Dear Chairman Bishop and Ranking Member Grijalva:

On behalf of the 230,000 members and volunteers of the National Wild Turkey Federation (NWTF), I write to express strong support for H.R. 2591, the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017. Thank you for scheduling a hearing; we urge you to follow this with an expeditious mark-up and we stand ready to assist you in your efforts.

Founded in 1973, the NWTF is a national non-profit wildlife conservation organization dedicated to the conservation of the wild turkey and preservation of our hunting heritage. With the successful restoration of the wild turkey complete, the NWTF has focused its efforts on our "Save the Habitat. Save the Hunt." initiative, which connects both parts of our mission by recognizing the importance of quality habitat for wild life conservation and its significance to our hunting tradition. Through this initiative, our goal is to conserve or enhance 4 million acres of wildlife habitat for turkeys and other wildlife, provide access to 500,000 additional acres for hunters and other wildlife enthusiasts, and grow the hunting population by 1.5 million individuals. The NWTF doesn't just advocate for the recruitment, retention and reactivation of hunters, we deliver by actively engaging potential and lapsed hunters in activities to introduce them to hunting and the shooting sports and by providing mentored hunting opportunities. In large part, these activities are done in partnership with state wildlife agencies and other non-profit organizations. The success of our partners through adequate funding is essential to the NWTF reaching our goals.

When the Pittman-Robertson Act was enacted in 1937, hunting and shooting was widely accepted and commonplace in our nation's society. At the time, it was inconceivable to the authors of the legislation that the percentage of hunters in the U.S. would drop to the current level. According to the U.S. Fish and Wildlife Service's 2016 National Survey of Fishing, Hunting and Wildlife Associated Recreation, there are approximately 11.5 million hunters in the United States, a decline of 16 percent since 2011. In addition, it is unlikely the authors anticipated that the funds generated from the tax would, more than 80 years later, continue to be the primary source of funding for the states to conserve and manage all wildlife resources.

While we look for other opportunities to more robustly fund conservation in this country, the Pittman-Robertson Modernization Act provides a much needed update to the original legislation to allow the funds to be used to provide additional infrastructure and opportunities for recreational shooters and to use the funds to actively recruit people to hunting and the shooting sports.

We support the provisions of the Pittman-Robertson Modernization Act that would authorize the states to use funds explicitly for the purpose of promoting hunting and recreational shooting. As an example, states are currently limited on the amount of funding they can use for shooting ranges that are not associated with hunter education and safety programs. As the recreational shooting community continues to grow, there is more demand for safe places for them to shoot. The states need the ability to be responsive to their needs, as they pay a greater proportion of the excise taxes. Without the ability to meet the needs of this segment of users, support for the excise tax may erode, thus leading to a further erosion in funding for the state agencies. We also support provisions that will allow the states to use Pittman-Robertson funding for marketing and other efforts to recruit and retain hunters.

The NWTf is also supportive of the provision that will make up to \$5 million in federal grants available annually for national level efforts to promote hunting and the shooting sports. We need only to point to the "Take Me Fishing" campaign and its success in recruiting people to the sport to highlight the value of such an effort. Presently, funding for such an effort is unavailable. However, it is needed to bolster the efforts of the states and to help guide consistent efforts for maximum effectiveness.

The NWTf thanks you for your expeditious consideration the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017. The future of our hunting tradition is at a critical juncture. States must have the funding to actively recruit hunters and recreational shooters. In addition, the recruitment of more hunters and recreational shooters is essential to perpetuate the current funding model that the state wildlife agencies rely upon. This legislation will provide essential funding to ensure hunter and recreational shooter numbers remain strong and that funding for wildlife conservation continues. The NWTf sincerely appreciates your leadership on this conservation and outdoor recreation bill and stands ready to assist you in its ultimate enactment.

Sincerely,

REBECCA A. HUMPHRIES,
Chief Executive Officer.

Mr. SCOTT. Mr. Chairman, Ms. Ranking Member, Subcommittee members, it is now more important than ever to provide state and territorial wildlife agencies the flexibility and tools they need to recruit, retain, and reactivate hunters and recreational shooters.

In doing so, not only will we create a sustainable base of sportsmen and women in our future generations, but we will ensure that funding for wildlife conservation will keep pace with the demands of our increasingly urbanized national population.

Again, I would like to extend my sincerest thank you to all of the Subcommittee for allowing me to speak today on behalf of this legislation. And with that, I yield back.

Mr. MCCLINTOCK. Great. Thank you very much.

We will now hear from Mr. Bob Ziehmer, who is the Senior Director of Conservation for Bass Pro Shops, coming to us today from Springfield, Missouri. He will be testifying in his 5 minutes on both this measure, H.R. 2591, and also the next measure, H.R. 4647.

Mr. Ziehmer, welcome to the Committee. You have 5 minutes.

STATEMENT OF MR. BOB ZIEHMER, SENIOR DIRECTOR OF CONSERVATION, BASS PRO SHOPS, SPRINGFIELD, MISSOURI

Mr. ZIEHMER. Mr. Chairman, members of the Committee, I appreciate the opportunity to testify in support of H.R. 2591 and H.R. 4647. These bipartisan bills are of significant importance to our Nation, providing benefits to virtually all Americans.

For the record, my name is Bob Ziehmer. As Director of Conservation at Bass Pro Shops, I am privileged to work to advance conservation under the mission to inspire everyone to enjoy, love, and conserve the great outdoors.

Prior to joining Bass Pro Shops, I served over 25 years with the Missouri Department of Conservation, the last 6½ years as the Agency Director. Over the years, I have seen firsthand that conservation investments, ensuring wise management of habitats and fish and wildlife resources, play a significant role in America's quality of life and economic prosperity.

The fact is, healthy fish and wildlife resources and the habitat supporting them are the base of our Nation's outdoor recreational industry, an industry that is supporting 7.6 million U.S. jobs, attracting more than 140 million participants each year, and generating a positive business revenue of over \$887 billion annually.

My passion for the outdoors was instilled at an early age by my parents. Today, an avid hunter and angler, I spend as much time afield as possible with family and friends. There is just something special about watching a sunrise over a frost-covered field, hearing the sound of a wild turkey gobble, a hike across vast grasslands, and the feel of cold water in a clear mountain stream.

As I testify in support of these bills, my thoughts reflect back to the conditions of wildlife in the early 1900s. After years of operating under the belief that fish and wildlife were so abundant they would last forever, our country was at a critical point. In my home state of Missouri, there were less than 2,000 white-tailed deer. Turkey were rarely seen. Elk, bear, and many other animals were gone. Similar stories were playing out across the Nation.

Passage of the Pittman-Robertson Act in 1937, redirecting an existing excise tax being collected on firearms and ammunitions to state agencies for wildlife management, provided critical funding, setting the stage for landmark achievements over the past 80 years.

It is important to note, investments in wildlife have provided significant side benefits, including clean water, improved air quality, erosion control, and increased outdoor recreational opportunities.

As we look to the future, there are conservation challenges, challenges that are diverse, from invasive species to ensuring the balanced needs of rare and abundant wildlife, ensuring public access to the resources, all the while remaining open and encouraging public input.

H.R. 2591 provides flexibility for a limited amount of existing Pittman-Robertson funds to be used by states on services and outreach efforts that help ensure strong participation numbers in hunting and recreational shooting.

Since 1937, hunters and recreational shooters have contributed directly to wildlife management through paying the excise tax collected on firearms and ammunition.

In addition, strong hunter numbers play an essential role in managing abundant wildlife population levels.

H.R. 4647 advances a recommendation from the national Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources. United by a shared vision of addressing growing threats

to our fish and wildlife resources, members of the panel call for passage of this legislation.

It is time for a more complete funding model, enabling state agencies to deliver conservation actions for all fish and wildlife, both game and non-game species.

Today, one-third of our fish and wildlife species across the Nation are considered at risk of continuing population declines. The best way to recover these species is to replicate the conservation model that has produced remarkable success for game species.

H.R. 4647 builds upon fish and wildlife conservation and outdoor recreational services through redirecting a portion of existing energy and mineral revenues being collected. These funds will be invested to ensure the future of a diverse fish and wildlife population.

This nonregulatory, collaborative approach is a superior means of recovering species, while at the same time reducing the need for more expensive measures and avoiding regulation and litigation.

In closing, now is the time to act to address the growing threats to fish and wildlife resources.

Again, I appreciate the opportunity to testify in support of H.R. 2591 and H.R. 4647.

[The prepared statement of Mr. Ziehmer follows:]

PREPARED STATEMENT OF BOB ZIEHMER, SENIOR DIRECTOR OF CONSERVATION, BASS PRO SHOPS ON H.R. 2591 AND H.R. 4647

Good afternoon Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee on Federal Lands. I am Bob Ziehmer, the Senior Director of Conservation for Bass Pro Shops. Previously, I was the Director of the Missouri Department of Conservation where I worked alongside trained fish and wildlife professionals who are highly devoted to the conservation, restoration, and management of our Nation's fish and wildlife and the habitats on which they depend for the benefit of all current and future citizens. Thank you for the opportunity and privilege to testify before you today on the "Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017" (H.R. 2591) and the "Recovering America's Wildlife Act" (H.R. 4647). The first will help stabilize one of the critical existing cornerstones of state fish and wildlife agencies' conservation and management efforts and the second provides an opportunity to build upon our wildlife conservation success and secure the future of America's rich diversity of fish and wildlife across our great Nation.

I am very fortunate to work for a company that measures our investment by our long-term impact on conservation. Bass Pro Shops is North America's premier outdoor recreation and conservation company. Founded in 1972, when avid young angler Johnny Morris began selling tackle out of his father's liquor store in Springfield, Missouri, today the company provides customers with unmatched offerings spanning premier destination retail, outdoor equipment manufacturing, world-class resort destinations, and more. In 2017, Bass Pro Shops acquired Cabela's to create a "best-of-the-best" experience with superior products, dynamic locations and outstanding customer service. Under the visionary conservation leadership of Johnny Morris, Bass Pro Shops is made up of individuals who are dedicated to inspiring people, especially youth and families, to enjoy, love and conserve the great outdoors. Bass Pro Shops' giving over the course of many decades has positioned us as the outdoor industry's conservation leader. The company is known as a national leader in protecting habitat and connecting families to the outdoors and has been named by Forbes as "one of America's Most Reputable Companies" and "one of America's Best Employers."

MODERNIZING PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS ACT, H.R. 2591

At the beginning of my testimony I first referenced the "Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017." I am very pleased to say that this bill neither seeks a new source of Federal funding nor imparts a Federal mandate of any kind. Rather, this bill simply gives state fish and wildlife agencies (state

agencies) the flexibility they need to address today's priority problems using existing funds from the Pittman-Robertson Wildlife Restoration Fund.

Since 1937, sportsmen and women have been the driving force for conservation funding in the United States. Over \$10 billion have been collected through the Pittman-Robertson Wildlife Restoration Fund (P-R) from hunters and recreational shooters, and awarded to state agencies to fund wildlife conservation, habitat acquisition and management, public access, hunter education and safety, and shooting ranges affiliated with hunter safety programs. This funding program has unquestionably served as the lifeblood for wildlife conservation in this Nation for more than 80 years. In spite of P-R's magnanimous success, the allowable uses for funding under this program must be updated to accommodate modern challenges unimaginable in 1937, if we are to adequately secure our hunting and recreational shooting future.

For the past several decades, the number of licensed hunters across the United States has been on a steady and precipitous decline. More recently, the preliminary results of the 2016 National Survey of Fishing, Hunting and Wildlife-Associated Recreation released by the U.S. Fish and Wildlife Service (FWS) indicate that hunting has declined by 16 percent since 2011. This equates to a reduction of 2.2 million hunters over the 5-year period. Previously, over the period from 1980 to 2011, a decline of 3.7 million hunters occurred. These numbers indicate that there are now approximately 11.5 million active hunters in the United States. Additionally, the average age of Americans purchasing hunting licenses is steadily rising thus further detailing the lack of recruitment and retention.

This recent accelerated decline is alarming and should be viewed as a wake-up call to not only state agencies, industry, and conservation groups, but sportsmen and women everywhere. Outdoor recreation remains a huge contributor to our Nation's economy, and according to a report by the Outdoor Industry Association, expenditures by hunters and other outdoor recreation participants in 2017 topped \$887 billion. While there are many contributing factors to the participation decline noted above, urbanization and suburbanization are chief among them. These overarching impacts on our human population have made it more difficult for the public to participate in hunting and recreational target shooting as public access, time, and available resources are all strained.

The "Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017" will provide state and territorial wildlife agencies the tools needed to recruit, retain, and reactivate (R3) hunters and recreational shooters by clarifying that one of the purposes of the P-R is to extend financial and technical assistance to state agencies for the promotion of hunting and recreational target shooting. This will ensure that funding for wildlife conservation will keep pace with the demands of our growing and changing national population.

This legislation specifically seeks to define "hunter recruitment" and "recreational shooter recruitment" activities and projects and makes it clear that funds under section 4(b), 4(c) and 10 may be used for hunter recruitment and recreational shooter recruitment. Currently, the Dingell-Johnson/Wallop-Breaux Sport Fish Restoration and Boating Safety Trust Fund, which is a similar statute supporting the fishing and boating constituency from related user-based taxes, allows state agencies to use those funds for recruitment as well as education, outreach and promotion of fishing programs to the public. These expanded uses of excise tax funds generated from fishing and boating have helped to stimulate an 8 percent growth in participation during the same 5-year period when hunting participation declined significantly. Our belief is that these expanded uses in P-R funding would have similar positive impacts for hunting and recreational shooting participation, helping to stabilize the funding cornerstone that state agencies depend on for successful wildlife conservation and management.

H.R. 2591 also would expand the Multistate Conservation Grant Program (Section 11) by providing for an additional \$5 million per year, specifically from archery related excise tax collections, to be used for nationally and regionally specific communication and outreach related to hunter and recreational shooter programs that will encourage collaboration and drive innovation. Currently, the \$3 million allocated to this program is inadequate to meet the large and growing demand for state agencies' multistate and national wildlife conservation priorities as well as exceptional recruitment, retention and reactivation projects, especially when these activities represent only one of a handful of national priorities competing for these dollars.

H.R. 2591 allows state agencies to acquire lands and develop public target ranges in strategic support of meeting the needs of hunters and recreational shooters in their respective states, and eliminates the required nexus of building target ranges only as part of a hunter education program. Currently, Section 4(c) and Section 10

funds are not always sufficient to meet the state agency's need to fund both land acquisition and development costs associated with target range constructions. H.R. 2591 would allow state agencies to use Section 4(b) funds for target ranges. Currently, Section 4(b) funds cannot be used for range construction or maintenance. H.R. 2591 will clarify that the construction, operation, and maintenance of public target ranges under the Basic Hunter Education funding is not restricted to target ranges that include hunter safety programs, as the regulations now specify.

In keeping with the original intent of the Pittman-Robertson Wildlife Restoration Act of 1937, to dedicate the majority of the funds to wildlife management and habitat conservation, the use of funds for hunter and recreational shooter recruitment, retention, and reactivation under the proposed legislation is capped at no more than 25 percent on a 5-year average but do not require the expenditure of any funds for this activity. As currently practiced, all decisions regarding the use of the funds remain at the discretion of the state fish and wildlife agency directors.

In closing, I would also like to acknowledge the vital leadership of Representative Austin Scott (GA) in championing this legislation. H.R. 2591 will preserve the current user pay-public benefit funding of wildlife conservation for generations to come without overlaying a Federal mandate or any increase in user fees or taxes. This legislation simply provides the authority for existing funds to be used on programs that will help ensure participation in hunting and recreational shooting, thus securing the funding base for state-led wildlife conservation long into the future. Please join me, our state agencies, industry partners, conservation organizations and concerned sportsmen and women everywhere in supporting passage of H.R. 2591.

RECOVERING AMERICA'S WILDLIFE ACT, H.R. 4647

Our Nation's fish and wildlife are among its most valuable resources, along with clean air, water, healthy forests and agricultural lands that support all of us. Our quality of life, outdoor recreational pursuits and prosperity are tied to the health and sustainability of these treasures. They occur not by accident but through the investments, sacrifices, and sound management practices of individual citizens, local communities, and public servants of our natural resources. Our Nation's natural resources, including our rich and diverse fish and wildlife, represent the health and wealth of the country and its people.

While we have many fish and wildlife conservation success stories to tell, there is still much to do. In fact, today, we are facing an historic fish and wildlife challenge that could alter future Americans' opportunities to benefit from these resources. Scientists estimate that one-third of wildlife species in the United States are at risk of becoming threatened or endangered unless we pursue proactive, collaborative efforts to accelerate their recovery. The dramatic decline of so many species of diverse wildlife and the habitats they depend on has an adverse effect on fundamental life benefits provided by nature such as water purification and aquifer recharge, flood abatement, pollination, recreation and food and fiber production that are essential to human health. These species declines threaten Americans' quality of life, as well as our national economy and create costly regulatory uncertainty for businesses, industries, and communities further impacting jobs and the health and economic well-being of our communities.

In 2014, prompted by the growing threats to our natural resources, the Association of Fish and Wildlife Agencies convened a Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, which was co-chaired by Governor Dave Freudenthal (WY) and Bass Pro Shops founder and CEO John L. Morris and included executives from major corporations and leadership from the Nation's leading non-governmental conservation organizations. I was honored to serve on this panel that validated the serious need for a more complete funding model that enables state agencies to more fully deliver conservation actions for *all* fish and wildlife. The Wildlife Restoration Program and the Sport Fish Restoration and Boating Safety Trust Fund are essential and successful in providing reliable and dedicated funding to state agencies for the conservation and management of species that are hunted and fished, respectively, and are responsible for the recovery of these species, some of which were on the brink of extinction. There is no concomitant, dedicated funding source to state agencies for the conservation and management of the full array of species, many of which are trending toward needing a safety net to assist in their stabilization and recovery. State agencies need a dedicated funding source commensurate with their broad conservation missions to restore, conserve, and manage these at-risk species that comprise the lists of species of greatest conservation need compiled by state agencies. We need an innovative funding solution to address a nation-wide fish and wildlife conservation crisis that

has the potential to impact all aspects of our American traditions, our economy, and our quality of life.

To accomplish this goal, the Panel recommended a sweeping initiative to dedicate \$1.3 billion annually, an average of \$26 million per state, to the Wildlife Conservation Restoration Program, an existing subaccount under the Pittman-Robertson Wildlife Restoration Program, for state agencies to effectively implement State Wildlife Action Plans. Congress requires each state and U.S. territory to develop a State Wildlife Action Plan—a proactive, comprehensive conservation strategy which examines species' health and recommends actions to conserve wildlife and vital habitat before they become more rare and in need of additional protections. These plans are unique to each state and are developed with participation from the public. Congress has provided a helping hand for these efforts by funding development of State Wildlife Action Plans through the State and Tribal Wildlife Grants Program. We are grateful for this recognition of the value of state-based conservation, but we are only able to scratch the surface with this level of support. Without additional resources to reverse the growing list of species declines and possible listings, it is a growing Federal and fiscal burden on state agencies and our communities.

The panel has since expanded into the Alliance for America's Fish and Wildlife (Alliance), representing members from the outdoor recreation retail and manufacturing sector, the energy and automotive industries, private landowners, educational institutions, sportsmen's and other conservation organizations, and state agencies. United by a shared vision and a common purpose, the unprecedented Alliance stands ready to work with Congress to enact and implement this unique solution to the Nation's fish and wildlife crisis.

On behalf of Bass Pro Shops and the rest of the Alliance, I would like to thank Representatives Jeff Fortenberry (NE) and Debbie Dingell (MI) for understanding the gravity of our growing wildlife crisis and for introducing the bipartisan, legislative solution to make a meaningful investment in this important, state-led conservation work—H.R. 4647, the "Recovering America's Wildlife Act." This legacy legislation is an opportunity to provide a proactive solution that leverages public/private partnerships and brings stakeholders together to reduce potentially costly regulatory burdens and uncertainties, and provide economic benefits to our citizens and businesses. Additionally, this legislation is complementary to existing natural resource conservation and outdoor recreation programs and proposes to redirect \$1.3 billion in existing energy and mineral revenues generated from onshore and offshore Federal lands and waters to invest in the health and management of habitats and landscapes upon which our citizens and all of our fish and wildlife depend.

The "Recovering America's Wildlife Act" would provide critical resources to state agencies to sustainably lead proactive, voluntary, incentive-based conservation efforts that have proven effective in stabilizing wildlife populations to preclude the need to federally list species. As an observation, the state agencies have shown that addressing the life needs and habitat requirements of declining species across their range before they reach the point where additional protections may be needed is the more prudent, economically and biologically sound approach to managing species trending toward listing. It would also enable the state agencies to work with private landowners to implement voluntary conservation and management actions without requiring public access. Funds provided to the state agencies through this legislation would be leveraged with non-Federal match, creating opportunities for successful partnerships, and apportioned to each state based 50 percent on its proportion of land area and 50 percent on its proportion of people. Territories would also receive funding from the program.

In addition to providing critical resources to proactively manage all fish and wildlife species, the "Recovering America's Wildlife Act" also provides state agencies with the ability to communicate and work with the public through wildlife conservation education efforts. The Act allows the state agencies to create and implement wildlife conservation education programs and projects, including public outreach intended to foster natural resource stewardship, and work with the public, industries and communities to develop local wildlife conservation solutions. Further, the legislation advances wildlife-associated recreation projects by allowing state agencies to use up to 10 percent of a state's apportionment to meet the growing demand for outdoor activities associated with fish and wildlife including but not limited to hunting, fishing, wildlife observation and photography; wildlife viewing areas, blinds, and platforms; water trails and access; and trails, trail heads and access for such projects. Having a place to go to recreate outdoors is one of the leading challenges to outdoor recreational participation. Outdoor recreation is a part of our great natural heritage—our identity as Americans, and we want to make certain that this

natural heritage exists in the same or better condition for future Americans by nurturing a conservation ethic and investing in our natural resources.

We know this is a substantial commitment and investment, but rest assured that the state agencies and their conservation partners are committed to conserving the full array of America's fish and wildlife, and excited to report their conservation outcomes and progress to their citizens and Congress. Investing in the "Recovering America's Wildlife Act" will provide economic returns to state, local and federal governments in the form of decreased tax payer expenditures associated with species listings and associated regulations, increased opportunity for wildlife-dependent recreation, growth in the outdoor recreation economy, and increases in associated jobs.

Recent surveys document high citizen interest in conservation of our natural resources across the country. From a poll conducted earlier this year entitled "Conservation in the West" by Public Opinion Strategies and Fairbank, Maslin, Maullin, Metz and Associates, 74 percent of westerners identify themselves as an outdoor recreation enthusiast, and this transcends party lines—75 percent of republicans, 72 percent of democrats, and 76 percent of independent respondents. Additionally, 76 percent of western voters consider themselves a conservationist, and 7 in 10 voters polled say that outdoor recreation is very important to the economy in their state.

Unfortunately, the essential role that our natural resources play in American's quality of life and economic prosperity is all too often overlooked. These resources are the lifeblood of many communities and continue as important job and revenue generators at state and national levels. For example, as referenced earlier from the same 2017 Outdoor Industry Association report, every year Americans spend more on outdoor recreation (\$887 billion) than they do on pharmaceuticals and fuel, combined (\$770 billion). More Americans are employed by outdoor recreation jobs than those in education, computer technology, insurance and finance, and construction. The outdoor recreation economy generates \$124.5 billion in local, state and Federal tax revenues each year. Spending on hunting alone supports more American jobs (195,000) than the combined workforces of Apple and Microsoft (130,000). Access to high quality recreation opportunities drives our economy and continues to be a quality-of-life index criterion, and a key decision point for choosing a location for many of our most productive American industries and contributors to our GDP. As I can attest from my perspective as a leader in this industry, all of these economic benefits would not exist without healthy fish and wildlife and the habitats they depend on for survival, just as we do. The "Recovering America's Wildlife Act" recognizes and builds a path forward for this synergy to continue to sustain our high quality of life and our economic prosperity together into the future.

The state agencies have a track record of successful species restoration and conservation. Over the last few decades by stretching limited funding, state agencies have built considerable expertise in response to the growing need to address at-risk and imperiled species. I offer two examples for your consideration—one from California and the other from the southeastern United States.

First, the Tule elk was once a species of greatest conservation need. Native only to California, the Tule elk is the smallest of all the elk species in North America. Due to unregulated hunting and loss of natural habitat, they were driven nearly to extinction by the turn of the 20th century. The California Department of Fish and Wildlife (CDFW) created its Elk Management Program in order to maintain healthy elk herds, re-establish elk in suitable historic ranges, provide public educational and recreational opportunities involving elk, and to alleviate conflicts involving elk on private property. Through this program, CDFW personnel have safely captured and relocated more than 1,200 elk since 1975 using a variety of techniques.

California's state Tule elk population has increased from 3 herds totaling 500 elk in 1970, to 21 herds with about 3,800 elk today. Such an increase demonstrates the program's success and the state's native elk species will continue to recover with continued proactive measures and investments in their conservation.

Second, following the 2010 filing of the so-called "mega-petition" and others that covered 404 aquatic species in the southeast, state agencies comprising the Southeastern Association of Fish and Wildlife Agencies (SEAFWA) developed the Southeast At-Risk Species (SEARS) program in partnership with the FWS Southeast Regional Office. The purpose of this program is to cooperate and coordinate among the state agencies to address the conservation needs of the at-risk species proposed for listing. The outcomes of this collaboration have been remarkable: 98 species do not require protection of the Federal ESA because of existing conservation actions, updated surveys, and re-evaluation of threats to their survival; five species have been down-listed from endangered to threatened; four species have been de-listed; and five species were listed as threatened instead of endangered

because of the overall efforts. State agencies worked across state boundaries and cooperatively with the FWS utilizing state and Federal funds together with state agency relationships and expertise.

The bottom line is state agencies are effective at leveraging partnerships, relationships, expertise, capacity and funding to conserve fish and wildlife. We now have the opportunity to make additional investments to proactively apply proven conservation practices that will prevent the need to pursue other regulatory approaches to wildlife conservation on a much broader scale. State agencies are on the ground, in the communities, and on the front lines of these challenges. State agencies have prioritized building relationships with local communities, landowners and other stakeholders to nurture trust and work to better serve the fish and wildlife management needs of their constituents.

Although there have been great strides in conservation made for important species, without much needed funding provided in this legislation, state agencies won't be able to stay ahead of the pressures that keep pushing our fish and wildlife further toward becoming endangered. Today, strong bipartisan support is needed to advance this legislation that builds upon these conservation successes to ensure the future of our diverse fish and wildlife is secure, to expand wildlife-associated recreation, and provide opportunities to engage and educate Americans and local communities on important fish and wildlife conservation issues. This will be our legacy, our gift to our grandchildren and their children, to leave for them the opportunities that we have had to enjoy and benefit from our natural resources, and value them for all that they provide for us.

The fish and wildlife resources of our country are ably managed by state fish and wildlife agencies in partnership with Federal agencies and non-governmental partners. These two bills, that I have the privilege of testifying on, provide enhancements or improvements to visionary legislation dating back to 1937, that will enable state agencies to shore up its base, if you will, through new and concerted outreach and marketing in support of recruitment, retention, and reactivation of hunters, and the second bill offers the hope of new funding, new capacity for managing the full suite of fish and wildlife species, and their habitats, in keeping with the public trust doctrine under which fish and wildlife are a resource managed by state agencies in trust for the public and future generations. These two bills are the perfect package to secure the future of fish and wildlife conservation, outdoor recreation, and complementary education.

In closing, Bass Pro Shops pledges to work with Members of Congress to implement these solutions to our growing fish and wildlife conservation challenges. We would ask that you enact these two pieces of important legislation which are critical to the long-term sustainability of our Nation's fish and wildlife. This is the opportunity to facilitate the continuation of the significant stewardship provided by America's sportsmen and women, and the health and well-being of every American for generations to come.

Mr. McCLINTOCK. Great. And we thank you for your testimony. We will now move to questions. I have two.

Mr. Ziehmer, could you spend just a moment talking about the importance of hunting for proper wildlife management?

Mr. ZIEHMER. As we look over the past, let's just say, 80 years, as wildlife species have rebounded, we have species that are incredible economic engines at the local, state, and national levels. Those range from white-tailed deer, to wild turkeys, to elk, and the list goes on.

Having hunters help state agencies manage populations at appropriate levels not only helps individuals, it helps habitat. And, in fact, managing for good habitat and sustainable wildlife go together. Hunters have and continue to play a key role in helping state agencies manage their fish and wildlife resources.

Mr. McCLINTOCK. And preventing populations from over-running the ability of the land to support them?

Mr. ZIEHMER. Correct.

Mr. McCLINTOCK. Great.

The other question I have is basically this. Pittman-Robertson is primarily funded by an excise tax on firearms and ammunition, and archery equipment. It would seem to me that encouraging a new generation of hunters, shooters, and archers is essential in order to fulfill the purposes of the Act. Do you have any comment on that thought?

Mr. ZIEHMER. The revenues generated by the redirection of the excise tax without a doubt have been the engine for the past 80 years to do things that folks around the world stand in amazement that this country has been able to do.

Many of these species were on the brink of being lost. Through hunters buying licenses, to individuals, recreational shooters purchasing firearms and ammunition, revenue has been increased and over time has allowed us to fund key management activities.

As we stand here today, one of the challenges that we see is working to make sure hunters know the story, know their important role both in generating funds to allow state agencies to implement key activities, but also to know their role in management.

And not just hunters, but being able to market and outreach to all citizens. We live in a democracy, and it is important to increase individuals' awareness and understanding of the model that has proven beneficial for over 80 years.

When you look at hunters and recreational shooters, the majority of funds coming into Pittman-Robertson have been generated from those groups.

Recreational shooters continue to grow in number. Providing facilities that allow safe opportunities for individuals to engage in those activities, as well as to be able to communicate with them key important conservation messages, will continue to serve the Nation well.

Thank you, Mr. Chairman.

Mr. MCCLINTOCK. Thank you very much.

I will yield back my time and recognize the Ranking Member for 5 minutes.

Ms. HANABUSA. Thank you, Mr. Chairman.

Mr. Ziehmer, is that the correct pronunciation?

Mr. ZIEHMER. Yes.

Ms. HANABUSA. In your testimony, you are talking about Bass Pro Shops and the conservation efforts that it does, and at the same time you are a retailer of firearms and ammunition. So, can you tell me exactly what your company does to promote this conservation work?

Mr. ZIEHMER. Yes, and I hope if you have not met the founder and CEO of Bass Pro Shops, Johnny Morris, I hope in the near future we have the opportunity to visit.

Over the past few years, I have been blessed to get to know Johnny and watch the commitment. If you spend any time at all with Johnny Morris you will hear him make reference: one of the most important things Bass Pro Shops can do for the future of the outdoor industry is to invest in the future of conservation.

Whether the economy has been strong in the retail world or whether it has been weak, Bass Pro Shop's commitment to conservation continues.

As we continue to work with state agencies and others, as a company we have three pillars that we are building upon today:

To do all we can to ensure the health of wildlife and habitat.

Second, to work to do as much as we can to engage new audiences with the outdoors and not only help them understand the role of hunters and anglers, but help them understand how to participate in the outdoors, the responsibility they carry as citizens to make sure we hand that on to the next generation.

And third is to look for opportunities like this to speak up and advocate for a system that has proven successful, and looking at state agencies, how they use these funds, a positive accountable track record.

The modifications and flexibility provided by H.R. 2591 is supported by Bass Pro Shops and many others.

Ms. HANABUSA. I understand what you are saying. I guess what I am looking for is, can you give me a specific example? Do you hold seminars? Before anyone buys a box of ammunition do you show them a slide?

What exactly do you do? I know what your objectives are. But what exactly does the Bass Pro Shops do to effect the things that you just said?

Mr. ZIEHMER. In the area of hunters and shooting sports, and thank you for the clarification, even at our retail locations we hold a variety of seminars, special weekends, and summer camps not only for individuals, but for families that would want to come in and learn more about those activities.

We also are involved with a variety of activities, not the least of which are what we call Outdoor Days, where we take activities to citizens to give them an opportunity to have hands-on experience, everything from kayaking, to shooting, to catching a fish, and the list goes on.

In that role, we work with state agencies and other volunteers to demonstrate safe firearm handling and to give them an opportunity through BB and pellet air rifle activities to engage.

We also work with a number of groups through funding that carry on hunter education. In our retail locations, we offer up and many thousands of people annually are trained at Bass Pro Shops through hunter education.

So, we are actively involved and we are looking for additional opportunities to engage as they are appropriate.

Ms. HANABUSA. Do you have any kind of benchmarks or data that you collect to show how you have effectively assisted in the wildlife conservation efforts? Do you adopt a particular species and monitor that? Or what exactly do you do for that conservation of wildlife issue?

Mr. ZIEHMER. Right now we are working on metrics to measure with key partners as we move forward under those three pillars that I referenced earlier, and those pillars in the area, for instance, in habitat management. We are looking to the experts to provide us what metrics we should be measuring and how to measure those as we move forward to make sure that we are advancing meaningful conservation in a very purposeful way.

And I would be glad to visit with you and other members of your staff if you would like to discuss that further.

Ms. HANABUSA. If you have a report that would be helpful, if you have done it already, so we could see that.

Thank you very much Mr. Chair. I yield.

Mr. MCCLINTOCK. Thank you.

Further questions on H.R. 2591?

Chairman Bishop.

Mr. BISHOP. Yes. Let me ask either Austin or Mr. Ziehmer, because you mentioned the word "kayaking" right there, which piqued my interest.

So, the Pittman-Robertson Fund is being supplied for the most part by hunters and fishermen.

Mr. ZIEHMER. Correct. And the kayak term was probably taken out of context regarding the Pittman-Robertson.

Mr. BISHOP. Yes, but it does fund for conservation. The question I had, if you put that in there, are there other groups that benefit from the conservation and wildlife support that are being funded by the hunters and fishermen, groups that are not necessarily hunters and fishermen?

Mr. SCOTT. Mr. Chairman, if I may, I think that we all benefit from an increase in wildlife and increased access to the outdoors. The Pittman-Robertson funds, while they come from when somebody buys certain sporting goods, all people who use our natural resources benefit from the parks and the other things that come about.

Mr. BISHOP. There are people who will benefit from this fund that are not necessarily hunters and fishermen. So, climbers, hikers, kayakers, other types of species that are not sport species will all benefit from this?

Mr. SCOTT. I believe that anybody who enjoys hiking, one of the things that they enjoy the most about hiking is seeing the wildlife in the forest. So, yes, I think they benefit from—

Mr. BISHOP. Have we ever thought that as this fund is coming from one particular group, from hunters and fishermen, and we certainly don't want to discourage that, but a whole bigger area are benefiting from that. As we start looking at revenue sources, have we ever started thinking, well, maybe some of those others who benefit from this program should also help in the funding of this particular program, which would expand the fund at the same time so you could actually do more recreation opportunities and more conservation habitat renewals that may not necessarily directly affect or directly relate to the hunters and the fishermen?

Mr. ZIEHMER. The simple answer is yes. In fact, later today, when we have discussions and hopefully questions on H.R. 4647, you will see how that dovetails in.

And I would reference the Dingell-Johnson Sport Fish Restoration Act that was passed in the 1950s that also provides revenue and an excise tax on fishing equipment, and that ties together.

So, in answer to your question, yes, that has been thought of, and, in fact, H.R. 4647 is a solution to that.

Mr. BISHOP. All right. You have triggered that question in my mind that maybe one of the things we should be looking at is if we can expand this program and expand the good by also going

after those who benefit from it without actually paying into it directly.

I mean, the sportsmen, the hunters, and the fishermen are doing a great job here in funding a program. There are a whole lot of other people that benefit from that and maybe they should be asked to help support that at the same time. It is an idea I think we should maybe explore at some particular time.

Thank you. I yield back.

Mr. MCCLINTOCK. Further questions on H.R. 2591?

Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

If I may, before I ask Bob a question, Ms. Hanabusa, you asked about direct impacts from Bass Pro Shops. I can tell you, when I was 18 years old I remember quite well getting a sticker that said Free the Fighter that came from an order that I placed with Bass Pro Shops.

And it was really Johnny Morris and Bass Pro Shops and a small group of people that started promoting Free the Fighter, that was effectively the start of catch and release approximately 30 years ago.

And I think that there has been a change in the mindset of sportsmen today from where it was many years ago, and I think a lot of that originally started with that Free the Fighter in fishing, and it has carried itself into the hunting area, as well. And that is one of the reasons we see so many more fish and so much more, better game, if you will.

I do want to ask one question, if I may, Bob. Some groups have opposed the legislation that I have presented, H.R. 2591, because they feel it could redirect funds away from Section 4(b) of the Pittman-Robertson Fund. Can you speak to why this really should not be an issue?

Mr. ZIEHMER. When we look at H.R. 2591, it provides flexibilities for states to utilize these dollars if they see it as a priority. It is a flexibility put in the bill.

As we look at Pittman-Robertson and all that has been accomplished over 80 years, and we recognize where a large portion of those resources are coming from, they are coming from hunters and recreational shooters.

As we stand here and we look at challenges that we have in those two areas and maintaining those numbers for hunters, the flexibility to mirror what was put into the Dingell-Johnson Sport Fish Restoration Act that allows funds to be used for outreach, and recruitment, retention, reactivation efforts has proved important. As we watch hunter numbers continue to slide, we see the angler numbers continue to rise.

Part of that is having the ability to communicate to hunters the importance of what they are doing, communicating to citizens that may not hunt today the importance of hunters, hoping they will become hunters, but if not, they will have a full understanding and appreciate the role that hunters play.

On the recreational shooter side, it is a sport that continues to grow. Having facilities that allow recreational shooters to conduct their sport in a safe way and in a way that would also allow state agencies and volunteers to communicate to that important group

the role they have in wildlife management in this great country can only produce benefits.

Again, I would say that with that flexibility it is up to the state agency to decide whether those dollars would be utilized or not, and there is a limit and an average over 5 years. Some states no doubt need this to do those activities for hunters and recreational shooters. Some states may not be in a position to use them today. Some states will aggressively use them off and on.

But as we look long-term, if we want to maintain Pittman-Robertson and continue the forward progress for what it has accomplished in wildlife management, H.R. 2591 is essential.

Mr. SCOTT. If I may, Mr. Chairman, I will conclude with this. We are trying to mirror what worked with fishing.

Mrs. DINGELL. It might have been my husband's father.

Mr. SCOTT. We are trying to mirror what Congresswoman Dingell did for fishing with the hunting funds.

And with that, I would like to thank you for allowing me to present the bill, and I think it is a good piece of legislation, as I think the next piece of legislation is.

Mr. MCCLINTOCK. Thank you.

Further questions on H.R. 2591? Seeing none, that will conclude our hearing on that bill.

Mr. Ziehmer, we would ask that you remain for the next hearing, which is on H.R. 4647.

The Chair now recognizes Mr. Fortenberry for 5 minutes.

**STATEMENT OF THE HON. JEFF FORTENBERRY, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF
NEBRASKA**

Mr. FORTENBERRY. Mr. Chairman, thank you so much for the opportunity to be here.

Ranking Member Hanabusa, thank you as well.

Chairman Bishop, always a pleasure to see you and work with you.

I want to first acknowledge my collaborative partner, Congresswoman Debbie Dingell, for her extraordinary leadership in this initiative. We are working very hard to create a bipartisan spirit around this bill because we think it is essential to our country's well-being. And I am grateful for the opportunity to testify today.

Mr. Chairman, last fall I stepped onto a boat on the Missouri River, which is at the foot of the Great Plains. It is among the Missouri River bottoms, about 50 miles north of Omaha, and this is where the vast expanse of our country really does begin.

The reason I did that is we were there to look at a Corps of Engineers project. The Corps of Engineers about 100 years ago took on making the Missouri River navigable, and they made a series of calculations using the velocity of the water to actually create the conditions in which the channel would remain navigable.

Over time, they did such a good job with their calculations, the river levels have dropped and the land along the sides of the river which hosted a number of species and habitats has diminished. So, now the Corps of Engineers is being forced to recreate the conditions for the spawning grounds of the pallid sturgeon.

I went to look at this area, which is on the Iowa side of the river, and as we got a little bit closer to the weirs and rock barriers that were built in order to create shallow water for the pallid sturgeon, we ran aground in the sandy bottom. There was a little yellow sign in the distance on one of the sandbars, and I asked, "What is that?" Somebody had already gone out into this area of the river and claimed that spot for a duck hunting blind.

The reason that I am telling you all this is that by a holistic approach to restoration of wildlife habitat, by creating the conditions in which not only species can thrive, we create the conditions for tremendous recreational opportunity, hunting, fishing, and community well-being. And that fundamentally is the purpose of the bill here today, Recovering America's Wildlife Act.

Mr. Chairman, I want to move from a system which is based on regulation and litigation to one that is based on collaboration.

As you are quite aware, the Federal Government mandates that each state have a state wildlife management plan, and yet, we do not adequately fund those. At the same time, we have about 8,000 species in America nearing an endangered status. When the endangered species law is invoked, we move into the realm of not only regulation but litigation, and who benefits?

It takes years to come up with suitable plans. It takes multiple levels of lawsuits and government engagement and a waste of time and money for this country.

There is a better way to do this, to create a proactive environment in which we at the Federal level are collaborating with the states, funding not a fully funded mandate, and moving funds from resource extraction into resource recovery for the benefit of wildlife, for the benefit of hunters, for the benefit of fishermen, and for the benefit of community. That is at its core what this bill is seeking to do.

This has created a wave of excitement which excites me among the sportsmen's community, among the conservation community, among state administrators of wildlife agencies, who now see the possibility for a continuity of habitat through voluntary agreements like we do in Nebraska and other places like Wyoming. I don't know exactly how it works in California. It might be a little different, so I am trying to be sensitive to this.

But at the same time, there are options here to use collaboration and partnership with landowners, farmers, and others to create the conditions for, again, continuity of habitat.

Not only did I want to present today the options of the ideas in this bill, but I also wanted to thank you, because it helps by having a platform to get appropriate feedback, some of which has come from my good friend Congressman Garret Graves, who has a very valid concern that oil and gas revenues substantially come from Louisiana and a very meager portion returns back to a very serious complex ecological conservation that he has in his backyard involving coastal erosion.

I have stood on the remnant of shores in Louisiana looking at the rock piles erected by the community of Grand Isle in order to try to stop the pressures from the Gulf from further eroding their land and their wildlife habitat.

I think he has brought up a reasonable concern in this regard. And I think as we move forward we are actually looking for ways in which we could accomplish multiple objectives in this regard.

[The prepared statement of Mr. Fortenberry follows:]

PREPARED STATEMENT OF THE HON. JEFF FORTENBERRY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEBRASKA ON H.R. 4647

Mr. Chairman, thank you very much for holding this hearing. I appreciate having the opportunity to express my strong support for the Recovering America's Wildlife Act, a bipartisan bill I introduced with Congresswoman Debbie Dingell late last year. I respectfully urge prompt approval of this measure.

I'd like to begin my remarks with a story from a trip I took last fall along the Missouri River. The boat trip was organized by Nebraska Game and Parks for a review of a project to restore fishery habitat along the channel. Out on the water, there was a peculiar site—a triangular yellow sign planted on a newly formed sandbar about 50 yards from shore. I couldn't quite read it. It was too far from where our boat could navigate. I learned what it meant though. Someone had staked a claim for duck hunting rights on what is likely to be an opportune spot!

By creating continuity of habitat for wildlife, and effectively integrating multiple use opportunity, we are hoping to achieve a wiser, cost-effective state-led governmental approach. According to the National Wildlife Federation, "State fish and wildlife agencies have identified roughly 8,000 species in need of proactive conservation efforts in the United States, and the number of species petitioned for listing under the Endangered Species Act has increased by 1,000 percent in less than a decade." When a species officially becomes "endangered," it triggers a host of costly regulations and other Federal responses, many of which involve the court system. This can tie up the political space for years and inhibit beneficial uses of the habitat for hikers, hunters, anglers, and more. We can be smarter about this.

This bill, H.R. 4647, is an important and creative initiative to conserve at-risk wildlife species in every state. It builds on a new model of support through proactive, collaborative, and voluntary constructive partnerships at the state level. The bill provides resources so states can make smart upstream investments to avoid triggering the 'emergency room procedures' of the Endangered Species Act. H.R. 4647 will also prove to be a powerful new tool to connect resource extraction policy with prudent resource recovery.

As this bill moves forward, I would like to work with the Chairman and members of the Committee to address specific concerns that have been raised so that we can make the bill even stronger. For example, we should help ensure that coastal states, particularly those that generate substantial revenue, are treated equitably with regard to the distribution of funds, especially those with unique conservation challenges.

Another important consideration is that this bill creates a new balance that can prevent Federal Government over-reach as states address their wildlife and habitat challenges. The states have an obligation to implement their wildlife management plans and this legislation provides the necessary resources to reach their goals.

I would also like to take this opportunity to recognize the important work that Members such as Congresswoman Cheney and Congressman Lowenthal have initiated in their states to create a collaborative environment that can lead to successful outcomes.

The Recovering America's Wildlife Act will authorize the distribution of some funds from existing royalties collected annually from the development of energy and mineral resources on Federal lands and waters. H.R. 4647 will provide a direct return on investment with all states receiving a share of \$1.3 billion annually to implement their Wildlife Action Plans.

Successful past efforts have saved species on the brink, including striped bass, white-tailed deer, elk, turkey, and our national symbol, the bald eagle. These are all amazing conservation success stories and we can continue to build on these accomplishments.

Mr. Chairman, thank you for the opportunity to testify and I strongly encourage support for this important legislative initiative.

Mr. MCCLINTOCK. The gentlemen's time has expired, but I will pick up on that very thread to begin.

This sets up a subaccount that is drawn from OCS and mining lease funds that right now are supporting the Federal Treasury. We have a projected deficit next year of well over \$900 billion. This is about 1 percent of that deficit. Is this the right time to put a further strain on the Treasury?

Mr. FORTENBERRY. Mr. Chairman, if you would let me, I want to just read a paragraph that addresses the underlying funding question so I get the numbers precisely right, then go to the more philosophical point that you are raising.

This Act would direct a portion of revenues from oil and gas and mineral extraction for wildlife conservation in what is called the Wildlife Conservation Restoration Program. Half of the funds, \$650 million, would come from existing revenues from energy development on the Outer Continental Shelf and the other \$650 million would come from existing revenues from mineral development on Federal lands.

And we do know that these are expanding. I have had this conversation with Secretary Zinke, who is also looking for a constructive way to dedicate some of those funds toward his own backlog of maintenance in the National Park System.

But while we are doing this, and to the point philosophically, what a more constructive Powell Initiative does, in my mind, is take the resource recovery, the trusts that we are gaining from resource extraction, and moving it back into resource recovery, again for the benefit of community.

Mr. MCCLINTOCK. It is not philosophy. It is simple accounting. This is 1 percent of the entire deficit we will be carrying.

Mr. FORTENBERRY. You can look at that way, too, but I am trying to be a little more graceful.

So, again, approaching the idea that we control these funds, and I am interested in good public policy, and the potential cost savings that come from the prevention of invoking of the Endangered Species is tremendous, along with the potential opportunity that these gentlemen have been talking about, about increased recreational hunting and sportsmen activity.

Mr. MCCLINTOCK. Let me raise one other concern, and that is there is a provision in the bill that basically provides these funds even if no public access is allowed to these public lands. That may not be a concern in Nebraska, but in a state like California that treats hunters and fishermen as second-class citizens, that is a huge problem.

One of the principal objectives of this Subcommittee is to restore public access to the public lands. Providing funding to states from this source to the states that have cut off access to the public lands is a concern. Could you address that?

Mr. FORTENBERRY. Not to the specifics of the situation in California. I know from my own experience in Nebraska we approach this in a collaborative manner. We are looking for voluntary landowner agreements. We are looking to meet the multiple objectives of both species and habitat preservation, but also increasing the opportunities for appropriate harvesting and recreational land use.

Sometimes those things, because of the delicate nature of the ecosystem, do conflict. A lot of the times they may not.

Again, I cannot speak to the specifics of your state, but the ethos where I live, and I think in a lot of places, I think, is to look at this holistically.

Mr. MCCLINTOCK. All right. Thank you.

That concludes my questions.

Ms. Hanabusa.

Ms. HANABUSA. Thank you, Mr. Chairman.

Mr. Chairman, I would like to yield my 5 minutes to Representative Dingell, if she has anything to add. Thank you.

Mrs. DINGELL. Thank you very much.

I want to thank both Chairman McClintock and Chairman Bishop for having this hearing and my colleague for being here and yielding to me.

I think that maybe one of the points that we do want to reaffirm again is that this is, we think, a common-sense solution to help ensure that at-risk species are never put on the endangered species list. I think you and I all share that we don't want that to happen. And there are close to 1,800 species right now that are nearing that list, including the monarch butterfly. We use different examples. I use the monarch butterfly, which has lost 90 percent of its population in the last 20 years.

So, having said that, I want to thank you for testifying. People think of John Dingell, but I fish a lot too. Can you tell me why it is important to get the states more involved in this up-front conservation work?

Mr. ZIEHMER. As we look at H.R. 4647, my mind goes back to the congressional mandate that states prepare a state wildlife action plan. States have assessed the habitat and species conditions in their state, they have documented the threats, and they have created a path forward along with partners. And they have done this in collaboration with their public and a variety of organizations.

States are ready to implement on-the-ground activities to help wildlife. By helping wildlife through improving habitat, whether you are working to improve, as an example, a three-toed box turtle or a prairie chicken. If you are looking at the habitat, other things, like mule deer. In different parts of the world, caribou are going to benefit.

When we look at how we are proposing to make this the third leg of the stool, if we are talking about Pittman-Robertson today, Dingell-Johnson that followed about 15 years after Pittman-Robertson, today the country is ready to take the next step, recognizing that as citizens it is our responsibility to manage this incredible resource and hand it off to the next generation not only in a condition that they can enjoy, but in a condition that positions them for success. Enhanced quality of life, the economy, the jobs, and the list goes on.

State agencies are positioned. State agencies have a track record of success. State agencies have staff with the knowledge. State agencies have proven accountability and the expertise to get this done in a way that is collaborative with a variety of stakeholders in their state.

I appreciate the opportunity to comment.

Mrs. DINGELL. Thank you.

Let me also ask you about your history. You have a strong knowledge of conservation programs. Do they work best when there is a dedicated source of funding?

Mr. ZIEHMER. As we look at many of these challenges, and states, as they put together their state wildlife management action plan, have kind of ordered the approach that they would move forward.

Do they work better having dedicated funds? Without a doubt, absolutely. While nothing is immune from an economic downturn, having the ability to strategically look at a situation and move forward managing wildlife successfully, truthfully, takes decades. But we can make significant advancements.

H.R. 4647 provides or would provide state agencies carrying the responsibility for fish and wildlife the ability to strategically manage and then carry out in partnership with their public.

Mrs. DINGELL. Thank you.

In the remaining seconds, can you talk about which species might benefit the most from this bill?

Mr. ZIEHMER. This bill provides states much needed revenue. And while it is quick and it will benefit individual species, I would say the funds, as we work, are going to benefit the habitat. And the habitat and the landscape that supports many species are going to benefit. As we move together, whether it is streams, rivers, prairies, timberland, tundra, habitats are going to benefit, wildlife is going to benefit, citizens are going to benefit.

Mrs. DINGELL. Thank you, Mr. Chairman.

Mr. MCCLINTOCK. Further questions on H.R. 4647?

Yes, Mr. Graves.

Mr. GRAVES. Thank you, Mr. Chairman.

Mr. Chairman, first of all, I want to commend Mr. Fortenberry and Mrs. Dingell for introducing this legislation, the objectives of which I could not be more supportive of. I want to thank you for pushing this and for your efforts to educate the Committee.

Mr. Fortenberry, in regard to your comments about how this is actually a proactive effort, this is an effort to prevent regulation, to prevent litigation, getting on the front end, preventing endangered species, ensuring sustainability of habitat—I think it is very important.

I do have concerns, as you noted. And before I get into those, Mrs. Dingell, I worked with your husband and a number of other people, including many that I am looking at in this room, in the mid-1990s and late 1990s, on the Conservation and Reinvestment Act, where there was a very similar title in that legislation, Title III, that largely achieved, or was designed to achieve, the goals of your bill.

And many of us in this room spent, I don't think we could quantify it in hours, weeks, or months, but, candidly, years working and did pass that legislation through the House of Representatives with incredible bipartisan support between George Miller and Don Young. I don't know that that ever happened again.

So, I want to be clear that I am very supportive of the objectives.

Here is where I have strong concerns. One half of the source of revenues from offshore energy revenue streams from Outer Continental Shelf energy production. The state of Louisiana, as

Mr. Fortenberry noted, produces in some years up to 88 percent of all the offshore energy in Federal waters in the OCS.

The very area where this production is occurring, we are losing, by some estimates, one football field of land per hour. Coastal wetlands, some of the most productive habitat in the North American continent, largest wintering habitat for migratory waterfowl, some of the most productive fishing grounds in the Gulf of Mexico. In fact, not just in the Gulf of Mexico but in the United States. We produce more commercial fisheries than anywhere in the continental United States.

So, a very, very productive area. But we are losing it. We are losing that habitat for migratory waterfowl. We are losing that habitat for the fish and many other species that live in that area. And we are losing the habitat for really important species that we call people.

We have lost 2,000 square miles. How big is that? If that were Rhode Island, the state would not exist. We would have 49 states today. So, this whole concept of diverting money out of this area and putting it toward any other programs in any other areas is concerning.

The other revenue stream that you tap is the Mineral Leasing Act. The Mineral Leasing Act currently shares 50 percent of all the revenues with the states that host set production. In the case of the OCS, it is only 37.5 percent of production that was post-December of 2006. It ends up coming out to a fraction of a percent since 2006 each year, a fraction of a percent of the revenue generated.

Let me put this in perspective, Mr. Chairman. We have generated about \$200 billion for the U.S. Treasury from our Outer Continental Shelf activities. I said this the other day, I will say it again: we have to protect the goose that laid the golden egg. We cannot continue to have this extraordinary revenue stream by not reinvesting in the sustainability of the area.

Mr. Fortenberry brought up a point that I think perhaps was not captured, and I want to reiterate that. He noted that under the draft 5-year plan that is proposed right now for offshore energy production, there is a proposal to expand that production into new areas. Those new areas, as you know from an appropriator, are not included in the budget baseline, which means that is new money.

Mr. Chairman, I think perhaps expanding energy production could address some of your concerns, and mine and many other people's, in regard to deficit reduction by introducing new revenue streams to the Federal Government.

It would also give us the ability to look at directing some of those revenues to the sustainability of species, reinvesting them in conservation activities.

It could also perhaps address more robust revenue sharing to ensure that we have a sustainable area, a sustainable revenue stream for some of these activities in the future.

So, I think there is a deal in there somewhere, and I pledge to work with all of you, because I am supportive of the goal. But I do want to highlight the concerns that I have representing south Louisiana and I think some other areas of the Gulf Coast.

In my remaining 17 seconds, can I get an "amen" from anybody? I yield back. Thank you, Mr. Chairman.

Mr. McCLINTOCK. Further questions?

Mr. Thompson.

Mr. THOMPSON. Thank you, Chairman.

Mr. Ziehmer, I want to thank you for testifying before the Subcommittee in support of the Recovering America's Wildlife Act. As you know, this bill will help directly fund wildlife conservation at the state level, which will create more homegrown solutions to conservation and restoration programs.

In your opinion, how would these additional funds help states manage the resources in a climate where existing wildlife conservation programs are spread thin at this point?

Mr. ZIEHMER. I appreciate that question, as we look at the state wildlife management plans, the action plans that have been put together will allow states to move those forward. And, again, those plans, as you pointed out, were put together in partnership as the states work to engage the public and as they put those plans together.

Having the resources to fund and address habitat issues, research needs, and on-the-ground projects will be essential.

Mr. THOMPSON. I don't know if this would fall in with that category or not. Right now, our numbers for white-tailed deer with chronic wasting disease are kind of exploding in certain places within the state. Is that the type of research? Or is that a different pot of money?

Mr. ZIEHMER. No, these funds could be applicable, as I see it, to wildlife disease, which really is a front-burner issue for state fish and wildlife agencies. Wildlife diseases, as you know, are varied. In the fisheries world, it could be whirling disease or other things. In the mammal world, chronic wasting disease.

When you look at invasive species, it will allow states to address things like plants impacting grasslands, invasive species impacting waterways, and the list goes on.

Also, you reference white-tailed deer. As we work to balance and manage habitat and many of the diversity species that might be in that habitat, just finding the need and using funds to make sure that we are balancing both abundant wildlife and rare wildlife, working to ensure that not only are we looking at good habitat, but we are doing it on a landscape-scale approach, having the resources so states can cooperate with one another to reach an end goal.

Mr. THOMPSON. The previous 6 years, I chaired the Conservation Subcommittee in Agriculture. I know how important, actually, conservation education is. And specifically this bill will allow states to invest in wildlife conservation education efforts.

How do you envision how the states will work with other public and private entities to leverage those initial moneys that we would invest to teach our youth the importance of environmental stewardship?

Mr. ZIEHMER. As we look at this—and I was quick during the testimony to stress that these funds will enable states to manage all wildlife, both game and non-game—an important component that will come with this funding is the opportunity for states to serve all citizens. Regardless of where you reside, you will likely benefit from these resources.

Education is key, in the public school system and others, helping them understand the importance of the precious resources, their role, how they can participate in these. And whether it is walking trails, whether it is access to these, those are all key components, and no doubt are key cogs for long-term sustainable conservation in this country.

Mr. THOMPSON. Yes, as I have observed other conservation dollars that we invest, specifically through the farm bill, we see for every dollar a leverage of \$7 that comes from non-profits, NGOs, and the private sector. Are we thinking that that would be sort of the same type of energy with this investment?

Mr. ZIEHMER. This investment does call for a 25 percent non-Federal match. By and large, these dollars will be put on the landscape without matching them through the license fees of hunters or anglers.

Looking for new partners, new ways to put those out on the street, and, again, as history has shown, investing in conservation is a great investment for the country in so many ways.

Mr. THOMPSON. Yes, a tremendous return on investment.

Thank you, Chairman. I yield back the balance of my time.

Mr. MCCLINTOCK. Thank you.

Further questions?

Seeing none, that concludes our consideration of H.R. 4647.

Mr. Ziehmer, your work here is done, and ably so. You are certainly welcome to stay if you have an interest in the other bills. Otherwise you are free to go.

The Committee will now consider H.R. 4429, by Congressman Bergman.

Congressman Bergman is recognized for 5 minutes.

STATEMENT OF THE HON. JACK BERGMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. BERGMAN. Thank you, Mr. Chairman. I want to thank the Committee for holding the hearing today to consider my bill, H.R. 4429, the Cormorant Control Act, to address a growing problem in the Great Lakes region that ultimately has serious negative downstream effects all the way to the Gulf of Mexico.

For those of you who may not be aware of what a double-crested cormorant is, it is a large water bird that spends most of its day either resting or eating. In fact, when they do eat, they tend to hunt. Very organized. They can consume several pounds of fish per day, and my district in Michigan is one of their largest breeding sites and where this species spends the majority of its time during the spring, summer, and early fall.

Cormorants are protected under the Migratory Bird Treaty Act and managed by the Fish and Wildlife Service. While Fish and Wildlife gives states the authority to control cormorant populations through a Federal depredation order, a May 2016 court order stopped my state, among others, from being able to effectively manage these bird populations.

This has ultimately led to a troubling situation for our fish populations in the Great Lakes. Without the ability to effectively manage cormorant populations, the livelihood of our recreational and

commercial fishing industries is threatened, which is a critical threat to our local economies.

Since coming to Congress, I have heard from stakeholders throughout my district on this issue. In fact, one of my very first meetings regarding the cormorants was back in the district shortly after being sworn in with a group led by a gentleman by the name of Gary Gorniak and several other members of the Upper Peninsula Sportsmen's Alliance.

Everyone from Captain Ed of Trout Scout Charters in Alpena, Michigan, and business owners in the Les Cheneaux or Drummond Islands, to biologists throughout the state have shared similar sentiments about the negative impact this court order is having.

While the Fish and Wildlife Service has been working diligently to bring some relief to certain aquaculture facilities, it is clear that its hands are tied when it comes to free-swimming fish areas.

For this reason, I introduced the Cormorant Control Act to rescind the court order and reinstate the double-crested cormorant depredation orders.

Effective cormorant management is truly a joint effort with Federal, state and local input, and the state of Michigan has been an excellent example of "how to" in this process. There can be a balance between protecting one species without doing severe harm to another. We can balance scientific fact with basic economic consequences.

I support the underlying basis of the Migratory Bird Treaty Act, and I understand there is value in protecting this species. But right now, we are doing nothing. And doing nothing is threatening our fisheries, a \$7 billion, with a "b," \$7 billion-a-year industry critical for Michigan.

In Michigan's First District, we pride ourselves on being responsible stewards of all our natural resources. Our heritage, our economies, and our special way of life depend on that stewardship. And this issue is critical to our state and the 23 other states that now no longer have management plans in place.

H.R. 4429 recognizes how important it is for states to have proper management plans for controlling this bird population, which is why it simply allows for the order that had been previously successful in protecting our fish populations without threatening cormorant population levels.

Again, I want to thank the Committee for holding this hearing today, and for Mr. Randy Claramunt from Michigan's Department of Natural Resources, who is here today testifying on the Cormorant Control Act.

[The prepared statement of Mr. Bergman follows:]

PREPARED STATEMENT OF THE HON. JACK BERGMAN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MICHIGAN ON H.R. 4429

I want to thank the Chairman and the Committee for holding this hearing today to consider my bill—H.R. 4429, the Cormorant Control Act—to address a growing problem in the Great Lakes region.

For those of you who might not be aware of what a double crested cormorant is, it's a large water bird that spends most of its day either resting or eating. They can consume several pounds of fish per day, and my district in Michigan is where one of their largest breeding populations likes to spend its time during certain parts of the year.

Cormorants are protected under the Migratory Bird Treaty Act, and managed by the Fish and Wildlife Service. While Fish and Wildlife gives states the authority to control cormorant populations through a Federal Depredation Order, a May 2016 court order stopped my state of Michigan—among others—from being able to effectively manage these bird populations.

This has ultimately led to a troubling situation for our fish populations in the Great Lakes. Without the ability to effectively manage cormorant populations, the livelihood of our recreational and commercial fishing industries is threatened—which is critical to our local economies.

Since coming to Congress, I've heard from stakeholders throughout my district on this issue. One of my very first meetings back in the district after being sworn in was with a gentleman named Gary Gorniak and several other members of the Upper Peninsula Sportsmen's Alliance regarding this very issue.

Everyone from Captain Ed of Trout Scout Charters in Alpena, Michigan and business owners in the Les Cheneaux or Drummond islands, to biologists throughout the state have shared similar sentiments about the negative impact this court order is having.

And while the Fish and Wildlife Service has been working diligently to bring some relief to certain aquaculture facilities, it is clear that its hands are tied when it comes to free-swimming fish areas.

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In Michigan's First District, we pride ourselves on being responsible stewards of all our natural resources. Our heritage, our economies, and our special way of life depends on it. And this issue is critical to our state and the 23 other states that now no longer have management plans in place.

H.R. 4429 recognizes how important it is for states to have proper management plans for controlling this bird population, which is why it simply allows for the order that had been previously successful in protecting our fish populations without threatening cormorant population levels.

Again, I want to thank the Committee for holding this hearing today, and for Mr. Randy Claramunt from Michigan's Department of Natural Resources who is here testifying on the Cormorant Control Act.

I am going to do a quick intro of Mr. Claramunt, if I could.

I am pleased to introduced Randy, who is a Basin Coordinator with the Michigan Department of Natural Resources. He serves as the Fisheries Division's lead for the Lake Huron fisheries management and is the Division's lead for cormorant management in Michigan.

He is also a representative of the Council of Lake Committees for the Great Lakes Fisheries Commission. Mr. Claramunt has worked on the Great Lakes since the 1990s and is recognized as an expert in management of Great Lakes salmon and their prey.

He has also published numerous scientific articles and technical reports and has been recognized for his accomplishments, including Biologist of the Year awarded by the Midwest Association of Fish and Wildlife Agencies for unparalleled initiative toward the better understanding of fish and their conservation.

Again, unparalleled initiative. I am proud to welcome him here today. And I yield back.

Mr. MCCLINTOCK. The gentleman is recognized for 5 minutes.

**STATEMENT OF MR. RANDY CLARAMUNT, LAKE HURON BASIN
COORDINATOR, MICHIGAN DEPARTMENT OF NATURAL
RESOURCES, BAY CITY, MICHIGAN**

Mr. CLARAMUNT. Mr. Chairman, members of the Subcommittee, on behalf of Keith Creagh, Director of the Michigan Department of Natural Resources, thank you for inviting us to testify regarding H.R. 4429, the proposed Cormorant Control Act, introduced by our Representative of Michigan's First Congressional District, Congressman Bergman.

I am Randy Claramunt, the Lake Huron Basin Coordinator of MDNR Fish Division. Also joining me today is Dr. David Fielder, one of our Great Lakes biologists.

We are especially appreciative of Congressman Bergman for his response to our stakeholder concerns regarding cormorant impacts on Great Lakes fisheries. His district is built on communities that are tightly linked with the health of the water, the wildlife, and the fisheries.

We share the concerns of the stakeholders that reinstating cormorant management is critically needed to maintain a sustainable balance between fisheries and wildlife populations in the Great Lakes region and across the United States.

From a Great Lakes perspective, the history of cormorants is very complex in their impacts on fish. But we can summarize it into three main themes. First, cormorant numbers in northern nesting areas have risen well beyond historic levels. Second, cormorants are having direct impact on valuable and sensitive fish populations. And last, without appropriate and shared management, cormorant impacts on fish populations can cause harm to fisheries and communities.

The Great Lakes support several important fisheries, including commercial, recreational, and tribal, which are collectively valued at more than \$7 billion annually and support more than 75,000 jobs. These are highly valued, shared resources, and jointly managed through comprehensive efforts by all levels of government. Cormorant management is also needed and should be applied in the same way.

Cormorants are a migratory bird, and they nest in northern latitudes of the largest nesting colony in the Great Lakes where they appear to have numbered 6,000 birds historically. Several invasions of non-native fish species in the Great Lakes contributed to cormorants expanding to numbers never before seen by fish and wildlife experts and have substantial impacts on fish populations.

The diet of a cormorant is almost exclusively fish. An adult cormorant can eat over a pound and a half of fish each day, and one nest requires 70 pounds of fish a year.

In the Great Lakes, cormorants increased steadily to 115,000 breeding pairs, almost a quarter million birds, by the year 2000, resulting in 77 million pounds of fish being consumed annually.

These impacts are well described by Mark Engle, a local resident in the Les Cheneaux Islands of northern Lake Huron whose family owns and operates a local camping resort. By the year 2000, his business was losing vacationers every week because it was well-known that cormorants were having direct impacts on local native fish populations.

He recalled an Ohio family coming to visit his resort and saying to him that it was hard to believe that there was all this water and no fish. His community had a 40 percent drop in the local workforce when the fishing collapsed.

In response to stakeholder concerns, the U.S. Fish and Wildlife Service developed a public resource depredation order in 2003 to provide joint management of cormorants in 24 states, including the Great Lakes. These depredation orders allowed states and other management agencies to share in the management of cormorants. Through the collaborative efforts of multiple agencies and volunteer networks across the Great Lakes, protection of free-swimming fish and enhancement to local communities were realized.

However, in May of 2016, these depredation orders were rescinded. The removal of the Federal authority and the ability of the state to co-manage cormorants at the local level has had an immediate and significant impact on Michigan's natural resources.

The Michigan DNR and other Great Lakes management agencies stand ready to assist the U.S. Fish and Wildlife Service in the management of cormorants, which will be possible through the passage of this bill. This is an urgent matter, and we greatly appreciate Congressman Bergman and the Committee for support of this bill.

Thank you.

[The prepared statement of Mr. Claramunt follows:]

PREPARED STATEMENT OF RANDALL M. CLARAMUNT, MICHIGAN DEPARTMENT OF
NATURAL RESOURCES ON H.R. 4429

MANAGING DOUBLE-CRESTED CORMORANTS, GREAT LAKES FISH, AND
SUSTAINABLE FISHERIES

To Chairman McClintock and Congressman Bergman, and on behalf of Keith Creagh, Director of the Michigan Department of Natural Resources (MDNR), I would like to thank you for the invitation to discuss cormorant management from a Great Lakes perspective. I am Randy Claramunt, the Lake Huron Basin Coordinator for the Fisheries Division of the MDNR. Also joining me today from is Dr. David Fielder, one of our Great Lakes fisheries biologists. This testimony was written by me and David Fielder with input from James Dexter, MDNR Fisheries Chief.

We are especially appreciative of Congressman Bergman for his response to our stakeholder concerns regarding cormorant impacts on Great Lakes fisheries. Congressman Bergman's district has hundreds of miles of Great Lakes coastline and his district is built on communities that are tightly linked with the health of the water, the wildlife, and the fisheries. We share the concerns of his stakeholders, not only within Congressman Bergman's district, but across the Great Lakes, because cormorant numbers in northern nesting areas have risen well beyond historic levels and they are having direct impacts on valuable and sensitive fish populations. In combination with invasive species and habitat destruction, these threats not only disrupt the fragile balance of the Great Lakes ecosystem, but also the people, their livelihoods, and the communities upon which they support.

The Great Lakes supports several important fisheries including commercial, recreational, and tribal which are collectively valued at more than \$7 billion annually¹ and support more than 75,000 jobs. From a Great Lakes perspective, these highly valued resources are jointly managed through comprehensive efforts by all levels of government. Through support of H.R. 4429, the state of Michigan is supportive of reinstating effective cormorant management, applied in the same collaborative way that we use to protect our natural resources and people, to maintain a sustainable

¹ASA. 2013. Today's angler: a statistical profile of anglers, their targeted species and expenditures. Alexandria, Va. American Sportfishing Association.

balance between fisheries and wildlife populations in the Great Lakes region and across the United States.

The History and Background on Cormorant Populations

Double-crested cormorants (hereafter referred to as ‘cormorants’) are a migratory, colonial nesting, water bird native to North America. There are five geographically distinct breeding populations within North America, stretching from coast to coast. The largest is that of the Mississippi flyway including the Great Lakes region. Cormorant numbers in the Great Lakes were documented beginning in the early 1900s and at their peak in the 1940s, cormorants appeared to have numbered around 6,000 birds. However, region-specific numbers were not documented until the early 1970s, which at that time it was estimated that about 2,000 cormorants inhabited the Great Lakes region. By the mid-1970s, there was concern over the declines of most migratory water birds due to the effects of contamination (i.e., DDT) in the environment. During that time, cormorant numbers were at their lowest and were estimated to be less than 100 birds.²

Cormorants are migratory and they nest in northern latitudes, spending the spring, summer, and fall on the breeding grounds and then they migrate south to the Gulf of Mexico over winter. Cormorants nest on uninhabited islands, often along with other colonial water birds such as gulls, terns, and herons (Figure 1). The diet of cormorants is almost exclusively fish and they depend on the surrounding waters to sustain both breeding adults and to feed their young once they hatch. Cormorants are not very selective in the fish they consume and adult birds have been documented to consume fish as long as 20 inches, albeit most cormorants tend to feed on smaller fishes (Figure 2).

Figure 1. The black birds are double-crested cormorants and include both mature nesting and immature birds co-habiting a nesting colony



²Wires, L.R. 2013. The double-crested cormorant: plight of a feathered pariah. Yale University Press. 368p.

Figure 2. Typical consumption of game fish by cormorants as determined by stomach analysis. These specimens are from Saginaw Bay, Lake Huron



In the Great Lakes, cormorant predation on fish will occur during the spring and fall migration, and most importantly, during the cormorant breeding season. Nesting colonies in the northern regions, especially for critical islands and coastal habitats in the Great Lakes, will tend to concentrate cormorants. But, adult birds are limited in their foraging excursions so as not to spend too much time away from the nest, whether incubating eggs or tending to newly hatched fledglings. Consequently, their feeding pressure will be most intense in island and coastal habitats, which are also critical fisheries habitats and important in sustaining fisheries populations.

An adult cormorant will consume about 1.3 pounds of fish each day.³ Each adult is typically on the breeding grounds for about 150 days each year. In addition, a successful cormorant nest requires about 70 pounds of fish to sustain the nest over the breeding season. As an example, a cormorant rookery of just 100 nests would result in the consumption of about 46,000 pounds of fish over the breeding season.

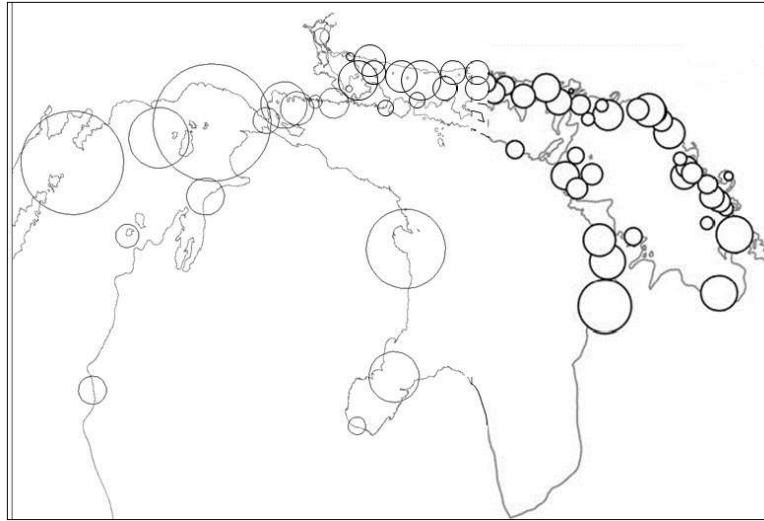
Cormorant populations would be sustainable if the numbers of birds and their respective breeding colonies recovered to the levels measured historically. Using the example above, however, a typical nesting colony in the Great Lakes today is 1,000 cormorants with some rookeries exceeding 10,000 cormorants in size. The distance cormorants will fly to find food is proportional to the number of other cormorants nesting on the same islands. Their feeding is concentrated in a radius from the island to be known as Ashmole's Halo (named for Philip Ashmole who did seminal research on the phenomenon in 1963; Figure 3).⁴ A colony of 1,000 breeding pairs would have a halo radius of about 10 miles or an area of about 193,000 acres. The impacts scaled up in the 1990s and 2000s when cormorant numbers rose across the Great Lakes and much of the rest of North America. In the Great Lakes alone, cormorants increased steadily, peaking at about 115,000 breeding pairs around the year 2000. At these levels, fish consumption in the Great Lakes amounted to an estimated 77 million pounds each year.⁵

³Seelfelt, N.E. 2005. Foraging ecology, bioenergetics and predatory impact of breeding double-crested cormorants (*Phalacrocorax auritus*) in the Beaver Archipelago, Northern Lake Michigan. A Dissertation. Michigan State University, Department of Zoology. East Lansing.

⁴Ashmole, N.P. 1963. The regulation of number of tropical oceanic birds. *Ibis* 103, 481-458-473.

⁵Bence, J.R. and N.E. Dobiesz. 2000. Estimating forage fish consumption in Lake Huron. Great Lakes Fishery Commission, Project Completion Report. 86p.

Figure 3. Areas of cormorant predation influence, based on 2005 peak abundances. Circles are known as Ashmole's halos of predation effect



The substantial expansion of nesting colonies in the Great Lakes has raised concerns over impacts from their predation on fish, especially in sensitive island and coastal habitats as these also tend to be the same areas that support local communities and their fisheries. But, there are additional concerns including competition with threatened and endangered co-nesting species, destruction of vegetation (including rare forms) on the islands, and fouling of aids to navigation that will not be covered in this testimony.

Why Have Cormorants in the Great Lakes Region Expanded Beyond Historic Levels?

Once released from the limiting effects of DDT, which was banned in 1972, cormorants began to reproduce and grew in capacity to the available food resources and nesting habitat. During the latter half of the 20th century in both the Great Lakes and Gulf states, food resources for cormorants increased substantially. In the southern United States, fish from the easily accessible pond-reared aquaculture facilities increased the over-winter survival of the birds and in the northern region, there was a growing abundance of near-shore invasive prey fish in the Great Lakes, namely alewives and rainbow smelt. Alewives and smelt invaded the Great Lakes and reached extremely high levels in the 1970s and 1980s because predator fish populations had been decimated by the invasion of sea lamprey a decade earlier. The alewives and smelt provided a new high-energy, easily accessible food resource for cormorants that was not available historically. Under these conditions, cormorants expanded to numbers never before seen by fish and wildlife experts and to levels that were not sustainable for the Great Lakes.

During the same period of the rapid expansion of cormorants in the Great Lakes, state, federal, and tribal fisheries managers instituted extensive fish stocking programs to restore a better balance in the food web through restoration of native lake trout populations and stocking of Pacific salmonines.⁶ The goals were to control alewife and smelt populations while restoring Great Lakes fisheries. During the late 1970s and through the 1980s, predator fish populations and cormorant populations expanded substantially and concurrently, but were headed for a collision course. In addition to record high salmon and trout levels, by the early 2000s every uninhabited island had some level of nesting cormorants and even many man-made structures, such as navigation buoys and break walls, also hosted nests. As cormorants reached all-time high levels in the Great Lakes, a new threat occurred through the invasion of zebra and quagga mussels thereby limiting the production

⁶Claramunt, R.M., C.P. Madenjian, and D.F. Clapp. 2013. Pacific salmonines in the Great Lakes basin. In *Great Lakes Fisheries Policy and Management*. Edited by N.J. Leonard, C.P. Ferreri, and W.W. Taylor. Michigan State University Press, East Lansing, Michigan. Pages 609–650.

of the Great Lakes food web through their high filtering rates. Fish stocking levels have been reduced to try to bring fish predation in balance with prey fish production. In most of the Great Lakes, alewife and smelt populations are now at very low levels, salmon and trout fisheries are severely reduced, and cormorant predation on fish is an exacerbating stressor on Great Lakes fisheries.

The Impacts of Cormorants on Great Lakes Fisheries

Cormorants certainly have direct impacts on fisheries resources because they consume fish, but there has not been agreement on the relative impact of their predation or, most importantly, what level of fish consumption constitutes an acceptable level. One of the initial attempts to evaluate the level of cormorant predation on fish took place in the mid-1990s in a region of Lake Huron called Les Cheneaux Islands. It is a 36 island archipelago in the northern most portion of Lake Huron. The channels and embayments of this region form pristine aquatic habitat and is home to multiple small towns and communities that are dependent on important fisheries, of which yellow perch are the centerpiece. The study, led by researchers from the University of Michigan, estimated cormorant consumption of yellow perch and compared it to numbers that were being harvested by anglers.⁷ Although they estimated as many as 470,000 yellow perch were consumed by cormorants in 1995, the researchers believed this to be a small fraction of the overall perch population and therefore likely inconsequential.

But to Mr. Mark Engle, a local resident whose family owns and operates rental cabins and a local camping resort, he noticed the impacts of cormorants and his family suffered direct consequences. His family business is located between Cedarville and Hessel in the Eastern Upper Peninsula of Michigan along the northern shore of Lake Huron. The Engle family is part of a community that is nestled in the protected waters of the Les Cheneaux Islands, facing Marquette Island which is the largest of the 36 islands an island complex that spans 12 miles of shoreline along the M-134 Scenic By-Way.

His family purchased Les Cheneaux Landing in 1982 on the hope to continue a business that is centered on family vacations and on sportfishing based on the prominent native species, the yellow perch. The Engle family took pride in being able to cater to families, fishing in small boats sheltered by the Les Cheneaux Islands. By the mid-1980s, however, Mr. Engle notices a marked increase in the numbers of cormorants. According to Mr. Engle, he recalled seeing the clear water being stirred up as cormorants chased schools of yellow perch in front of his resort in 1986 and asking himself how the perch populations could sustain that level of predation. He also claimed that by 1995, he witnessed an explosion of cormorants and personally witnessed it describing that the small Goose Island, being just over 40 acres, now embodied a large cormorant rookery numbering in the thousands of nesting birds, not including juveniles and individuals.

The observations by the Engle family were supported by scientific data collected by the Michigan Department of Natural Resources. The perch population and fishery of the Les Cheneaux Islands collapsed within just 5 years after the University of Michigan concluded that cormorant populations wouldn't impact the populations. The perch collapse prompted further research by state and Federal partners using an innovative approach of modeling metrics of perch population trends as explained by trends in cormorant abundance.⁸ Those modeling metrics firmly established that cormorant predation was the major explanatory factor in the perch declines.⁹ During the same period where cormorants were linked with perch declines in the Les Cheneaux Islands, other studies emerged from around the Great

⁷Belyea, G.Y. 1997. The impact of cormorant predation on yellow perch in the Les Cheneaux Islands, Lake Huron. Pages 42–46 in J.S. Diana, G.Y. Belyea, and R.D. Clark Jr. editors. History, status, and trends in populations of yellow perch and double-crested cormorants in Les Cheneaux Islands, Michigan. Michigan Department of Natural Resources Special Report 17, Ann Arbor, Michigan, USA.

⁸Fielder, D.G. 2008. Examination of factors contributing to the decline of the yellow perch population and fishery in Les Cheneaux Islands, Lake Huron, with emphasis on the role of double-crested cormorants. *Journal of Great Lakes Research*. 34:506–523.

⁹Fielder, D.G. 2010. Response of yellow perch in Les Cheneaux Islands, Lake Huron to declining numbers of double-crested cormorants stemming from control activities. *Journal of Great Lakes Research*. 36:207–214.

Lakes establishing connections between cormorant abundance and declines of game fishes and fisheries.^{10,11}

Some of the studies looked at the feeding patterns of cormorant and they proved insightful but they are not very indicative of population level impacts. Often cormorant diets are dominated by small forage fishes, because of their abundance, and game fishes constitute only a minority of the consumption. Because cormorants tend to consume smaller, younger fish, their feeding will appear to mimic declines in fish reproduction. A number of research projects have documented this impact by cormorant predation on yellow perch, walleye and smallmouth bass. Even so, this impact is difficult to document because of the latent effect of cormorant predation are hard to detect until years later in the fish populations.

According to Mr. Engle, by the year 2000, his business was losing vacationing anglers every week because it was well known that cormorants had severely impacted the local, native fish populations. He recalled an Ohio family visiting his resort and saying to him that was hard to believe that "there is all this water and no fish." The Engle family experienced a sharp drop in their customer base. Fishing families, who had been coming to stay at the Engle resort for many years and even renting the same cabin for the same week, reported that they were not catching any keeper yellow perch during their stay and subsequently did not make reservations for the following year. The local community felt a 40 percent drop in the local work force, especially including youth and families, because of the direct impacts from a loss of tourism and fishing. Community bait shops and resorts closed and almost every service-based industry struggled financially. The Michigan Department of Natural Resources also documented that the harvest of yellow perch had declined from a high of 375,000 to just 695 fish by the year 2000.

The Management of Cormorants in the Great Lakes

The concept that predators like cormorants can be allowed to fluctuate naturally is based on the idea that they will not likely cause the collapse of a fish population. The basis for this understanding is the classic predator/prey dynamic which has often been interpreted as linking the abundance of a predator with the abundance of its prey; so the decline of the predator is expected with the depletion of its prey.¹² The Great Lakes, however, have very complex food webs, often undergoing severe disruptions, and have changed the way predators interact with prey. Cormorants have caused some prey fish to decline, especially ones favored by them or at a disadvantage because of the food web changes (e.g., mussel filtering the water thereby increase water clarity). When cormorant abundance increased because of a newly available and highly abundant prey fish such as alewives and smelt, then that caused a secondary impact on other prey and sport fish such as yellow perch.

Based on the complexity of Great Lakes food webs, we recognize that assessing cormorant impacts is also complex and requires long-term data, targeted surveys, and assessments. While this has been implemented in some locations across Michigan, Ontario, New York, and Minnesota, it is not conducted in all locations where cormorants occur in abundance. Consequently, policy makers have had to rely on the more detailed studies to reveal relationships and then apply those lessons to similar locations across the Great Lakes. But one fact is certain, we need to manage cormorant populations using the same multi-jurisdictional approach that agencies use on other critical issues such as invasive species. The sea lamprey program is a great example of a multi-jurisdictional and international effort to combat the impacts of this parasitic, non-native species.

Successful Cormorant Management in the Great Lakes: A Thing of the Past?

In response to growing concern by anglers, the aquaculture industry, and natural resource professionals, the U.S. Fish and Wildlife Service (USFWS) developed an Aquatic Depredation Order (AQDO) in 1998 to provide for state level management of cormorants to benefit the Aquaculture Industry (13 southern states¹³) and in 2003, a Public Resource Depredation Order (PRDO) to provide for state level

¹⁰ Lantry, B.F., Eckert, T.H., Schneider, C.P. 1999. The relationship between abundance of smallmouth bass and double-crested cormorants in the eastern basin of Lake Ontario. New York Department of Environment and Conservation. Special Report. 9 pp.

¹¹ Rudstam, L.G., VanDeValk, A.J., Adams, C.M., Coleman, J.T., Forney, J.L., & Richmond, M.E. 2004. Cormorant predation and the population dynamics of walleye and yellow perch in Oneida Lake. *Ecological Applications*, 14:149–163.

¹² Hilborn, R. and Walters, C.J. 1992. *Quantitative Fisheries Stock Assessment*. Springer US.

¹³ AQDO States: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Minnesota, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

management for the benefit of free-swimming fishes (in 24 northern states¹⁴). These authorities were necessary because cormorants are protected by the Migratory Bird Treaty Act, which held management authority at the Federal level. The PRDO empowered the northern states, federally recognized Native American tribes, and the U.S. Department of Agriculture's Wildlife Services Division to work with the USFWS on appropriate management of cormorants in the Great Lakes.

The Michigan DNR supported the collaborative management and worked with its partners and with the USDA's Wildlife Services to set cormorant population targets and exercise the PRDO. Under the authority of the PRDO, management agencies and stakeholders worked to reduce, not to eliminate, cormorants in key locations to better balance bird numbers with sensitive fish populations and rebuild important fisheries.

One of the first locations to implement cormorant management was the Les Cheneaux Islands because it was well-studied, cormorant numbers had swelled to over 11,000 birds, and fisheries impacts were clearly evident. The effort was organized as an adaptive management experiment which intended to provide both benefits to the resource and to facilitate a further understanding of how to reach a better balance between birds, fish, and people. The PRDO provided for this opportunity via control methods to prevent reproduction in the islands by specific targets set annually. Within 9 years, cormorant abundance was reduced by 90 percent and sustained at agreed upon target levels in balance with the ecosystem, and in support of management plans to restore the fisheries. All the yellow perch monitoring metrics had reversed direction after cormorant management under the PRDO was implemented and the fisheries reached recovery targets for the first time in decades.^{8,15}

According to Mr. Engle, as a result of the coordinated cormorant management in the Les Cheneaux Islands, the yellow perch and other game fish populations began to rebound and the local economy began to recover less than 10 years after the PRDO. Many fishermen and tourists returned to the area and the Engle family observed the first noticeable improvement in their business in years. In fact, the economic impact of the collapse of the yellow perch population and fishery was estimated to have cost the two local communities of Cedarville and Hessel, Michigan, approximately \$5.3 million in yearly economic activity (expenditure in 2001 dollars).¹⁶ The restoration of the fishery is believed to have restored much of that loss. By contrast, the cost of annual cormorant management by the USDA Wildlife Services was approximately \$2,400 for the Les Cheneaux site with agencies and volunteers contributing other indirect costs for cormorant management.¹⁷ Most importantly, however, was the quality of life and local heritage that was restored, for both the residents and visitors, through cormorant management and restoring ecosystem balance between birds, fish, and people.

The state of Michigan, Native American tribal governments, the USFWS, and many stakeholder groups expanded the work with the USDA Wildlife Services for intensive cormorant management at four more key locations between Lakes Huron and Michigan to realize benefits for a variety of important fish species to our shared fisheries. At the request of the Michigan DNR, we also asked USDA Wildlife Services and our stakeholders to employ innovative measures to protect newly stocked hatchery fish because they are particularly vulnerable immediately after stocking and until they disperse. A complex volunteer network was developed involving hundreds of volunteers and agency professionals to develop harassment methods reinforced by limited lethal take to disperse feeding cormorants from fish stocking sites.

Through all of these activities, the Les Cheneaux Islands emerged as one of the Nation's most well-documented areas showing the interactions between cormorants, important fisheries, and the communities impacted by an initial failure to manage, followed by a successful case where cormorants can be managed in balance with fisheries goals and local communities and businesses. This was followed by similar

¹⁴PRDO States: Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Vermont, West Virginia, and Wisconsin.

¹⁵Dorr, B.S., Aderman, T., Butchko, P.H., & Barras, S.C. 2010. Management effects on breeding and foraging numbers and movements of double-crested cormorants in the Les Cheneaux Islands, Lake Huron, Michigan. *Journal of Great Lakes Research*, 36:224–231.

¹⁶Ridgeway, M.S. and D.G. Fielder. 2013. Double-Crested Cormorants in the Laurentian Great Lakes: Issues and Ecosystems. Pages 733–764 In *Great Lakes Fisheries Policy and Management*, second edition, W.W. Taylor, A.J. Lynch and N.J. Leonard, editors. Michigan State University Press, East Lansing.

¹⁷Tsehaye, I., M.J. Jones, B.J. Irwin, D.G. Fielder, J.E. Breck, and D.R. Luukkonen. 2015. A predictive model to inform adaptive management of double-crested cormorants and fisheries in Michigan. *Natural Resource Modeling* 28:348–376.

approaches to managing cormorants at other locations in the Great Lakes region to realize a better balance of cormorants and Great Lakes fish populations. We believe strongly that cormorant management for the benefit of all fish, including aquaculture, newly stocked fish, and free-swimming fishes, has been widely deemed a management success up to the point of the legal challenge of the Federal depredation orders.

The Federal Court Case

Because cormorants are protected under the Migratory Bird Treaty Act, ultimate management authority rests with the U.S. Fish and Wildlife Service. The depredation orders allowed states and other management agencies to share in the management of cormorants to better protect fish, wildlife, and sensitive habitats across the country. However, in May of 2016, these depredation orders were rescinded by the U.S. District Court until the U.S. Fish and Wildlife Service can reissue an Environmental Assessment that more adequately takes in to account the effects of the depredation orders on the cormorant populations.

Despite oversight by the USFWS, cormorant management under the depredation orders utilized lethal control, along with other non-lethal measures, to manage cormorant numbers. The lethal control was controversial with some groups because they objected to the suppression of one species for the benefit of another. This is, however, a common practice in wildlife management and agriculture. For example, agricultural pests are controlled for the benefit of crops. In the Great Lakes, sea lamprey are controlled through several lethal control techniques including the primary approach where juveniles are annually poisoned in the wild with oversight by state, tribal, and U.S. Federal and Canadian Federal Governments under the structure of the Great Lakes Fisheries Commission. Lethal measures are necessary to suppress sea lamprey numbers and prevent excessive parasitic predation on important game species.

We understand that objections can become more visceral or emotional when control is elevated to a warm blooded animal that is a native species even if population numbers are excessive and out of balance. As stated by the USFWS in their original Environmental Assessment (EA) in support of the original depredation orders, the purpose was to “(1) reduce resource conflicts associated with DCCOs in the contiguous United States; (2) enhance the flexibility of natural resource agencies in dealing with DCCO-related resource conflicts; and (3) ensure the long-term conservation of DCCO populations.” Some critics sought to address the policies at the state and Federal levels while others sought to attack the science that served as the justification for cormorant control.

Controversy over the management of cormorants with lethal control appears to emanate more within the natural resource profession than with the general public. There are two schools of philosophy over the idea of population manipulation of one species for the benefit of another.¹⁸ Proponents see the role of the Natural Resource profession and proper management as one of intervention, necessary to restore and maintain balance in a system that is no longer responding to historic conditions but instead an artifact of past and current man-made perturbations. Alternatively, where ecosystems are stable, the rationalist may view natural resource management mainly through the understanding of nature and taking a ‘hands off’ approach to management. Although this may be a preferred strategy, our environment and natural resources are becoming more disrupted with stressors requiring active and responsible management actions for fish, wildlife, and habitat to protect the resources and maintain a better ecosystem balance. We believe that the opportunity to leave nature to take its own course on the Great Lakes, in both fisheries and wildlife management, has long since passed and that management agencies need to take a shared responsibility in the management for sustainable fish and wildlife for generations to come.

That controversy took the form of the lawsuit *Public Employees for Environmental Responsibility (PEER) vs. USFWS* in U.S. District Court, District of Columbia in 2014 upon the renewal of the PRDO by the USFWS with plaintiffs asserting that the Service did not sufficiently consider full impacts of the PRDO as required by the National Environmental Policy Act (NEPA) in their EA. The honorable Judge John D. Bates ruled in favor of the plaintiffs and ordered the AQDO and PRDO vacated in May 2016 ending collaborative cormorant management. In testimony to the court during the proceedings, the USFWS indicated that the EA could be revised and brought into compliance within 8 months’ time laying the foundation for the

¹⁸ Zwart, H. 2008. Animal governance: the cormorant case. Pages 75–79 in J. Keulartz and G. Leistra, editors. Legitimacy in European nature conservation policy: case studies in multi-level governance. Springer, Berlin, Germany.

restoration of the PRDO. To date, only case-by-case permitting in support of aquaculture impacts have been restored (November 2017) and the USFWS has publicly stated that the restoration of the PRDO is not a priority of the U.S. Fish and Wildlife Service because they lack the necessary resources to undertake the revision of the EA.¹⁹

More recently the Service has announced that they will engage states, tribes and stakeholders to take comment on concerns but will not commit to a renewed EA or a resultant PRDO. This proposed legislation (Cormorant Control Act H.R. 4429) would compel the U.S. Fish and Wildlife Service to allocate the necessary resources to pursue the PRDO and the EA necessary to fully restore the ability jointly manage cormorants.

We share the response of the Engle family when they were asked about the impact of the court order and Mark Engle responded, “We were shocked by the Federal Court’s decision on May 26, 2016, to vacate the depredation order.” Their shock was followed by observing the cormorant population increasing rapidly and concerns that it would leave their small business as well as the entire Les Cheneaux Island tourist area “in great jeopardy once again.” In addition to the impacts that will be seen on local fisheries and the communities that the support across the Great Lakes region, the state of Michigan and the Les Cheneaux Island case study was never asked by U.S. Fish and Wildlife Service to be included in the Federal Court case. It is unclear as to the intent to not include the vast amount of information from non-federal governments as to the impacts of uncontrolled cormorant populations on fish populations and the communities that they support.

What Happens Without Restored Management Authority?

Since the depredation orders were vacated in May of 2016, management agencies have used predictive models in an attempt to forecast what will happen with cormorant populations in the Great Lakes region.¹⁷ Predictions were made for both trends in cormorant numbers as well as the responses of the fish populations for seven main management locations in the Great Lakes. The predictions indicated that in the absence of cormorant management nesting numbers will return to their former peak abundance within 14 years and have the same impact on fish by causing declines or potentially collapse of the associated fish populations and fisheries. Unfortunately, the predictions may have substantially underestimated the response times as cormorant nest numbers in the Les Cheneaux Islands region, for example, have actually increased by 85 percent in just a couple years from the last controlled nesting level in 2015. It is highly likely that all of the progress made from collaboratively managing cormorants will be lost well before the 14-year prediction and will be realized within the next few years. The Engle family and their business are an example of the economic and job loss to many communities that cannot afford them. For them, their way of life and heritage is at risk without Federal agencies taking responsibility for cormorant management.

CONCLUSION

Fishery impacts from cormorant proliferation and predation occur at localized levels but collectively have broad implications across the states. The range of management ability is set by the Federal Government through the USFWS as a result of the Migratory Bird Treaty Act. States like Michigan seek the restoration of flexibility to manage hyperabundant cormorant populations to achieve our fishery management targets. The first PRDO proved successful in allowing for cormorants to be reduced in abundance in problem areas while the overall cormorant population statewide remained abundant and viable. We recognize that the redevelopment of the EA in support of the PRDO is not a small undertaking. The Michigan DNR and other Great Lakes management agencies stand ready to assist the USFWS in work on the EA. However, this is an urgent matter and more than 2 years have passed since the court order without progress. We greatly appreciate Congressman Bergman and the House Natural Resource Committee’s leadership on this issue in providing the USFWS guidance and priority setting to provide the states the necessary relief. The service has made overtures of intent to pursue this issue. If they are genuine in this intent, then they should welcome this legislation as congressional support for their mutual goal.

Mr. McCLINTOCK. Great. Thank you.

¹⁹ USFWS FAQ on cormorants online.

That concludes our testimony on H.R. 4429. We will now proceed to questions.

I just have one quick one. Mr. Claramunt, is there a dollar estimate on the value of the fish that are being consumed by the excess cormorant population? How much is this costing a local fishery?

Mr. CLARAMUNT. Absolutely. There are estimates of \$5 to \$7 million annually being lost in fisheries' direct impacts in the Great Lakes. But those are probably—

Mr. MCCLINTOCK. And you said the overall industry is about \$70 million, so this is about 10 percent.

Mr. CLARAMUNT. And I was going to follow up that comment with this. That is probably an underestimate because it is based strictly in a particular area of northern Lake Huron, so we have really good scientific data that ties the impacts of cormorant predations to the loss of fisheries and those costs.

Mr. MCCLINTOCK. And you said that the cormorant population was well above historic levels. How far above?

Mr. CLARAMUNT. Historically there were estimated to be 6,000 birds, and we have had estimates currently of 250,000 birds.

Mr. MCCLINTOCK. All right. Thank you.

Ranking Member.

Ms. HANABUSA. Thank you, Mr. Chairman.

Mr. Claramunt, the reason why I guess we are here is that there was a Federal court intervention. The Federal court said that the science was not done properly, so the depredation orders had to be redone.

Did you participate or did your agency participate in that proceeding?

Mr. CLARAMUNT. Thank you for asking that question.

When we looked at the management of cormorants and the impact, we understood that we have one of the best data sets. Michigan prides itself in scientific management of natural resources, data that includes long-term fishery monitoring for decades and also the impacts of cormorants on those fisheries.

So, we were perplexed when we were not consulted by the Fish and Wildlife Service during that court case. We also were perplexed with the Judge's ruling that an environmental assessment would occur within 8 months of the ruling. We are now going on 3 years without an environmental assessment on cormorants in the Great Lakes and no management.

Ms. HANABUSA. Have you either intervened in the action, or has the state of Michigan intervened in the action, or asked for reconsideration based on what you just said?

Mr. CLARAMUNT. As far as I understand it, and, again, I am not a legal expert, but our hands were tied at the state level. And really it requires something at the Federal level to be acted upon before we could have standing in the Federal case.

We really were relying on our Fish and Wildlife partners to draw on their expertise to work with all the Great Lakes states during the court case. Again, we are not sure why that didn't occur and also why there isn't movement to date.

Ms. HANABUSA. What other Great Lakes states are involved besides Michigan?

Mr. CLARAMUNT. A lot of the concerns that I share today are expressed from Minnesota all the way to New York. All the Great Lakes states want whole management of these birds, not necessarily entirely through depredation orders or lethal controls, but setting population targets, managing for those population targets, and, most importantly, balancing the birds with the fisheries and the communities.

Ms. HANABUSA. There was a 2016 study from the Journal of Great Lakes, and it said 80 to 90 percent of the fish eaten by the cormorants are invasive species.

Do you agree or disagree with that?

Mr. CLARAMUNT. I absolutely agree with that. And I think it is also nuance that adds to why the cormorants are more abundant than they would be historically. The invasive species allowed a mechanism for the birds to become overpopulated.

But the birds prefer nesting habitats that are close to critical fisheries, so the 10 percent that they will eat that are not invasive species are yellow perch, walleye, northern pike, critical species that support recreational, commercial, and tribal fisheries.

Ms. HANABUSA. So, it is 10 percent of what they eat that are what you would consider to be the species that you would wish to protect, because you don't want to protect the invasive species.

Mr. CLARAMUNT. And I would also say, we manage the invasive species to sustain both birds, but also important sport fish in the Great Lakes. So, species like alewife and rainbow smelt that are not native, we manage those and balance with all the predator demands. We are not going to try to protect those invasive species, but instead reach a balance between all of those needs and the fisheries.

Ms. HANABUSA. Isn't one of the major invasive species in the Great Lakes the carp?

Mr. CLARAMUNT. Hopefully not. We are hoping to prevent Asian carp from invading the Great Lakes, especially black and silver. There are populations of grass carp, although they are not as detrimental. But our hope is that we are not going to have Asian carp in the Great Lakes.

Ms. HANABUSA. Isn't the environmental assessment necessary to determine whether there are ways to manage the cormorants nonlethally, including habitat modification, some kind of scarecrows, overhead wire, something along those lines?

Mr. CLARAMUNT. Absolutely. The environmental impact statement, also the management of cormorants, should include comprehensive strategies, both nonlethal and lethal. We have had volunteer networks that have helped us with the nonlethal methods, harassing birds away from fish stocking sites or critical harbors or areas where there is deforestation from near shore coastal habitats and islands.

So, yes, it should include all those things. And, again, we stand ready to assist the Fish and Wildlife Service in developing those environmental impact statements and EAs.

Ms. HANABUSA. So, what you are saying is that the Fish and Wildlife Service just isn't doing what it is supposed to do?

Mr. CLARAMUNT. That could be inferred, yes.

Ms. HANABUSA. Thank you.

I yield back.

Mr. McCLINTOCK. Thank you.

Further questions?

General Bergman.

Mr. BERGMAN. Thank you, Mr. Chairman.

Thanks for your testimony. Very articulate.

My bill focuses on going back to the original rules established by the Fish and Wildlife Service. Can you describe in more depth the general process that was in place with the previous depredation orders and what the original rules entailed for the Michigan DNR?

Mr. CLARAMUNT. Yes, even though there may have been shortcomings in the environmental impact statement, the rules allowed us to co-manage cormorants at the local level. We did this through a number of mechanisms. The PRDO helped us set parameters and develop options, both lethal and nonlethal. We also worked with the Fish and Wildlife Service to set annual targets. A good management plan says what should the range of a given species be and how do you draw actions to get there.

We also partnered with the USDA Wildlife Services for lethal control methods. And, again, we work with North American tribes to help in the co-management of cormorants, so the framework that was in place was robust and was meeting the needs of all the partners.

Mr. BERGMAN. What is the state of Michigan doing right now when it comes to managing the cormorant population?

Mr. CLARAMUNT. Really, our hands are tied.

Mr. BERGMAN. So, the short answer would be pretty close to nothing?

Mr. CLARAMUNT. That is correct.

Mr. BERGMAN. OK.

What are the trickle-down effects of doing nothing, both in the short-term and long-term, for the Great Lakes?

Mr. CLARAMUNT. In the short-term, I would characterize the effects as we are quickly erasing the progress that we have made in the co-management of cormorants and their impacts on fish populations.

What I mean by quickly erasing, in the last 2 years, going on 3 years, since the court order that rescinded the control, we have seen a 40 to 50 percent increase in the cormorants in critical areas where we had managed them down to levels that were sustainable.

In the long-term, this is going to be very disruptive, not only to the fisheries but to the ecosystem, both aquatic and terrestrial. We are expecting a loss of economic activity, collapse of fisheries in sensitive areas, and overall lowering of the quality of life of the Great Lakes residents beyond.

Mr. BERGMAN. OK. Has Michigan DNR heard from other states in the Great Lakes region, or throughout the country, for that matter, about what they might be experiencing with cormorants?

Mr. CLARAMUNT. Yes. Absolutely.

One of my roles is I serve on the Council of Lake Committees, which is made up of all of the state, Federal, and tribal partners, and we share these concerns. Again, I have heard prior to this hearing comments from State Representatives from Minnesota all the way to New York about their interest in managing cormorant

populations and their impacts on fish, not just reissuing the depredation orders.

Mr. BERGMAN. Our focus as a Committee has been understanding what is going on within the local communities and having local stakeholder input.

What have you been seeing and hearing from the local communities around our state?

Mr. CLARAMUNT. It was appreciative that I could use Mark Engle, a local business owner, his family is very tied to the Les Cheneaux islands, and witnessed firsthand the impacts of cormorants on his business and his family and his community.

He is not unique. We have heard comments from stakeholders in the Saginaw Bay region, in Green Bay, in the Beaver Island. And the stories are very much like Mark Engle's repeated over and again about the impacts of cormorants on fish populations and the need of agencies to co-manage the birds and balance with the fish and the people.

Mr. BERGMAN. And, as we had talked about earlier, the downstream literally is a migratory bird population that travels south in the winter.

Any comments from folks in Arkansas or that area? Are they having any issues?

Mr. CLARAMUNT. Yes, absolutely. The Gulf states have a parallel bill to deal with the exact same thing, and they are supportive of our efforts to try to co-manage. I spoke a lot of the Great Lakes, but this is really a U.S. issue. The Great Lakes has the biggest nesting colony, but those birds fly south, and the effects on the aquaculture industry is impacted similarly.

So, they share our concerns, and they are supportive of these efforts, again, to manage across the landscape.

Mr. BERGMAN. Thank you very much.

Mr. Chairman, I yield back.

Mr. MCCLINTOCK. Great.

Further questions?

Seeing none, Mr. Claramunt, we thank you very much for your testimony today. This concludes our consideration of H.R. 4429.

The final bill we will be taking up is H.R. 4609 by Congressman Scott Tipton of Colorado. The gentleman is recognized for 5 minutes.

STATEMENT OF THE HON. SCOTT R. TIPTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. TIPTON. Thank you, Mr. Chairman. I appreciate you convening the hearing today and bringing my bill, the West Fork Fire Station Act of 2017, up for consideration.

I would also like to be able to thank Dolores County Commissioner Floyd Cook for traveling to Washington to testify in support of this bill, and would also like to recognize a good friend and the person who actually happens to be the Fire Chief and President of the local fire district, Tom Johnson, being here as well in support.

Emergency fire work and response is a real challenge in the part of the county that we are referencing, because the closest fire station is currently 26 miles away. The West Fork Fire Station Act

conveys approximately 3.6 acres of National Forest System land to Dolores County for the strict purpose of building and operating a fire station in the West Fork area.

In addition to creating emergency and fire response challenges, the lack of a dedicated fire station has created insurance challenges for homeowners in West Fork. In an area surrounded by National Forest land, it is critical to have fire insurance for your home and other structures on your property. With no fire station in the reasonable proximity to the area, it is nearly impossible for homeowners to obtain fire insurance in West Fork. My bill would help change that.

I would also like to note that the West Fork fire station will be operated by a volunteer fire department, men and women who dedicate their time, talent, and often put the safety of their community and neighbors ahead of their own. I greatly appreciate their service to the county.

I would also commend Dolores County for working with local property owners and the surrounding fire districts to obtain necessary firefighting equipment for the volunteers who would serve at the West Fork fire station.

My team and I have engaged the Board of County Commissioners, as well as my Colorado colleagues in the U.S. Senate, to develop a conveyance. The county, Colorado U.S. Senators Gardner and Bennet, and the Forest Service support the proposal.

At this time, I would like to be able to enter into the record a letter from Dolores County Commissioners Julie Kibel, Steve Garchar, and Floyd Cook outlining their support of the West Fork Fire Station Act of 2017.

Mr. MCCLINTOCK. Without objection.

[The information follows:]

DOLORES COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
DOVE CREEK, COLORADO

November 13, 2017

Re: West Fork Fire Station Act of 2017

Dear Honorable Senate and House of Representative Members:

The Dolores County Board of County Commissioners (DCBOCC) has been working diligently with the staff members of Senator Bennett and Representative Tipton, the U.S. Forest Service, the Dolores Fire Protection District, and constituents from Dolores County to secure land for a fire station and the development of a fire department in the remote West Fork area of Dolores County. Dolores County, the citizens of the area, as well as surrounding emergency services providers, all recognize the immediate need for the fire station.

Historically, the Dolores Fire Protection District located in Montezuma County, has responded out of their service area to emergency calls in the West Fork area. The District firefighters as well as the tax payers of the Dolores Fire Protection District have shouldered the ever-increasing financial and logistic burden of those responses. While fire departments often provide service outside of district boundaries, they typically do so under the authority of a mutual aid agreement. The creation of a West Fork fire department and construction of a facility will allow for meaningful mutual aid in the area.

In addition to the benefits of meaningful mutual aid, the addition of the fire station will address insurability issues currently facing land owners in the area. Without local fire protection, some home owners are unable to secure insurance for their homes or even sell their property.

The DCBOCC has worked diligently with property owners and surrounding Fire Districts to procure necessary firefighting equipment. Additionally, surrounding fire districts have trained individuals living in the West Fork area to operate as firefighters. The West Fork Volunteer Fire Department, now with equipment and firefighters, need a fire station. With that need, the DCBOCC approached the Forest Service and their District Officer seeking a land conveyance to join the existing Road and Bridge Shop at Fish Creek in the West Fork area. The existing acreage at the site is not big enough to build a shop to house fire equipment and safely provide ingress and egress for emergency vehicles. The addition of the 4.43 acres of Forest Service land will provide the ability to build, improve the driveway for safety purposes, and clear up disputes the Forest Service has had over the years with existing mail boxes and driveway structures.

The West Fork Fire Station Act of 2017 will benefit the home owners of the West Fork by reducing response time from the Dolores Fire Station, which is 26 miles away, give the home owners the ability to purchase fire insurance for their property and structures. Additionally, the facility will provide for a Forest Service staging area for response to forest fires, as well as equipment and trained fire fighters to be first responders in a very remote area. The structure to house equipment on site will benefit the citizens of West Fork, the Forest Service and surrounding fire districts.

Due to a gracious donation from an individual connected with Dunton Hot Springs Area of \$100,000.00, the construction costs of the fire station will be met. Dolores County will provide in kind contributions of heavy equipment and operators to prepare the building site, as well as construction of a new driveway with culverts and signage. The County is further prepared to pay processing and transactions costs, as well as restrict the use of this land conveyance for a fire station, related infrastructure, and roads to facilitate access to and through the parcel.

We appreciate your support in this endeavor and kindly ask that you will pass the "West Fork Fire Station Act of 2017" to make this planning become a reality.

Sincerely,

JULIE R. KIBEL,
Chair

STEVE GARCHAR

FLOYD COOK

Mr. TIPTON. Thank you, Mr. Chairman.

I would also like to be able to submit for the record recent testimony that was given by Forest Service Associate Deputy Chief Glenn Casamassa before the Senate Energy and Natural Resources Subcommittee on Public Lands during a hearing on the Senate companion bill.

Mr. MCCLINTOCK. Without objection.

[The information follows:]

STATEMENT FOR THE RECORD

GLENN CASAMASSA, ASSOCIATE DEPUTY CHIEF, NATIONAL FOREST SYSTEM, U.S.
FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
SUBCOMMITTEE ON PUBLIC LANDS, FORESTS AND MINING

CONCERNING S. 2218—WEST FORK FIRE STATION ACT OF 2017

FEBRUARY 7, 2018

Chairman Lee, Ranking Member Wyden, members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding S. 2218—West Fork Fire Station Act of 2017. I am Glenn Casamassa, Associate Deputy Chief for the National Forest System (NFS), USDA Forest Service.

S. 2218 would convey, without consideration, all right, title, and interest in approximately 3.61 acres of National Forest System land on the San Juan National

Forest to Dolores County, Colorado for construction and operation of a fire station, associated infrastructure, and access roads.

USDA supports Dolores County in their efforts to provide improved emergency services to county residents and visitors. We agree that the parcel of land in question is in a practical location to provide these services and that there are not similarly situated non-Federal lands of limited acreage available that provide the same locational benefits. However, we do note that Section 3(a) is inconsistent with longstanding federal policy that market value consideration should be paid to the United States for conveyance of federal lands owned by all Americans.

Thank you again for the opportunity to testify on this bill and I look forward to your questions at the appropriate time.

Mr. TIPTON. Thank you, Mr. Chairman.

Mr. Chairman, in his testimony Mr. Casamassa said, “The USDA supports Dolores County in their efforts to provide improved emergency service to county residents and visitors. We agree that the parcel of land in question is a practical location to provide these services and that there are not similarly situated non-Federal lands of limited acreage available to provide the same locational benefits.”

Again, thank you for holding this hearing, and my thanks to my friends out of southwest Colorado for traveling the distance to be able to testify on a very important issue for us.

With that, I yield back, Mr. Chairman.

[The prepared statement of Mr. Tipton follows:]

PREPARED STATEMENT OF THE HON. SCOTT R. TIPTON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF COLORADO ON H.R. 4609

Thank you, Mr. Chairman, for convening this hearing and bringing my bill, H.R. 4609, the West Fork Fire Station Act of 2017, up for consideration. I also want to thank Dolores County Commissioner Floyd Cook for traveling to DC to testify in support of this bill.

West Fork is in a remote part of Dolores County, Colorado, surrounded by the San Juan National Forest. Emergency and fire response is a challenge in this part of the county, because the closest fire station is currently 26 miles away.

The West Fork Fire Station Act conveys approximately 3.6 acres of National Forest System land to Dolores County for the strict purpose of building and operating a fire station in the West Fork area.

In addition to creating emergency and fire response challenges, the lack of a dedicated fire station has created insurance challenges for homeowners in West Fork. In an area surrounded by National Forest land, it is critical to have fire insurance for your home and other structures on your property. With no fire station in a reasonable proximity to the area, it is near impossible for homeowners to obtain fire insurance in West Fork. My bill would help change that.

I would also like to note that the West Fork Fire Station will be operated by a volunteer fire department—men and women who dedicate their time, talent, and often put the safety of their community and neighbors ahead of their own. I greatly appreciate their service to the county.

I also commend Dolores County for working with local property owners and the surrounding fire districts to obtain necessary firefighting equipment for the volunteers that would serve at the West Fork Fire Station.

My team and I have engaged with the Board of County Commissioners, as well as with my Colorado colleagues in the U.S. Senate, to develop the proposed land exchange. The county, Colorado U.S. Senators Gardner and Bennet, and the Forest Service support the proposal.

At this time I would like to enter into the record a letter from Dolores County Commissioners Julie Kibel, Steve Garchar, and Floyd Cook outlining their support for the West Fork Fire Station Act of 2017. I would also like to submit for the record recent testimony that was given by U.S. Forest Service Associate Deputy Chief, Glenn Casamassa, before the Senate Energy and Natural Resources Subcommittee on Public Lands during a hearing on the Senate companion of this bill. In his testimony, Mr. Casamassa said, “USDA supports Dolores County in their efforts to

provide improved emergency service to county residents and visitors. We agree that the parcel of land in question is in a practical location to provide these services and that there are not similarly situated non-Federal lands of limited acreage available to provide the same locational benefits.”

Thank you, Mr. Chairman. I look forward to answering any questions you may have about this bill and yield back.

Mr. MCCLINTOCK. Do you want to introduce?

Mr. TIPTON. You bet.

Mr. MCCLINTOCK. I will defer to the gentleman to introduce our final witness.

Mr. TIPTON. Thank you, Mr. Chairman.

I had referenced this in my testimony on the bill, but I would like to be able to introduce Commissioner Floyd Cook, and want to commend him for traveling to Washington to testify in support of H.R. 4609.

Commissioner Cook was elected to serve on the Dolores County Board of County Commissioners in November of 2016. Our team in Washington, DC, as well as our field staff in southwest Colorado do greatly appreciate his commitment to serving the residents of Dolores County. I look forward to his testimony today and our continued work together in the future.

Commissioner Cook, thank you for being here.

Mr. MCCLINTOCK. The gentleman is recognized for 5 minutes.

STATEMENT OF THE HONORABLE FLOYD COOK, COUNTY COMMISSIONER, DOLORES COUNTY, COLORADO, DOVE CREEK, CO

Mr. COOK. Thank you, Mr. Tipton.

Chairman McClintock, Ranking Member Hanabusa, and distinguished members of the House Subcommittee on Federal Lands, thank you for hearing me today. I am one of three County Commissioners from Dolores County, Colorado. I am here to ask you to pass H.R. 4609 to provide Dolores County with the construction of a fire station.

The conveyance of the Forest Service parcel, approximately 3.61 acres, would provide the final piece to a cooperative effort of our citizens, local, state, and Federal Government, to bring a fire station to a beautiful portion of the county called the West Fork.

To provide some background, Dolores County consists of 1,640 square miles with approximately 2,200 residents. The topography of the county is agricultural in the western third with the remaining two-thirds being heavily forested and rough. Based upon the low population and mostly rugged landmass, emergency services in the county have been a challenge, and the threat of wildfires is consistent.

The West Fork is especially isolated and rugged, consisting of small patches of private residents surrounded by vast areas of National Forest. In addition to the more than 100 residents, the West Fork holds numerous recreational opportunities, including Forest Service trail heads, Forest Service campgrounds, and privately owned outdoor retreats. Visitors come to enjoy the extensive trail systems and world-class fishing opportunities.

The need for a fire department in West Fork has been obvious for a long time. Residents have had no ability to purchase fire insurance for their homes. The surrounding fire districts have provided emergency services when they are available, and they have become overburdened. Additionally, the more than 26-mile response distance to most calls was just simply unacceptable.

Approximately 2 years ago, in an effort to address the need, Dolores County began assisting a group of West Fork property owners with the creation of a volunteer fire department. The effort quickly spread, promoting involvement by all types of citizens and levels of government.

The U.S. Forest Service has been extremely supportive of the entire process. The West Fork Volunteer Fire Department has now reached a point where they are ready to provide services once a fire station is constructed.

The last step in the process will be the main facility located on the subject parcel adjacent to the county road department at a location known as Fish Creek. The parcel is ideally located and suited for use as a fire station.

In addition, the parcel holds no other real value. It is essentially a treeless, sloping sliver of land between Dolores County Road 38 and the Fish Creek site.

The parcel is, however, perfect for the location for the fire station. It has immediate access to the only main road and will be serviced by the county road department. The fire station will house vehicles and equipment and serve as a staging area for the West Fork firefighters as well as the surrounding mutual aid providers.

The location of the facility will also make it an ideal staging for the U.S. Forest Service firefighting operations and will provide immediate boots on the ground in the middle of the National Forest to allow quicker responses to forest fires.

The Forest Service agrees that the parcel and land in question is in a practical location to provide emergency management services and there are not similar non-Federal lands of limited acreage available to provide the same locational benefit.

As stated, the conveyance of this parcel is the last piece to providing fire protection in the West Fork area, potentially saving lives, loss of property, and to help protect our forests.

We have four vehicles, including a pumper truck, a tender, and two brush trucks. We have firefighters trained by surrounding districts ready to go. We have equipment for the firefighters. We have over \$100,000 raised for the construction of the fire station. All we need now is conveyance of the parcel and construction can begin.

Dolores County will provide contributions of heavy equipment and operators to prepare the building site as well as construction of a new driveway. With your help, we can have a fully operational facility assisting with mutual aid to surrounding districts and the Forest Service this summer.

[The prepared statement of Mr. Cook follows:]

PREPARED STATEMENT OF FLOYD COOK, COUNTY COMMISSIONER OF DOLORES
COUNTY, COLORADO ON H.R. 4609

INTRODUCTION

Thank you for holding today's hearing on H.R. 4609, to provide for the conveyance of a Forest Service site in Dolores County, Colorado, to be used for a fire station. My name is Floyd Cook, and I am one of three county commissioners in the County. The conveyance of the Forest Service parcel of approximately 3.61 acres would provide the final piece to a cooperative effort of citizens, local, state and Federal Government to bring a fire station to the West Fork area of Dolores County.

BACKGROUND

Dolores County overall consists of approximately one-third relatively flat farmland in the western portion of the County, with the remainder consisting of mostly forested rugged terrain. See Exhibit A. The West Fork area is an especially rugged and isolated forested area following the west fork of the Dolores River. The area consists of small patches of private residences surrounded by vast areas of National Forest. See Exhibit B. The area holds numerous recreational opportunities, including Forest Service trailheads, Forest Service campgrounds, and privately owned outdoor retreats. See Exhibit C. Visitors are attracted by the extensive trail system and world class fishing opportunities.

Exhibit A

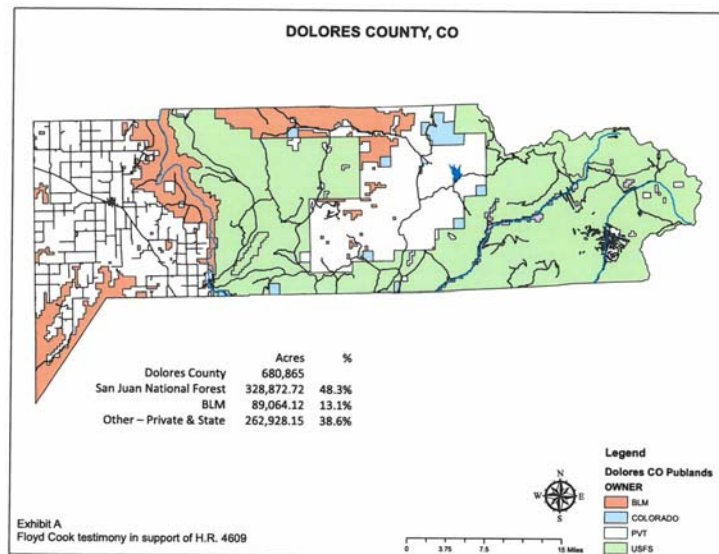


Exhibit B

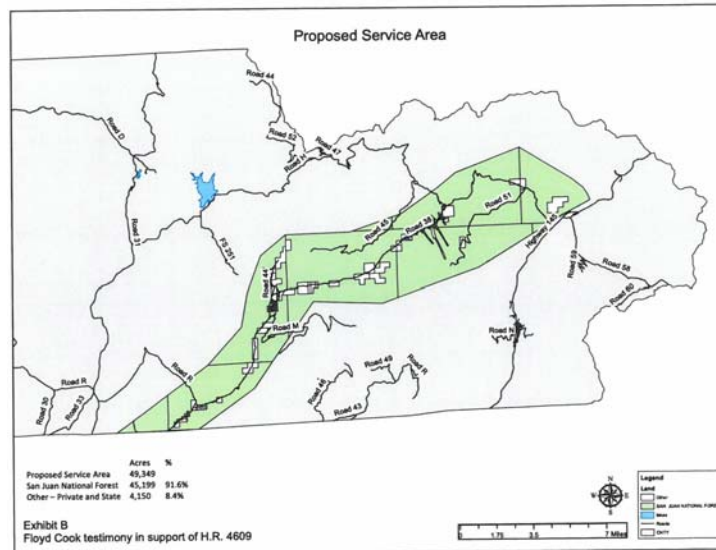
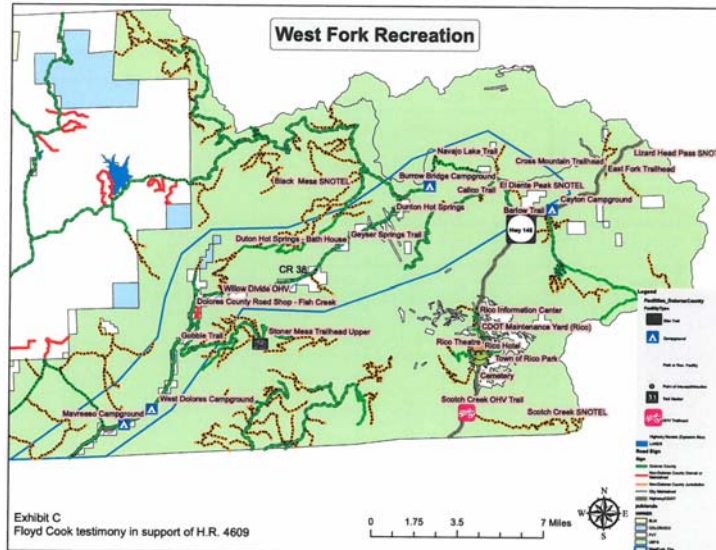


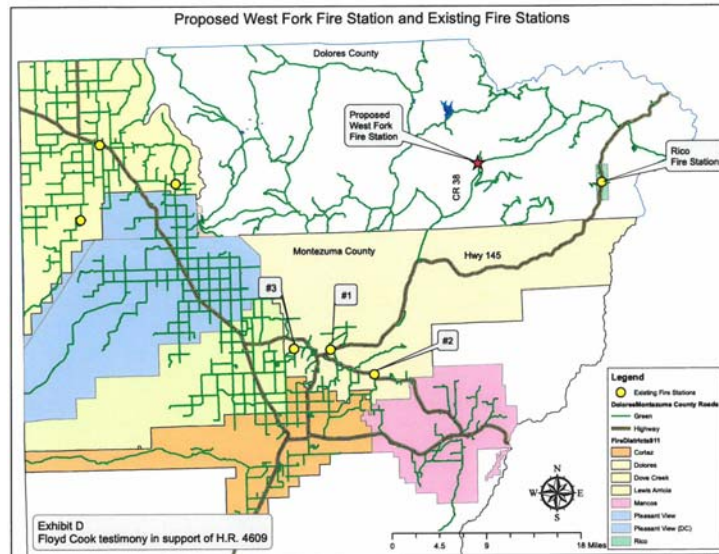
Exhibit C



Historically, Dolores Fire Protection District located in Montezuma County to the south has responded out of its service area to any emergency calls in the West Fork area. However, the distance for those calls is approximately 26 miles one way. See Exhibit D. The vision of the West Fork Volunteer Fire Department began in earnest due in large part to the increasing burden being placed upon the surrounding districts responding to calls in the West Fork area. Those distant responses financially burden the taxpayers of those outside districts, and divert resources in fire-fighters and equipment. While fire departments often provide service outside of

district boundaries, they typically do so under the authority of a mutual aid agreement. Without the ability to provide mutual aid, the residents and users of the West Fork area are wholly dependent upon gratuitous services, contingent upon availability.

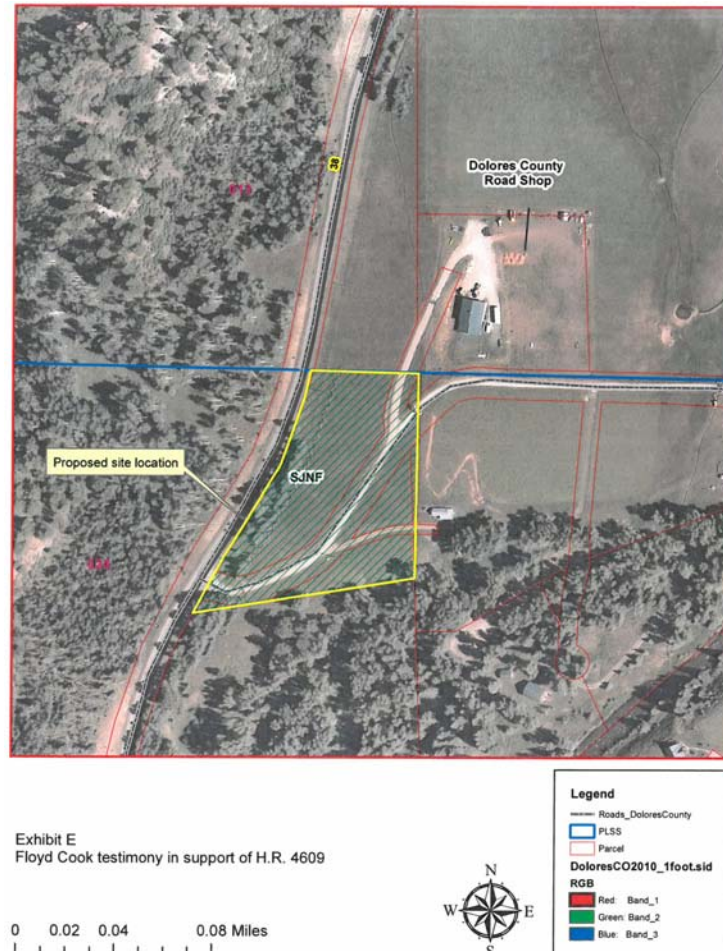
Exhibit D



ORGANIZATIONAL EFFORTS

Two years ago, the Board of County Commissioners of Dolores County began assisting a group of West Fork property owners with the creation of a volunteer fire department. The wide-spread and unanimous recognition of the need for such emergency services quickly prompted involvement on all levels. While the County continued to provide financial and administrative assistance to the development of the fire department, surrounding fire districts provided generous donations of vehicles and equipment. Operational grants have been received by both state and private funding organizations, as well as individuals.

The West Fork Volunteer Fire Department has developed into an organization fully capable of functioning in providing emergency services once a fire station is constructed. Four emergency vehicles have been obtained and prepared for service, but are currently held in storage. Volunteer firefighters have been recruited and trained through opportunities provided by surrounding fire districts. The final step in the creation of a fully functional fire department will be the construction of a main facility located adjacent to a County parcel at a location known as "Fish Creek." See Exhibit E.

Exhibit E**THE SUBJECT PARCEL**

The proposed parcel initially consisted of 4.43 acres. The current configuration of 3.61 acres was a result of compromises that will still result in a highly useful and appropriate facility. The subject parcel is ideal for the proposed use. It is essentially a treeless sloping sliver of land between Dolores County Road 38 and a Dolores County road and bridge site. The site holds no recreational opportunity. The parcel is, however, perfect for the siting of a fire station. It has immediate access to the only main road, and will be serviceable by the County road and bridge department. The fire station will house vehicles and equipment, and serve as a staging area for the West Fork firefighters, as well as the surrounding mutual aid providers. The location of the facility will also make it ideal for the staging of U.S. Forest Service firefighting operations.

Dolores County explored other options in locating the facility, however, the subject parcel was simply ideal for the above stated reasons. The County explored housing the facility on the road and bridge parcel, but size restrictions and problems with the current potentially dangerous access point, simply made that choice impractical. Surrounding property owners were also contacted, but unwilling to provide suitable property.

THE FACILITY

Due to the extremely generous donation of \$100,000.00 from a private citizen, the construction costs of the fire station will be met. Immediately following conveyance of the site pursuant to H.R. 4609, construction could commence. Dolores County will provide in kind contributions of heavy equipment and operators to prepare the building site, as well as construction of a new driveway with culverts and signage. We hope to have a fully operational facility, providing fire protection to the West Fork area, and assisting with mutual aid to surrounding districts and the Forest Service this summer. Given the dry winter in our area, we unfortunately expect a busy year.

CLOSING

Bringing emergency services to the West Fork area has truly been a multilevel group effort. From private citizens, to multiple special districts, County government, state government and up to the Federal level, all parties have seen the need and participated in making the vision a reality. The U.S. Forest Service testified on February 7, 2018 before the Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands, Forests and Mining on the Senate companion, S. 2218. The U.S. Forest Service “supports Dolores County in their efforts to provide improved emergency services to county residents and visitors.” The Forest Service “agrees that the parcel of land in question is in a practical location to provide” emergency management services and “there are not similarly situated non-Federal lands of limited acreage available that provide the same locational benefits.”

We appreciate your support in this endeavor and kindly ask that you will pass the “West Fork Fire Station Act of 2017” to make this cooperative effort to bring fire protection to the West Fork area a reality.

Mr. McCLINTOCK. Great. Thank you very much very much for your testimony, sir.

Are there any questions?

Ms. Hanabusa.

Ms. HANABUSA. I just wanted to clarify something that I said in my opening statement. You said that the Forest Service is very supportive of the conveyance, which is also my understanding, but there was some concern about not requiring a market value compensation for the land.

Did they raise any of that with you, the Forest Service?

Mr. COOK. The local Forest Service did bring that up. And during our conversations, the way we looked at it, and I believe he was in agreement, having a local volunteer fire department in that area is a benefit to the Forest Service. They will be the first responders when and if there is a fire.

Ms. HANABUSA. So, you believe that you have resolved it, that the volunteer fire department will be there to assist, so the Forest Service is OK with it now?

Mr. COOK. I believe so, yes.

Ms. HANABUSA. Thank you very much.

I yield back.

Mr. McCLINTOCK. Thank you.

Further questions from Mr. Tipton?

Mr. TIPTON. Thank you, Mr. Chairman.

I certainly appreciate the Ranking Member pointing that out. That is actually a result of Federal policy.

That being said, that is actually addressed in Section 3(d) of the bill. If the land is used for any other purpose, the conveyance returns the land back. So, it does have very strict perimeters for it to be able to work off of. And with the letter that we have

submitted for the record from the Associate Deputy Chief of the National Forest System endorsing it, obviously I think that we do have an agreement of the necessity of that.

Commissioner Cook, I would like to be able to visit with you just a little bit. I think that you gave a great description of the land. And it is probably like many of the areas that we all live in, nobody knows it better than the people who actually live there.

One other thing that I know we are all so acutely aware of is, we have had low snow pack during this season. The fire season is approaching. You noted that you have been able to have \$100,000 to be able to build this facility.

How quickly, given the imminent threat that we are seeing from the approaching fire season, can the facility be built?

Mr. COOK. Just as soon as we get approval and the weather cooperates we would begin on it.

Mr. TIPTON. Great, and I think you and I probably remember and had an opportunity to be able to discuss when the Weber Canyon fire broke out. One of the other volunteer fire departments in the area out of Mancos, the Federal Government, BLM, Forest Service people on the ground called them their stealth firefighting department. They were the first on the scene in the event of a threat on public lands.

So, the benefit of that, not to mention for the individual land-owners that are around there and the opportunity for them to be able to do the sensible thing, to be able to have insurance, I think is certainly admirable.

Commissioner Cook, in your testimony you did mention that the county went through the process of trying to identify non-Federal parcels of lands that could serve for the site for the fire station.

Could you maybe once again just give us a quick overview of that process so that we do have that certainty that you had exhausted all other viable opportunities and this was going to be the best solution not only for the residents and the county, but also for the Federal Government?

Mr. COOK. Yes. The West Fork Canyon is very narrow in areas. This is one of the wider areas within the canyon. And it is, like I described, a very small sliver of a piece of land that would suit the purpose.

The other problem is that the other areas, people are not willing to sell. There is nothing available other than this parcel. It is centrally located in the canyon. It is an excellent area to stage from. We have road access right there.

Mr. TIPTON. Great. Well, I appreciate that. I certainly applaud all of the efforts. We have actually talked about this for several years, the importance of this, literally for our communities.

And, again, I am very grateful to have Tommy Johnson here, a great example in our rural communities where we don't have the resources to be able to have hired full-time fire departments, we have people that are willing to separate from their jobs, climb out of bed at night to be able to go out and to be able to protect our communities, to be able to protect our property. And I am really grateful for that effort and proud to come from the area that we live in.

Mr. Chairman, I have no further questions. And thank you for being here.

And thank you again, Ranking Member, for helping me clarify that point.

Mr. McCLINTOCK. Thank you.

Are there any further questions of the witness?

The Chair wants to thank Commissioner Cook and all of our witnesses for their expert testimony today.

Members of the Committee may have some additional questions, and we will ask you to respond to these in writing. Under Committee Rule 3(o), members of the Committee must submit witness questions within 3 business days following the hearing by 5 p.m., and the hearing record will be held open for 10 business days for these responses.

If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 4:23 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

ALLIANCE FOR AMERICA'S FISH & WILDLIFE

February 13, 2018

Dear Members of the House Natural Resources Subcommittee on Federal Lands:

Healthy fish and wildlife populations and their habitats are essential to the quality of life of every American. Yet today, we are facing an historic fish and wildlife challenge that could alter future Americans' opportunities to benefit from these resources. Scientists estimate that one-third of wildlife species in the United States are at risk of becoming threatened or endangered unless we pursue proactive, collaborative efforts to accelerate their recovery. The dramatic decline of so many species of wildlife and the habitats they depend on has an adverse effect on fundamental life benefits provided by nature such as water purification and aquifer recharge, flood abatement, pollination, recreation and food and fiber production that are essential to human health. These species declines threaten Americans' quality of life, as well as our national economy and create regulatory uncertainty for businesses and industries, further impacting jobs and the health of our communities. Fortunately, proven solutions exist to reverse this decline and bolster our economy.

We write today to offer our strong support for the Recovering America's Wildlife Act (H.R. 4647) recently introduced by Representatives Fortenberry (R-NE-01) and Dingell (D-MI-12). We believe this legislation represents a critical solution toward addressing the imminent challenges facing America's wildlife. Many of us came together to serve on the Blue Ribbon Panel on Sustaining America's Diverse Fish & Wildlife Resources, consisting of members representing the outdoor recreation, retail and manufacturing sector, the energy and automotive industries, private landowners, educational institutions, sportsmen's and other conservation groups, and state and federal fish and wildlife agencies. Together, our industries represent more than a trillion dollars of economic impact, millions of non-exportable jobs, and tens of millions of members and consumers across the country, all who rely on healthy fish and wildlife populations.

As proposed in H.R. 4647, our Panel recommended for Congress to dedicate \$1.3 billion annually to the existing Wildlife Conservation Restoration Program for state-led, proactive, collaborative-based wildlife conservation before "emergency room" federal measures are necessary. This concept has struck a chord among a diverse group of Americans, and in response, the Panel has rapidly expanded into the Alliance for America's Fish & Wildlife which represents additional diverse interests aligned in support of increased fish and wildlife conservation funding, which complements existing natural resource conservation and outdoor recreation programs. Together, we stand united to help secure passage of the Recovering America's Wildlife Act.

We applaud the leadership of Congressman Fortenberry and Congresswoman Dingell, and urge you to support this vital legislation. Rather than investing in less

expensive, preventative measures, we often wait to take action until there is a crisis, which then requires costly measures and, too often, onerous regulations that can create economic uncertainty for businesses and our communities. H.R. 4647 changes this approach by focusing proven, proactive, science-driven conservation measures, which will help recover thousands of species, while saving taxpayers billions of dollars and leveraging additional funds through innovative public/private partnerships. This proactive and voluntary approach is better for wildlife, taxpayers, businesses, and local communities.

Not since enactment of the Pittman-Robertson and Dingell-Johnson Acts, which provided critical funding for fish and wildlife in steep decline, have we had an opportunity to pass legislation of such importance to protecting what is every American's birthright—our great natural heritage. The Recovering America's Wildlife Act has the potential to be the most important conservation legislation in generations.

We appreciate your consideration of our request for your support of this important legislation. There is a lot at stake, and a lot to be gained from the passage of this innovative solution to a growing problem. We want to offer future generations of Americans the same opportunities that we have had in our lifetimes to enjoy our treasured natural resources. Together we can build a brighter economic future that includes conservation of our fish and wildlife and helps sustain our communities.

Sincerely,

Virgil Moore, President
Assoc. of Fish & Wildlife Agencies

Dale Hall, CEO
Ducks Unlimited

Jeff Crane, President
Congressional Sportsmen's
Foundation

Whit Fosburgh, President and CEO
Theodore Roosevelt Conservation
Partnership

Collin O'Mara, President and CEO
National Wildlife Federation

Amy Roberts, Executive Director
Outdoor Industry Association

John L. Morris, CEO
Bass Pro Shops
White River Marine Group

Rebecca Humphries, CEO
National Wild Turkey Federation

Steve Sanetti, President
National Shooting Sports Foundation

David Yarnold, President and CEO
National Audubon Society

John E. McDonald, Jr., President
The Wildlife Society

John W. Fitzpatrick, Director
Cornell Lab of Ornithology

Margaret O'Gorman, President
Wildlife Habitat Council

Mike Nussman, President and CEO
American Sportfishing Association

Steve McMullin, Ph.D., President
American Fisheries Society

Greg Hill, President, COO
Hess Corporation

Steve Williams, President
Wildlife Management Institute

Scott Kovarovich, Executive Director
Izaak Walton League of America

February 14, 2018

Hon. ROB BISHOP, *Chairman*,
 Hon. RAÚL GRIJALVA, *Ranking Member*,
House Natural Resources Committee,
Washington, DC 20515.

Dear Chairman Bishop and Ranking Member Grijalva:

On behalf of the millions of hunters, anglers, shooters, and outdoor enthusiasts that our organizations represent, we write to express our strong support for the bipartisan Recovering America's Wildlife Act (H.R. 4647), sponsored by Representatives Jeff Fortenberry and Debbie Dingell.

We believe that collaborative conservation is the most effective way to recover wildlife populations—an approach embodied in H.R. 4647. Time and time again, proactive, collaborative, and voluntary conservation efforts have allowed our nation to recover wildlife species, from deer and elk to wild turkeys and a range of waterfowl and fish, through habitat restoration projects and other strategies. These collaborative efforts have largely been funded by our members and sportsmen and women across America, who pay license fees and the excise taxes collected under Pittman-Robertson and Dingell-Johnson.

While collaborative conservation has spurred countless on-the-ground successes, today more than 12,000 wildlife species across our nation are considered “species of greatest conservation need,” as identified by State Fish and Wildlife Agencies. A Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, comprised of industry and conservation leaders, was empaneled with the express purpose of developing recommendations to solve this challenge. They recommended—and we agree—that the best way to recover these species of concern is to build upon the conservation model that has produced the remarkable successes for game species by investing a portion of existing energy revenues in proactive, collaborative, voluntary efforts at the state-level through the existing Wildlife Conservation and Restoration Program, as proposed in H.R. 4647. This non-regulatory, collaborative approach is a superior means of recovering species and leverages additional funds through innovative public/private partnerships, while reducing the need for more expensive “emergency room” measures and avoiding tens of billions of dollars in economic uncertainty from potential regulation and litigation.

The Recovering America's Wildlife Act will drive measurable conservation outcomes by providing the resources necessary to implement Congressionally required State Wildlife Action Plans through which each state and territory develops a clear state-level strategy with local stakeholders for how best to recover species of greatest conservation need in their state.

Further, and in addition to other conservation and recreation programs, H.R. 4647 will strengthen local communities and the national economy by both bolstering the outdoor recreation industry, which generates more than \$887 billion in annual economic benefit, supports 7.1 million jobs, and attracts more than 140 million participants (including nearly 40 million hunters and anglers), while creating more regulatory certainty for numerous industries. More specifically, funds from H.R. 4647 will be used to enhance wildlife-associated recreation.

The Recovering America's Wildlife Act is good for conservation, good for sportsmen, good for the economy, and good for taxpayers. We encourage your strong support and look forward to working with you to move this bill through the legislative process.

Thank you for your commitment to conservation.

Sincerely,

American Woodcock Society
 Archery Trade Association
 Assoc. of Fish and Wildlife Agencies
 Boone and Crockett Club
 Camp Fire Club of America

National Wild Turkey Federation
 National Wildlife Federation
 North American Grouse Partnership
 Pheasants Forever
 Professional Outfitters and Guides of America

Catch-A-Dream Foundation	Quail Forever
Congressional Sportsmen's Foundation	Quality Deer Management Association
Conservation Force	Rocky Mountain Elk Foundation
Council to Advance Hunting and the Shooting Sports	Ruffed Grouse Society
Dallas Safari Club	Texas Wildlife Association
Delta Waterfowl Foundation	The Conservation Fund
Ducks Unlimited	The Wildlife Society
Houston Safari Club	Theodore Roosevelt Conservation Partnership
Izaak Walton League of America	Whitetails Unlimited
Masters of Foxhounds Association	Wild Sheep Foundation
Mule Deer Foundation	Wildlife Forever
National Association of Forest Service Retirees	Wildlife Management Institute
National Bobwhite Conservation Initiative	Wildlife Mississippi
National Shooting Sports Foundation	

Rep. McClintock Submission

NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

STATEMENT FOR THE RECORD ON H.R. 4851, THE KENNEDY-KING ESTABLISHMENT ACT OF 2018

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 4851, a bill to establish the Kennedy-King National Historic Site in the State of Indiana, and for other purposes.

The Department would like to help provide greater recognition to the site proposed for designation in H.R. 4851. However, the National Park Service has no basis for knowing whether the proposed site meets the criteria for inclusion in the National Park System, as a special resource study has not been completed for the site.

In addition, the National Park Service has a deferred maintenance backlog of over \$11 billion. The Administration's focus is to reduce this backlog and to address other critical national park needs. For this reason, funding for new units to the national park system is not a priority in the Administration's FY2019 budget.

H.R. 4851 commemorates the location where Robert F. Kennedy was to deliver a presidential campaign speech on April 4, 1968. Kennedy did not deliver his campaign speech; instead he gave an impromptu speech about the assassination of Dr. Martin Luther King, Jr. that had occurred that day just prior to his arrival. In his remarks, he called for unity, prayers, and a non-violent response to the news. The site is marked by the Landmark for Peace Memorial which was dedicated in 1994 to honor Robert F. Kennedy and Dr. Martin Luther King, Jr.

The Department would be happy to discuss with the sponsor and the committee other alternatives to increase public recognition of the site.

Mr. Chairman, this concludes our statement.

Rep. Hanabusa Submissions

NATIONAL WILDLIFE FEDERATION

February 15, 2018

Hon. ROB BISHOP, *Chairman*,
 Hon. RAÚL GRIJALVA, *Ranking Member*,
House Committee on Natural Resources,
Washington, DC 20510.

Hon. TOM MCCLINTOCK, *Chairman*,
 Hon. COLLEEN HANABUSA, *Ranking Member*,
Federal Lands Subcommittee,
Washington, DC 20510.

Dear Chairman Bishop, Ranking Member Grijalva, Chairman McClintock, Ranking Member Hanabusa, and members of the Committee:

The undersigned hunting, fishing and conservation organizations write to share our perspective on H.R. 2591, Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act.

Our organizations work together as the National Wildlife Federation, founded in 1936 by hunters, anglers, and fellow conservationists. Our first major achievement was helping to lead the coalition supporting passage of the Federal Aid in Wildlife Restoration Act, better known as Pittman-Robertson (P-R), which since 1937 has funded professional wildlife management by state agencies through excise taxes on guns and ammunition purchased by the primary beneficiaries—hunters.

The commitment of hunters and other purchasers of guns and ammunition to pay for the management of the wildlife we rely on has played an important role in supporting the North American Model of Wildlife Conservation for more than 80 years. The recovery of whitetail deer, elk, mule deer, pronghorn, bighorn sheep, wild turkey, and a range of waterfowl are all directly attributed in part to this funding source. Despite these many success, many wildlife populations are struggling and we urge Congress to provide more funding to state wildlife management—which is why we all support the Recovering America's Wildlife Act (H.R. 4647).

This hunter (and angler) funding mechanism is unique among wildlife and natural resource stakeholders, and exemplifies the commitment of hunters (and anglers) to restoring and conserving wildlife. This funding model is, however, threatened by declining participation in hunting, and projected future declines as many current hunters age out of the sport. It has, on the other hand, been bolstered by a major increase in recreational shooting.

The decline in hunters is a motivating purpose behind H.R. 2591. While we understand and support the goals of the legislation, we encourage the committee to make three specific changes to the bill:

1. Remove the reference to “range construction”—shooting ranges are already addressed more comprehensively by H.R. 788, the Target Practice and Marksmanship Training Support Act, a bill that would fund range construction, expansion, and land acquisition.
2. Clarify that marketing and other forms of recruitment authorized by this bill are an allowable use only from funds currently allocated to P-R subaccounts Section 4(c) (Basic Hunter Education); Section 10 (Enhanced Hunter Education); and “wildlife-associated recreation” under Wildlife Conservation and Restoration Programs.
3. Require reporting so states are tracking the effectiveness of various recruitment and retention efforts and best practices can be identified and replicated.

We agree that it is critically important that we address the decline in hunters and state wildlife funding both for the future of conservation and for our domestic economy (wildlife is a foundation of America's \$887 billion outdoor economy, which includes the \$67 billion hunting economy). We believe that the three improvements to the bill that we've proposed will help achieve this goal, without fundamentally changing a program that has served us so well for so long.

Sincerely,

Arizona Wildlife Federation	Montana Wildlife Federation
Conservation Federation of Missouri	National Wildlife Federation
Florida Wildlife Federation	New Mexico Wildlife Federation
Georgia Wildlife Federation	Nevada Wildlife Federation
Idaho Wildlife Federation	North Carolina Wildlife Federation
Michigan United Conservation Clubs	Wyoming Wildlife Federation
Minnesota Conservation Federation	

THEODORE ROOSEVELT CONSERVATION PARTNERSHIP

February 14, 2018

Hon. TOM MCCLINTOCK, *Chairman*,
 Hon. COLLEEN HANABUSA, *Ranking Member*,
House Subcommittee on Federal Lands,
Washington, DC 20515.

Dear Chairman McClintock and Ranking Member Hanabusa:

On behalf of the Theodore Roosevelt Conservation Partnership (TRCP), a coalition of 56 sportsmen, conservation, and outdoor industry organizations, I am writing in support of the bipartisan Recovering America's Wildlife Act (H.R. 4647), introduced by Representatives Jeff Fortenberry (R-Neb.) and Debbie Dingell (D-Mich.).

In 2016, the Blue Ribbon Panel on Sustaining America's Diverse Fish & Wildlife Resources, made up of sportsmen and women, outdoor industry leaders, state fish and wildlife agency officials, conservation groups, and business visionaries, joined together in developing a funding strategy that best identifies ways to restore habitat for species of greatest conservation need and enhance hunting and fishing opportunities. The recommendations the panel developed were the driver for the development of H.R. 4647, a bill that invests oil and gas revenues to improve critical habitat for countless species.

H.R. 4647 dedicates \$1.3 billion annually to the existing state-led Wildlife Conservation Restoration Program that provides state fish and wildlife agencies and local communities with collaborative tools to preempt habitat decline and economic uncertainty for local businesses that depend on the health of the outdoors. The funds will strengthen conservation efforts and boost the outdoor recreation economy, which generates more than \$887 billion annually in America. This important and bipartisan legislation will begin to meet the future needs of America's unique fish and wildlife resources and will provide much needed capacity to our state fish and wildlife agencies, who are on the front lines of conservation.

Thank you for the opportunity to provide this written testimony, and I urge you and your colleagues to work toward swift passage of H.R. 4647.

Sincerely,

WHIT FOSBURGH,
President and CEO.

THEODORE ROOSEVELT CONSERVATION PARTNERSHIP

February 14, 2018

Hon. TOM MCCLINTOCK, *Chairman*,
 Hon. COLLEEN HANABUSA, *Ranking Member*,
House Subcommittee on Federal Lands,
 Washington, DC 20515.

Dear Chairman McClintock and Ranking Member Hanabusa:

On behalf of the Theodore Roosevelt Conservation Partnership (TRCP), a coalition of 56 sportsmen, conservation, and outdoor industry organizations, I am writing in support of the bipartisan Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017 (H.R. 2591), introduced by Representatives Austin Scott (R-Ga.), Marc Veasey (D-Texas), Jeff Duncan (R-S.C.), and Gene Green (D-Texas).

The Pittman-Robertson Wildlife Restoration Fund provides grants to state fish and wildlife agencies for hunter education programs, wildlife conservation efforts, and public shooting ranges. The fund receives excise taxes from the purchase of hunting and archery equipment, without a single dime from federal tax coffers. In order to maintain adequate funding to meet the conservation needs of each state, we must reverse recent trends and ensure a steadily growing population of active hunters.

According to the U.S. Fish and Wildlife Service, between 2011 and 2016, our population of hunters shrunk by 16 percent nationwide, while hunters' total spending declined by nearly one-third. These findings, should they become a trend, represent a threat to our nation's hunting legacy and the wildlife on which it depends. Unfortunately, states are currently restricted from using Pittman-Robertson funds for activities to recruit, retain, and reactive (R3) our nation's hunters.

H.R. 2591 is a step in the right direction. This legislation modernizes the Pittman-Robertson fund to allow promotion of hunting the same way we utilize excise tax revenues to promote fishing and boating, to bring hunter education and licensing systems into the 21st century, and addresses serious threats to wildlife conservation.

Thank you for the opportunity to provide this written testimony, and I urge you and your colleagues to work toward swift passage of H.R. 2591.

Sincerely,

WHIT FOSBURGH,
President and CEO.

[LIST OF DOCUMENTS SUBMITTED FOR THE RECORD RETAINED IN THE
 COMMITTEE'S OFFICIAL FILES]

Mr. Ziehmer Submission

—Sustaining and Connecting People to Fish and Wildlife: A Looming Crisis Can be Avoided, A Recommendation of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, Report by the Association of Fish & Wildlife Agencies.

Rep. Hanabusa Submission

- Letter from a group of wildlife defenders who support dedicated funding to recover America's fish and wildlife dated February 14, 2018.

Rep. Lowenthal Submission

- Letter addressed to Chairman McClintock and Ranking Member Hanabusa from Dr. John E. McDonald, Jr., President, The Wildlife Society regarding H.R. 2591 and H.R. 4647 dated February 15, 2018.

