

THE CHALLENGES AND IMPACTS OF FEDERAL
REGULATIONS AND WILDFIRE MANAGEMENT
ON OUTDOOR RECREATION, HUNTING AND
FISHING OPPORTUNITIES, AND TOURISM ON
PUBLIC LANDS ON THE KENAI PENINSULA

FIELD HEARING
BEFORE THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

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THE CHALLENGES AND IMPACTS OF FEDERAL REGULATIONS AND WILDFIRE MANAGEMENT ON OUTDOOR RECREATION, HUNTING AND FISHING OPPORTUNITIES, AND TOURISM ON PUBLIC LANDS ON THE KENAI PENINSULA

Tuesday, May 31, 2016

U.S. SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
Kenai, AK

The Committee met, pursuant to notice, at 10:00 a.m. AKDT at the Challenger Learning Center, 9711 Kenai Spur Highway, Kenai, Alaska, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

**OPENING STATEMENT OF HON. LISA MURKOWSKI,
U.S. SENATOR FROM ALASKA**

The CHAIRMAN. Good morning.

We will call to order this field hearing of the Senate Energy and Natural Resources Committee. I would like to thank you all for coming this beautiful morning, particularly the day after a long, Memorial Day weekend.

We thank all those who have served our country and hope that the weekend was one that was filled with meaningful tribute.

We are here in Kenai today to review the management of our national forests and our other public lands and review what we can do, together and responsibly, to make them healthy and productive for the people who rely on them for their livelihoods, whether it is tourism, whether it is guiding, whether it is their access to recreation, to fishing, to hunting.

We have some serious work in front of us. I think we recognize that over the past 20 plus years or thereabouts the management of our forests, of our public lands, or perhaps the lack of management, translates to a very real threat to the health and safety of communities, not only in our state, but across our nation.

According to the Forest Service, up to 82 million acres of forest lands need some kind of restoration treatment because they are at high risk for severe wildland fires. Of those, twelve and a half million acres require some level of mechanical thinning to deal with these overly dense stands.

The Forest Service has also designated 45 million acres as insect and disease epidemic areas that are in need of treatment. Here in

Alaska and certainly here on the peninsula we know about the spruce bark beetle and the infestation that decimated some six million acres, including 1.3 million acres and more than 30 million spruce trees on the peninsula.

If it is not enough to kill the trees, what then happens is that those dead trees become fuel for the devastating wildfires that we see. Everyone who fought and endured the 2014 Funny River Fire which consumed 156,000 acres knows that far too well.

I have had an opportunity to go out and to see the devastation that was brought about by not only the Funny River Fire but the other fires that we have had around here, like the Card Street Fire near Sterling. We have seen the impacts, and in many ways we are still dealing with the aftermath of that blaze. The hot spots or the holdovers, the carryover fires from not only last year's Card Street but Funny River in 2014, the wildland firefighters were called out to address that just in this past week.

We have with us this morning Chris Maisch, who is the State Forester and the Director for the Alaska Department of Natural Resources (DNR). We will hear a little bit from him this morning about where we are with fire threat and the fire season. But I think it is a reminder to us that when we do not manage our forests, when we have, again, levels of infestation, when we have fuel that is essentially sitting on the forest floor, it does pose a threat.

We recognize the importance of installing fuel and fire breaks to try to keep the fires smaller in order to reduce that threat. It is not only important to our protection of life and property for those who live here but something that we keep in mind as we worry about the safety of those who are fighting these fires.

Yet as we recognize what is going on with greater incidents of more devastating fires and the lack of management, what we are seeing is less and less harvesting from our forests. The annual timber cut in the State of Alaska has dropped by more than 80 percent.

When you have those timber harvesting jobs leave, it is not just the jobs that are lost, it is the impact on the local schools. It is the impact on the local budget shortfalls. Clearly there is a ripple effect when you think about our failure to properly manage forests.

Basically, under our Federal Government's current practices, we are losing our forests to insects, disease and wildfires instead of responsibly managing and harvesting them. It is putting local communities at both physical risk and economic disadvantage.

I was down in Ketchikan, Sunday and Monday and had an opportunity to meet with some of those in the struggling timber industry. They reminded me that our forests work if our foresters are able to work.

Yet it seems that you have a situation, at least within the Forest Service, and it was what the former Chief of the Forest Service, Dale Bosworth, said. He describes it as "analysis paralysis." Basically that progress today has been redefined by completion of a process rather than implementation of almost any project on the ground, and I think that we see that.

In the Tongass we have gone from more than 6,000 direct and indirect jobs which represented 79 percent of all manufacturing jobs in the state back in the early 90's, to just 550 wood and for-

estry jobs today. This represents less than one percent of Alaska's current economy.

Here in the Chugach, historically speaking, we have never been a big timber producing area, but at this point in time, we see almost no timber harvested for saw logs and only a handful of workers remain to process mostly utility logs for biomass or for firewood. That has driven the Federal funding from what used to be called stumpage fees down to practically nothing.

Now we recognize that when we are talking about Forest Service and Forest Service lands, it is multiple use. It is not just managing for timber harvest. So you would say well, other things are going well on our Forest Service lands. But that is not what I am hearing.

We have many, many complaints from tourism, charter operators and outfitters and guides that the Forest Service is not offering enough new concession opportunities in most of the Chugach. Both the National Park Service and Fish and Wildlife Service, of course, have proposed or implemented new regulations that seize authority from wildlife management which was really one of the drivers of us for statehood. But they are basically moving in a direction that takes that authority for our wildlife management from the state and moves it under the auspices of Federal management. We need new, revised and better policies to fix all these issues, and we are working on it.

I would like to talk about a couple things that we have been doing back in Washington to address these issues.

In this year's Interior budget, we have \$1.6 billion, which is \$600 million more than last year, to make sure that we have the resources needed to fight fires during what we anticipate could be another really terrible fire year. What has been happening as we have seen the increase of these very, very costly fires, not only here in the State of Alaska but around the country, if there is not enough money budgeted on an annual basis for the Department of the Interior, what happens is the fire accounts within the Forest Service will borrow from other accounts to pay for fire suppression.

What that means is let's say, you have a big fire. We need to pay to put out the fire. As we are spending money to put out fires, we are taking it from those accounts that would make sure that we are working more actively on thinning, to do prescriptive burns, to basically manage the fires out there.

Last week I introduced legislation, a draft bill with Senator Cantwell, who is the Ranking Member on the Energy Committee, along with Senator Wyden from Oregon, as well as both of the Idaho Senators. We are looking at trying to deal with a longer-term solution. We addressed the wildfire funding crisis and are working to improve Federal forest management.

What we attempt to do is fully fund fire prevention and fire-fighting efforts. At the same time, we would stop this borrowing from one account to another, because if you take the money from Forest Service for what they need to do to provide for the concessions or again, for the recreation accounts, the timber accounts, the system just does not work. We recognize that it is a system that is not sustainable.

I have also worked to beef up recreation funding for the Alaska region through appropriations. We added \$2.5 million more than we received three years ago to address the budget issues that the Forest Service has blamed for causing the reduction in the new solicitation periods for tourism, outfitter and guide concession contracts.

Just over a month ago we got the Senate's approval for comprehensive sportsmen's legislation that I have been leading for some time now. This has been included in the energy bill. Probably the most pertinent provision of that Sportsmen's bill, relative to this discussion today, is a provision that guarantees that Forest Service, Bureau of Land Management lands, remain open to hunting unless otherwise closed, open to hunting and fishing and sport shooting effectively ensuring that your public lands are actually public. This is going to be an important aspect of what it is that we do moving forward, making sure that we have access to the lands that we have in our public holdings.

We are going to hear some testimony here about the regulations that have been issued by Park Service and Fish and Wildlife Service, again, the Federal regulators coming in and attempting to determine what will happen with management of our wildlife on these lands. We have been working as a delegation to do everything that we can to slow down and prevent these proposed rules from taking or staying into effect.

We have a lot to talk about this morning when we discuss how to better aid health and management and benefit the economy here on the Kenai Peninsula. We have a good panel of witnesses with us, so I will end my opening comments and introduce the panel.

To those of you who have joined us, thank you for your interest.

Know that the way Senate field hearings or Senate hearings in general work, you have invited testimony. These five individuals have been invited to be part of the Committee record. They have submitted written testimony that is incorporated now as part of the record, we will have their verbal comments, have an opportunity for questions and answers, and back and forth.

That does not mean that you or those that might be interested cannot weigh in and submit your comments, if you want to submit them as part of the Committee record. So keep that in mind if you have any interest on that.

With that, I am going to remind those who have been invited to testify, we have asked you to keep your comments to about five minutes. But this is our hearing this morning, and I am not going to run a clock or a timer on you. I want to get the conversation flowing. Your full written statements will be incorporated as part of the Committee record, but again, we are looking forward to hearing your contribution.

The first panelist to speak to us this morning is Chris Maisch. He, as I mentioned, is the State Forester and the Director for the Alaska Department of Natural Resources. We were a little bit concerned that Chris might not be able to join us this morning because this is the time of year that fires start hopping across the state. But when I got on the airplane coming out of Anchorage this morning and saw him there, I took it as two good signs. First, he was

going to be able to participate, and second, that meant we were not in the midst of some tough fires right now.

Next to Chris is a friend of many of you, of course, the Honorable Mike Navarre, your Mayor for the Kenai Peninsula Borough. I thank you for being in your Borough and here this morning. Thank you for the good weather.

We have Cindy Clock, who has come over from Seward. She is the Executive Director for the Seward Chamber of Commerce. Hopefully we will hear something about the impact on tourism over on the other side there.

Ricky Gease is a friend and President of the Kenai River Sportfishing Association. We will have an opportunity to talk about the recreational and the commercial end of what we see with our fishing in the region and how that might be impacted by fire or for regulation.

Rounding out the panel is Mr. Ted Spraker, who is with us from Safari Club International. He wears multiple other hats as we know, but I appreciate you joining us this morning and speaking from the perspective of perhaps some of the hunting regulations that we are seeing coming our way.

With that, Chris, if you want to start off. We will go down the line and when everyone has concluded, that is when we can have a little bit more of a dialog with questions and answers going back and forth.

Welcome.

**STATEMENT OF JOHN "CHRIS" MAISCH, STATE FORESTER
AND DIRECTOR, ALASKA DEPARTMENT OF NATURAL RE-
SOURCEs**

Mr. MAISCH. Okay, great.

Good morning, Madam Chair and members of the public. My name is Chris Maisch. I'm the State Forester and Director of the Alaska Department of Natural Resources Division of Forestry and Past President of the National Association of State Foresters.

I want to apologize. I'm still fighting a cold that was precipitated by allergies for the record amount of birch pollen that we produced in Interior Alaska. [Laughter.] And I understand down here too. I never used to be allergic to trees, so I'm not sure what's going on here being a forester and developing this. But we set a world record for the amount of pollen in Fairbanks on one particular day about three weeks ago in terms of the highest quantity ever measured on a 24-hour period. So if I pause to cough, I apologize.

I do appreciate the opportunity to speak with you today and submit written testimony as the Committee entertains a review of the complex issues surrounding wildland fire management and the impacts to outdoor recreation opportunities during our active fire season.

I also plan to offer some comments on the draft, Wildfire Budgeting, Response and Forest Management Act of 2016, that was recently made available for comment.

The mission of the Division of Forestry is to proudly serve Alaskans through forest management and wildland fire protection. The Division is the lead agency for wildland fire management services

on 150 million acres of land with the primary goal to protect life and property.

The National Association of State Foresters represents the Directors of state forestry agencies in all 50 states, eight territories and the District of Columbia. State foresters deliver technical and financial assistance along with protection of forest health, water and wildfire for more than two-thirds of the nation's forests.

As you know the 2015 fire season was a difficult one, both in the nation and in Alaska. Over ten million acres burned nationally with about 5.1 million acres burning in Alaska, our second worst season on record.

The Card Street Fire began on the Kenai Peninsula in the Kenai National Wildlife Refuge near the community of Sterling on June 15th on a day that had red flag warnings posted. The fire impacted many of the specific items this hearing was designed to explore, including tourism on public lands, outdoor recreation activities, especially fishing opportunities during June and long-term impacts on wildlife habitat, hunting, trapping and other subsistence activities.

At Skilak Lake, boat launch ramps and campgrounds were closed at the height of the tourist season while numerous local residents were prevented from enjoying the various recreational and sport fishing opportunities that all Alaskans enjoy during our brief summer season.

The Kenai River is a world renowned sport fishery and visitors and residents travel to this region to enjoy the various opportunities that can be found—provided there is not a large wildland fire wreaking havoc with their plans.

How can we collectively do a better job of getting in front of this persistent wildland fire issue to minimize the negative impacts and risk to public safety while at the same time recognizing the role wildland fire plays in this ecosystem?

I'd like to outline the multi-step process utilized in the Kenai to address these issues, and it all begins with advanced work and planning.

The Alaska Interagency Wildland Fire Management Plan is the state level, foundational document that establishes initial attack response at four different levels. Those are critical, full, modified and limited and provide high level, strategic policy direction to fire managers across all land ownerships.

It recognizes a need for close, pre-fire incident cooperation and communication with land owners, communities, land management agencies and the fire suppression organizations to be well prepared for wildland fires. And in the written testimony there's a hot link to the interagency plan.

After the large spruce beetle outbreaks across the Kenai in the late 80's and 90's the concept of all lands came into practice to address the issues associated with the unprecedented acreage of dead forests and the changing wildland fire risk including a new fuel type on the Kenai which are the grass type, as we call it.

This concept preceded the now well-accepted goals enumerated in the cohesive strategy which is a nationwide strategy which has three primary objectives. Restore and maintain resilient landscapes, develop fire adapted communities, and provide efficient and effective response to wildfires.

Communities across the Kenai Peninsula undertook efforts to complete community wildfire protection plans and to implement specific recommendations for risk reduction in their communities. Adoption of fire wise principles decrease risk to individual homes and businesses. Increased training with cooperators including mutual aid agreements. Establishment of agency crews, and other measures to increase capacity. And finally, aggressive fuels mitigation projects at the landscape level of which the Funny River Fire project is a classic example of a project that really proved its worth in the 2014 Funny River Fire.

There is another hot link in the prepared written testimony that goes to a very detailed scientific analysis of that effort and how it can be duplicated in other locations both in Alaska and across the country.

These actions, taken in concert with each other, build a resilient and adaptive approach to reduce risk and deal with large wildfire events in and near communities.

I have a few specific recommendations for the Committee's consideration to improve or augment the activities I've mentioned already.

First off, a simplified or streamlined process to allow Federal agencies to act promptly to change environmental conditions and funding opportunities to complete fuel mitigation projects on Federal lands.

Due to the overly complicated and time consuming process of completing NEPA documents for treating Federal land, the Funny River project was completed on Borough and Native Corporation lands just outside the wildlife refuge boundaries.

I would also recommend that providing funding for communities at risk to complete projects that will reduce risk and better prepare communities to survive and respond to wildland fires. Prevention. Prevention. Prevention. The more we collectively do to prepare for the incident, the better we will respond, including less overall cost and it will improve recovery timelines.

Next I'd like to comment briefly on the discussion draft that was recently introduced by a bipartisan group of congressional members. I'll offer a few points for consideration beginning with fire transfers which represent just one part of the broader wildland fire funding problem that the Senator alluded to in her opening comments.

The discussion draft would allow access through a budget cap adjustment for additional funding to fight wildfires once all appropriated suppression funding, which would be 100 percent of the ten-year average, is exhausted. While we greatly appreciate the effort put into the current draft to recognize the need to address fire borrowing, the approach in the draft does not entirely solve the problem.

As the ten-year average continues to grow with extreme wildland fire seasons, the portion of the Forest Service budget dedicated to fire grows. This results in less funding for other agency programs critical to supporting Federal, State, and private forests and further decreases the ability to improve forest health conditions that reduce the risk of catastrophic fire.

There's actually an example in the written testimony about when fire borrowing impacts Alaskan projects. I'm not going to go into detail on those because I think we're running a little long here and I'll wrap up my comments, but I wanted to make one or two more points about the discussion draft.

One of the key points is that our previous comments on this topic have been less focused on funding mechanisms to which disaster funds are made available to the Forest Service and DOI and instead stress the critical needs to access disaster funding to pay for catastrophic wildfires placing these fires on par with other natural disasters. And this can be done via a budget cap adjustment or access to the FEMA Disaster Relief Fund.

An additional section of the proposed draft legislation addresses the need for agencies to work with states on an equal footing to certify aviation assets and pilots ahead of the fire season. This is a positive step in streamlining current operations and ensuring there are no delays during the fire season for needed resources.

There are a number of other specific provisions in the draft bill that would help address the issues raised in today's testimony and at previous hearings, and we individually and jointly look forward to commenting in detail on the proposals put forward.

Once again, I appreciate the opportunity to appear before the Committee on behalf of the Alaska Division of Forestry and the National Association of State Foresters. I would like to thank the Committee for its continued leadership and support of efforts to both respond to wildland fire and to take necessary actions to address the underlying causes through increased active management of all forest lands.

That concludes my comments. Thank you.

[The prepared statement of Mr. Maisch follows:]

**Testimony of John “Chris” Maisch, Alaska State Forester
On Behalf of the Alaska Division of Forestry and
The National Association of State Foresters**

**Submitted to the U.S. Senate Committee on Energy and Natural Resources
Field Hearing Kenai Alaska**

May 31, 2015 (Final Edits June 6, 2015)

Good morning, Ms. Chairman Murkowski, Ranking Member Cantwell, and Members of the Committee. My name is Chris Maisch, State Forester and Director of the Alaska Department of Natural Resources, Division of Forestry (DOF) and past President of the National Association of State Foresters (NASF). I appreciate the opportunity to speak with you today and submit written testimony as the Committee entertains a review of the complex issues surrounding wildland fire management and the impacts to outdoor recreation opportunities during an active fire season. I also plan to offer some comments on the draft “Wildfire Budgeting, Response, and Forest Management Act of 2016” that was recently made available for comment.

The mission of the DOF is to “proudly serve Alaskans through forest management and wildland fire protection.” The division is the lead agency for wildland fire management services on 150 million acres of land, with a primary goal to protect life and property. In addition, the organization oversees the management of 47 million acres of forests on state land, including approximately 2 million acres in three designated state forests. The Division also regulates commercial forestry practices on private, municipal and state lands with a mandate of protecting fish habitat and water quality during timber management activities.

The NASF represents the directors of the state forestry agencies in all 50 states, eight territories, and the District of Columbia. State Foresters deliver technical and financial assistance, along with protection of forest health, water and wildfire for more than two-thirds of the nation’s forests. The mission and duties of state agencies vary significantly from state to state; however most have statutory responsibilities to provide wildland fire protection for state and private lands.

In fiscal year (FY) 2015, state forestry agencies provided this service on approximately 1.5 billion acres and helped train nearly 149,458 firefighters via funding from the USDA Forest Service (Forest Service), State Fire Assistance (SFA) and Volunteer Fire Assistance (VFA) State and Private Forestry programs. State Foresters work closely with federal partners to deliver forestry programs and wildfire protection services.

2015 Fire Season in Alaska and Impacts on Recreation/Tourism

As you know, the 2015 fire season was a difficult one in both the nation and in Alaska. Over 10 million acres burned nationally with about 5.1 million acres burning in Alaska, our second worst season on record. Four of Alaska’s top ten seasons for acres burned have occurred over the past twelve years. The Card Street fire began on the Kenai Peninsula in the Kenai National Wildlife Refuge near the community of Sterling on June 15, on a day that had red flag warnings posted.

Three primary residents and eight outbuildings were lost and the fire burned 8,876 acres before containment was achieved. This fire impacted many of the specific items this hearing was designed to explore including: tourism on public land, outdoor recreation activities- especially fishing opportunities during June, and long-term impacts on wildlife habitat, hunting, trapping and other subsistence activities. At Skilak Lake, boat launch ramps and campgrounds were closed at the height of the tourist season, while numerous local residents were prevented from enjoying the various recreational and sport fishing opportunities that all Alaskans enjoy during our brief summer season. The Kenai River is a world renowned sport fishery and visitors and residents travel to this region to enjoy the various opportunities that can be found, provided there is not a large wildland fire creating havoc with their plans. How can we collectively do a better job of getting in front of this persistent wildland fire issue to minimize the negative impacts and risks to public safety, while at the same time recognizing the role wildland fire plays in this ecosystem? Let me outline the multi-step process utilized on the Kenai to address these issues, it all begins with advanced work and planning.

- The Alaska Interagency Wildland Fire Management Plan is the state level, foundational document that establishes initial attack response at four different levels (Critical, Full, Modified and Limited) and provides high level strategic policy direction to fire managers across all land ownerships. It recognizes the need for close pre-fire incident cooperation and communication with landowners, communities, land management agencies and the fire suppression organizations to be well prepared for wildland fire events.
http://fire.ak.blm.gov/content/planning/aiwfmp_2010.pdf
- After the large spruce bark beetle outbreaks across the Kenai in the late 80's and early 90's, the concept of "All Hands, All Lands" came into practice to address the issues associated with the unprecedented acreage of dead forests and the changing wildland fire risk and a new fuel type- grass. This concept preceded the now well accepted goals enumerated in the Cohesive Strategy which has three primary objectives:
 - Restore and Maintain Resilient Landscapes
 - Develop Fire Adapted Communities
 - Provide Efficient and Effective Response to Wildfires
- Communities across the Kenai Peninsula undertook efforts to complete Community Wildfire Protection Plans (CWPPs) and to implement specific recommendations for risk reduction in their communities and neighborhoods. Measures undertaken include:
 - Adoption of Firewise principles to decrease wildland fire risk to individual homes and businesses.
 - Increased training with cooperators including Mutual Aid Agreements, establishment of agency crews and other measures to increase capacity.
 - Aggressive fuels mitigation projects at key locations identified by CWPPs and agency land managers. The Funny River fire of 2004 on the outskirts of Soldotna is a good example of how landscape scale fuelbreaks can greatly assist suppression agencies in protecting values at risk. (For a detailed report on this project see the attached link: https://www.fws.gov/alaska/nwr/visitor/fire/pdfs/FunnyRiverFuelTreatmentAssessment_FINAL.pdf).

- State Forest Action Plans (FAPs) that were required in the 2008 Farm Bill which are comprehensive documents that address state priorities across the suite of State & Private Forestry program areas. The FAPs establish state priorities and are key documents in the competitive funding allocations for federal fuel mitigation funding, particularly in the western states.

These actions taken in concert with each other build a resilient and adaptive approach to reduce risk and deal with large wildfire events in and near communities. While we always want to prevent a fire from impacting the wildland urban interface (WUI), these events happen all too frequently around the nation and to our northern neighbor, Canada. The boreal forest extends across a wide swath of North America and similar problems are shared with our friends and colleagues across the border. Impacts to local economies that depend on tourism, hunting and fishing and other recreational activities can be minimized by taking a proactive approach to the wildfire problem. Many types of wildlife respond positively to wildland fire after the initial event because of the improvements in habitat, especially for moose and other species that utilize a mosaic of habitat types. Fire in the right place, at the right time, is an important tool for wildlife managers, but communities must be assured that they are well protected from fires that are being managed to improve wildlife habitat and reduce future fire risk.

Recommendations

Specific suggestions for the committee's consideration to improve or augment the activities I've mentioned include:

- A simplified or streamlined process to allow federal agencies to act promptly to changing environmental conditions and funding opportunities to complete fuel mitigation projects on federal lands. A local case in point was the Funny River fuel reduction project on the Kenai Refuge. The local and statewide U.S. Fish and Wildlife Service (USFWS) program staffs were very supportive and creative in helping make this project happen. However, due to the overly complicated and time consuming process of completing NEPA documents for treating federal lands, the project was completed on Borough and Native Corporation lands just outside the wildlife refuge boundaries. While a categorical exclusion is a good tool to help address this situation, further reforms on size of treatments and process need your consideration. We know that landscape scale treatments are needed, why restrict our process tools to postage stamp treatments? Agencies need to clear large areas under a landscape scale process and tier numerous on the ground treatments from this one NEPA document. This will save funding that goes into numerous NEPA analysis efforts and can put more dollars on the ground where treatments are needed.
- Funding for the various elements of the cohesive strategy are critical, particularly for State Fire Assistance, Volunteer Fire Assistance and Landscape Scale Restoration (LSR) in the State & Private Forestry budget line items. These first two line items help build capacity and provide wildland fire training nationwide where state agencies collectively

trained 149,458 firefighters in 2015 as reported in the National Fire Plan Operations and Reporting System (NFPORS). Building and maintaining capacity is a key need by many states, as our fire programs as a whole are finding it more difficult to recruit and retain both experienced frontline fire managers and initial attack firefighters. Funding for agency crews and training is critical to building a recruitment and advancement “pipeline” for new wildland firefighters.

- There is still a continued need to encourage the federal wildland fire agencies (Forest Service and Office of Aircraft Services) to effectively engage state forestry agencies via the NASF Fire Committee as equal partners. Our common goal is to update and clarify language in MOUs, concerning cooperator standards and mobilization guides to facilitate continued interagency use of state aircraft with an efficient and consistently implemented cooperative approval process. Despite recent efforts by the three main parties to draft a leadership intent letter, there remains reluctance by the federal agencies to fully recognize state agencies’ needs and suggested improvements in the aircraft and pilot “carding” process.
- Assist with the resolution of the cost reimbursement issue for the State of Alaska with wildland fires on military lands (primarily Air Force). Currently the state is not able to fully recover all costs associated with a response on military lands and must use a cumbersome process administered by the Department of Homeland Security that is inconsistently applied and overly time consuming (briefing paper available upon request).
- Support the concept of “flexible” funding in the State & Private Forestry Landscape Scale Restoration budget line item. Currently competitive projects are funded via this line item, which has been an effective way to address national and state priorities. Under the flexible funding concept, this process would still continue, but a certain percentage of funding would go directly to a state and be allocated by the state forester for priority projects enumerated in their state action plan. This would accomplish at least two key points: provide for additional efficiency in funding allocation and ensure that all states benefit from LSR projects, while allowing the state forester to address their state’s most critical needs. In many states this will likely be a wildland fire issue concerning fuels mitigation, but could also include responses to invasive insects when rapid detection and early response are keys to control of new pest threats.
- Provide funding for communities at risk to complete projects that will reduce risk and better prepare communities to survive and respond to wildland fires. Prevention, prevention, prevention- the more we collectively do to prepare for an incident, the better we will respond, including less overall cost and improved recovery timelines.

Proactive Forest Management and Cost of Wildland Fire Suppression

While not an initial focus for this hearing, a discussion draft was recently introduced by a bipartisan group of congressional members that addresses wildland fire budgeting, wildland fire response and reforms in forest management processes, which will lead to increase active

management of federal lands. While both the State of Alaska and the NASF will provide additional written comments, I'll offer a few points for consideration.

As this Committee is well aware, the Forest Service once again exhausted its available fire suppression funds to fight wildfires and was forced to transfer \$700 million in fiscal year (FY) 2015 from non-fire programs to pay for suppression needs. This interferes with ongoing work in the field and delays or completely stops new contracts for all types of activities including those that contribute to reduced wildfire risk across forested landscapes. This is the eighth time since 2002 that the Forest Service has needed to invoke its transfer authority to pay for shortfalls in fire suppression needs. In total, the agency spent \$1.7 billion on fire suppression in FY 2015.

- An Alaska example of how fire transfers affect other program areas can be found on the Tongass National Forest, where a stream restoration project for Sockeye and Chinook salmon habitat was planned for 2015. A local partner organization, Sitka Conservation Society had to cancel this project in June, just prior to its start, due to lack of funding. While this is just one example, there are many similar stories from jurisdictions throughout the country.

Fire transfers represent just one part of the broader wildfire funding problem. In recent years, the portion of the Forest Service budget allocated to fire programs has grown while the overall budget for the agency has remained relatively flat. As more funding is allocated to fight fires, less is allocated to other areas of the Forest Service budget. Suppressing fires is becoming more expensive and complex as a result of prolonged drought, lack of active forest management, and more people moving into Wildland Urban Interface (WUI) areas.

The discussion draft would allow access through a budget cap adjustment for additional funding to fight wildfires once all appropriated suppression funding (100 percent of the 10-year average) is exhausted. While we greatly appreciate the effort put into the current draft to recognize the need to address fire borrowing, the approach in the draft does not entirely solve the problem. As the 10-year average continues to grow with extreme wildfire seasons, the portion of the Forest Service's budget dedicated to fire grows. This results in less funding for other agency programs critical to supporting federal, state, and private forests and, further, decreases the ability to improve forest health conditions that reduce the risk of catastrophic wildfire.

- Fire costs accounted for 16 percent of the Forest Service's total budget in FY 1995 and have grown to over 50 percent in FY 2015. Fire costs are projected to grow to 67 percent by FY 2025. *Forest Service Report "Rising Cost of Wildfire Operations"*

Our previous comments on this topic have been less focused on the funding 'mechanism' to which disaster funds are made available to the USFS and DOI, and instead stresses the critical need to access disaster funding to pay for catastrophic (large, costly, extreme) wildfires - placing these fires on par with other natural disasters. This could be via a budget cap adjustment or a sub-account in the FEMA Disaster Relief Fund.

The suggested efforts at streamlining the NEPA analysis for priority projects that address wildland fire issues to a limited set of alternatives, perhaps a no action and the recommended action are good suggestions and will streamline the process saving both time and funding for planning staff, since additional alternatives should not be required.

Requiring agencies to work with states on an equal footing to certify aviation assets and pilots ahead of the fire season is a positive step in streamlining operations and ensuring there are no delays during the fire season for needed resources.

There are many other specific provisions in the draft bill that would help address the issues raised in today's testimony and at previous hearings and we individually and jointly look forward to commenting in detail on the proposals put forward. Funding, advanced preparations, fuel treatments and building capacity to respond are all key parts of the overall strategy and this discussion draft is an excellent effort toward supporting and addressing these topics.

Conclusion

Once again, I appreciate the opportunity to appear before the Committee on behalf of the Alaska Division of Forestry and the National Association of State Foresters. Wildland fire management and response is one of the most challenging facets of our jobs, and our two organizations will continue to assist the Committee in finding ways to address the challenges we all face. Finally, I would like to thank the Committee for its continued leadership and support of efforts to both respond to wildland fire and to take the necessary actions to address the underlying causes through increasing active management of all forestlands.

The CHAIRMAN. Thank you, Chris. I appreciate it very much. Mayor, welcome.

**STATEMENT OF HON. MIKE NAVARRE, MAYOR, KENAI
PENINSULA BOROUGH, SOLDOTNA, ALASKA**

Mr. NAVARRE. Thank you, Senator. I appreciate you bringing the Committee to the Kenai Peninsula to talk about some of these issues and for your leadership on the Committee and as Chair of the Committee on issues that are important to Alaska.

You know, I want to deviate a little bit from my written testimony that I already submitted and just talk about how we got here and some of the instances.

The initial funding for the spruce bark beetle issue came as a state grant, and it came back when Don Gilman was mayor in 1991 and 1992, I believe. I was Chairman of the Finance Committee and he said, hey, we've got a big problem. He was scared to death that Cooper Landing was going to go up in smoke at the time because of the bark beetle infestation, so we provided some funding. Did some fire breaks in the Cooper Landing area, and Don Gilman led in that effort.

When I became Mayor of the Kenai Peninsula Borough the first time in 1996 we were on our way to Seldovia for an assembly meeting, and I was absolutely shocked at how many dead trees there were flying over the Peninsula. I just had no idea. And so, I contacted Senator Stevens and without talking to the Forest Service or the state forestry or fish and game or anybody, I called Senator Stevens and said hey, we've got a big problem and need some money. He put a half million dollars in the budget for us to put together a task force.

Then I got a call from a friend of mine who was working in DC. She said the environmentalists down here in Washington, DC are worried because they're afraid that this crazy Mayor of the Kenai Peninsula Borough just wants to put together a plan to chop up the entire Kenai Peninsula. And I assured them that you wouldn't do that. What's going on?

So I recognize the need to talk with folks about what was going on. I met with the state forestry and met with the Federal foresters and then put together a task force that was a very collaborative effort to, I guess, work with everybody, environmentalists, Native Corporations, State, Federal and local agencies, municipal officials, I guess, advocates for fishing and hunting to try to make sure that we could identify the problem and find a way to work through it.

We were successful in initially finding, sort of, the low hanging fruit. Instead of focusing on the entire problem we focused on the things that we could agree upon, a wildland urban interface, making sure that there were fire breaks that we could widen either rights of ways or along roads, power lines, things like that that were already natural fire breaks that we could use and enhance in order to protect some of the more urban areas of the Kenai Peninsula.

We did put together a good plan, submitted it to the Senator Stevens, and over the course of the next almost 20 years we received in excess of about \$20 million to deal with the problem. And with those funds we were able to both do public education, implement

a fire wise program, look at the wildland urban interface and work together with a whole bunch of diverse interests to address a very critical problem.

I guess the take away from that is the resources that we were able to bring to bear. And that really, I think, is what it boils down to at the end of the day whether you're fighting fires or whether you're planning in order to try to mitigate the damages when there is a fire. It boils down to resources.

And we've been very fortunate over the years to get significant funding both from the State and Federal Governments to do some aerial photography so that we can integrate it into our GIS and do vegetation mapping to see how the landscape is changing. But those need to be renewed in a continual grant program so that we can identify where those changes are taking place.

I brought my map here which shows why we should get Federal funding for this because the yellow is the Federal lands on the Kenai Peninsula. The Federal Government owns, by far, most of the lands on the Kenai Peninsula and in Alaska. So it's important to get resources.

It strikes me as we've seen the various fires, the Card Street Fire, the Funny River Fire, other fires that have taken place is that the incident command system really, really works. Resources are brought to bear quickly. People work together in concert to identify the problems to focus on how we solve the immediate problem.

What isn't always the case is that those resources are brought to bear when there is an incident, a fire incident, and go away when there is no immediate threat. And sometimes it hampers the efforts to try to find a way to plan for and mitigate fires.

I want to talk a little bit too about what has been, I think, cooperation and more recently, at least since I've been Mayor for the last five years, between the Federal and State and local entities. And I think that really is in large measure part of the personalities, the folks who we have here. And I want to say that I've had a good relationship with the folks who manage the Federal lands here and the state lands here. We've gotten, as I said, some very good response through the bark beetle funding, the fire wise program, aerial photography grant funding.

You know, we had an *Elodea* infestation that we managed to have a very cooperative effort between State, local and Federal entities in order to provide some ability to preserve our fishery's resource, and I think that is critically important.

One of the things that it seems that we've sometimes run into is constraints that come down from what seems like the Federal managers in DC that is, sort of, a one size fits all for Federal lands across the United States. And in Alaska, we value our hunting and fishing, as you well know. And we also value our natural resources and our recreation and our access to recreation.

And the Kenai Peninsula is the—is really a place where the entire state recreates. We get a tremendous amount of residents from in-state, who come to the Kenai Peninsula to recreate on State and Federal and local lands. And we also get visitors from out of state and around the world, who come here. It is a world renowned des-

mination and with proper management we can make sure that we protect it.

What I would like to finish with is, I think, that the spruce bark beetle collaborative effort was a good example of how working together and being able to talk together about what the issues are that the Federal managers may be faced with from whoever their bosses are in Washington, DC and making sure that we can put a local flavor on it so that we can have local expertise and local interest be able to weigh into it and have a dialog with the Federal managers about what can and can't be done or find innovative ways to either go around or to find ways that we can, sort of, get the local influence factored into the decisions and the management of our lands.

Again, it boils down to resources. And the resources that are needed locally so that we can continue to integrate into our GIS system information and aerial photography on an ongoing basis that will lead us to adaptive management over time as we see changes here where, you know, in some cases we're seeing trees going to grasslands. And that needs to be addressed or it becomes a quick way for fires to spread and at the same time, it changes, sort of, what the habitat is for the wildlife resources that we consider so valuable.

So again, Senator, thank you very much for bringing the Committee to the Kenai Peninsula and for your leadership, and that concludes my testimony.

[The prepared statement of Mr. Navarre follows:]

Mike Navarre, Mayor
Kenai Peninsula Borough
Soldotna, Alaska

The risk of catastrophic wildfire continues at a record high on the Kenai Peninsula. Increased residential development in rural areas adjacent to and within fuel-loaded forests has significantly expanded the wildland-urban interface. Known as WUIs, the egress from many of these rural areas is marginal, adding logistical challenges during fire-response evacuations.

The historic spruce bark beetle infestation combined with response to large wildfires became the catalyst for developing the 1998 Spruce Bark Beetle Task Force which was followed by an interagency committee that included Federal, State, Borough, Native and local land managers. The committee developed the 2004 All Lands All Hands plan, which identified goals based upon fuels reduction and restoration within WUIs throughout the peninsula. The plan emphasized fuel treatments to be completed over a five-year implementation schedule and called for revision of the action items every five years.

Over the past 17 years the borough has received ~\$20M in federal funds, significantly aiding in project outcomes that directly impacts wildfire management - a reality that Senator Stevens envisioned as an investment. We have experienced great returns on that investment including public awareness and education, cooperation among agencies and stakeholders and preventative actions that aided in recent fire suppression efforts. Projects were based upon the taskforce and interagency recommendations, action items from Community Wildfire Protection Plans, and forest harvesting prescriptions scientifically designed to restore insect or fire damaged ecosystems. Completed projects include implementing the Firewise education and actions program, the removal of hazardous fuels along right-of-ways, utility lines, within subdivisions, around school perimeters and within city and state parks in addition to the planting of almost two million spruce seedlings to reestablish forested habitat.

Today, public land managers face many challenges to effectively respond to the intense demands that correspond with our desire for quality recreation opportunities, management of and access to fish and wildlife resources, the economic opportunities associated with tourism, and the security of our homes and businesses from the threats of wildfire.

The peninsula is a premier destination, and our communities are as diverse as the visitors. Tourism provides many benefits and is largely supported by accessible public lands and waters. At the same time, tourism increases not only the number of stakeholders to fire risk, but also the number of potential fire start sources. Ninety percent of all fire starts are human-caused.

Fish and wildlife resources are not only prized, but are dependent on our stewardship to ensure healthy populations and habitats. Healthy forests provide an array of benefits including clean water for fish, habitat for animals to thrive and a variety of other uses depending on resource management decisions. Healthy forests also tend to regulate the intensity of fire events.

Recreation is embedded in our diverse culture. It is a major reason why many of us live here and it is a tremendous form of economic capital. Recreation is the word that we use to describe people actively engaging their public resources, and it is an enterprise that is integrated throughout almost every public land policy. Policies that often become restrictive when planning fuel breaks or prescribed fires on federal lands.

We know that it is important that future fuel reduction projects must balance WUI protection with healthy forest ecology, while recognizing the need to invest in public infrastructure projects through federal lands. In addition to identifying timber and non-timber products or improving wildlife habitat, successful project outcomes require collaboration with all land managers to ensure the holistic management of natural resources that may be impacted on the peninsula. The interagency committee made up of Federal, State, Borough, Native and local land managers continues to work together, planning and completing projects that are based upon this balance.

As we look at one of our most pressing needs of wildfire management, we see that no one can do it alone. With the benefit of our experience and partnership structure of the All Lands All Hands, we offer one possible set of actions. The All Lands All Hands plan must be regarded as a springboard that successfully launches land managers into the next phase of responsible management of hazard fuels reduction, forest rehabilitation, community assistance and accountability of all natural resources. The next phase requires an inclusive, interagency forest management plan and the funding to complete identified projects. In order to provide effective management, an inventory of vegetation and landscape dynamics needs to be conducted through multi-spectral aerial mapping. The aerial imagery products become the primary resource to update CWPPs, which in turn, provide key inputs and objectives necessary for creating a unified, interagency forest management strategy.

Targeted project outcomes will include: creating a comprehensive WUI strategy, reducing fuel complexes in grasslands through strategic reforestation, constructing phased fuel breaks that include maintenance cycles, predictive services that aid firefighting and all-hazard responses, and providing the availability of timber and non-timber products that support secondary industries.

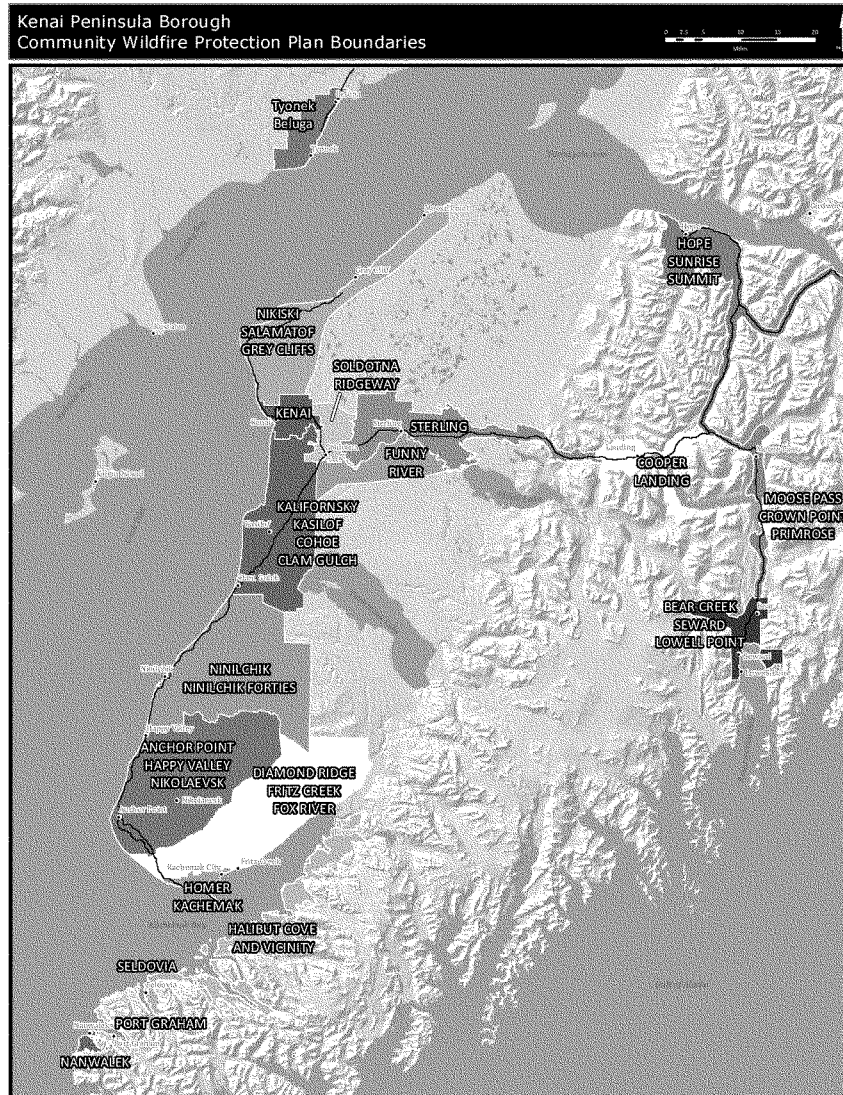
Future actions should strive to ensure integration between forest management and habitat quality, which is especially significant since land use patterns overlap ownership boundaries and can affect economic development, recreational usage or subsistence hunting and fishing on federal lands. I believe that federal agencies should be supported and encouraged to come to the table, putting aside federal wilderness regulations, in order to consider how projects may be completed that are otherwise shutdown under the guise of federal regulations.

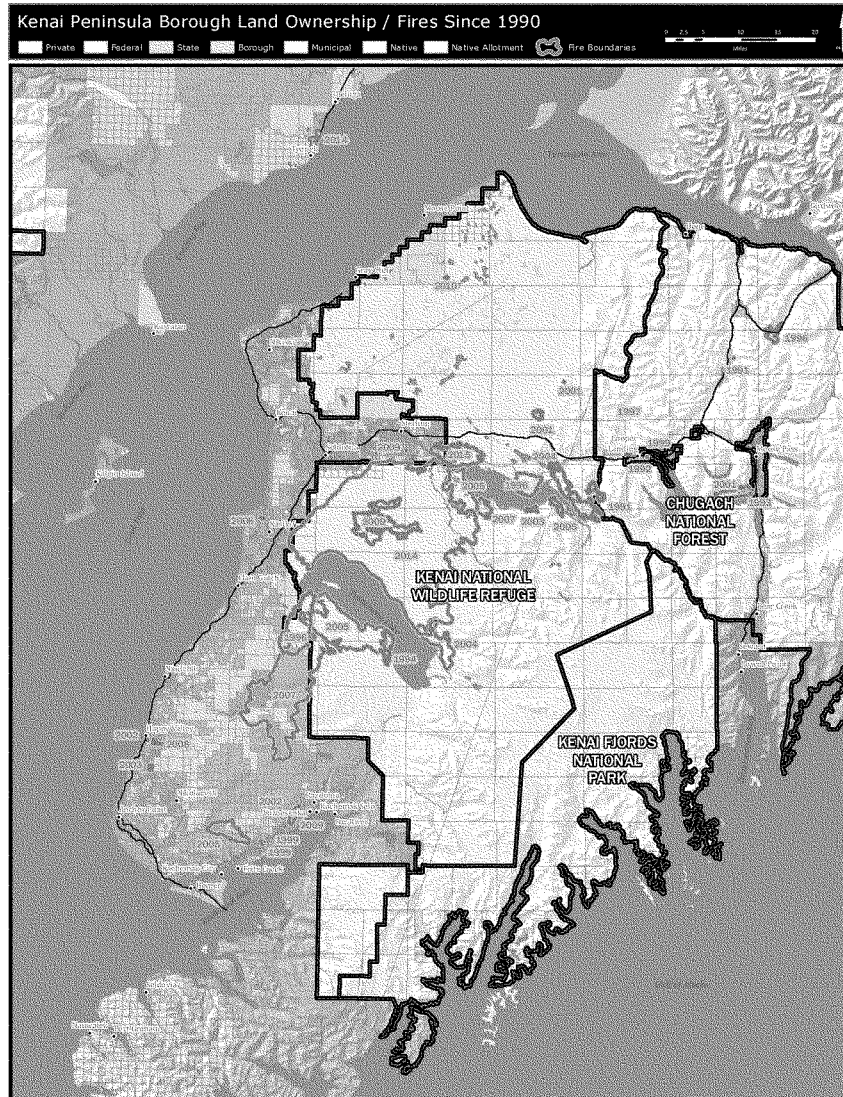
How does this all relate to the stated purpose of this hearing: “to evaluate the impact of federal regulations and fire management on tourism, recreation, and wildlife”? Here is what we see: As we gather around the table with federal managers, they are at times constrained in what they can consider. This may be due to designations such as “wilderness” or be otherwise limited in their authorities; therefore, a great many conversations can never start. Take for example the reality that we are experiencing a significant forest to grassland conversion, and that with the isolation of the peninsula we have effectively no stock of grass grazing animals such as bison, elk or caribou in these areas - animal species that are adapted to eat grass and contribute to an important ecological cycling of grassland and further a natural balancer for fire. Conversely, implementing strategic reforestation in grasslands is difficult to consider given the regulatory constraints. Federal managers may not be empowered to carry that conversation, limited in their ability to consider to the point of recommendation, either for or against on ecological principles, due in part to federal regulations surrounding the designation. In effect, a collaborative and consensus building process is constrained by ever evolving regulatory strictures.

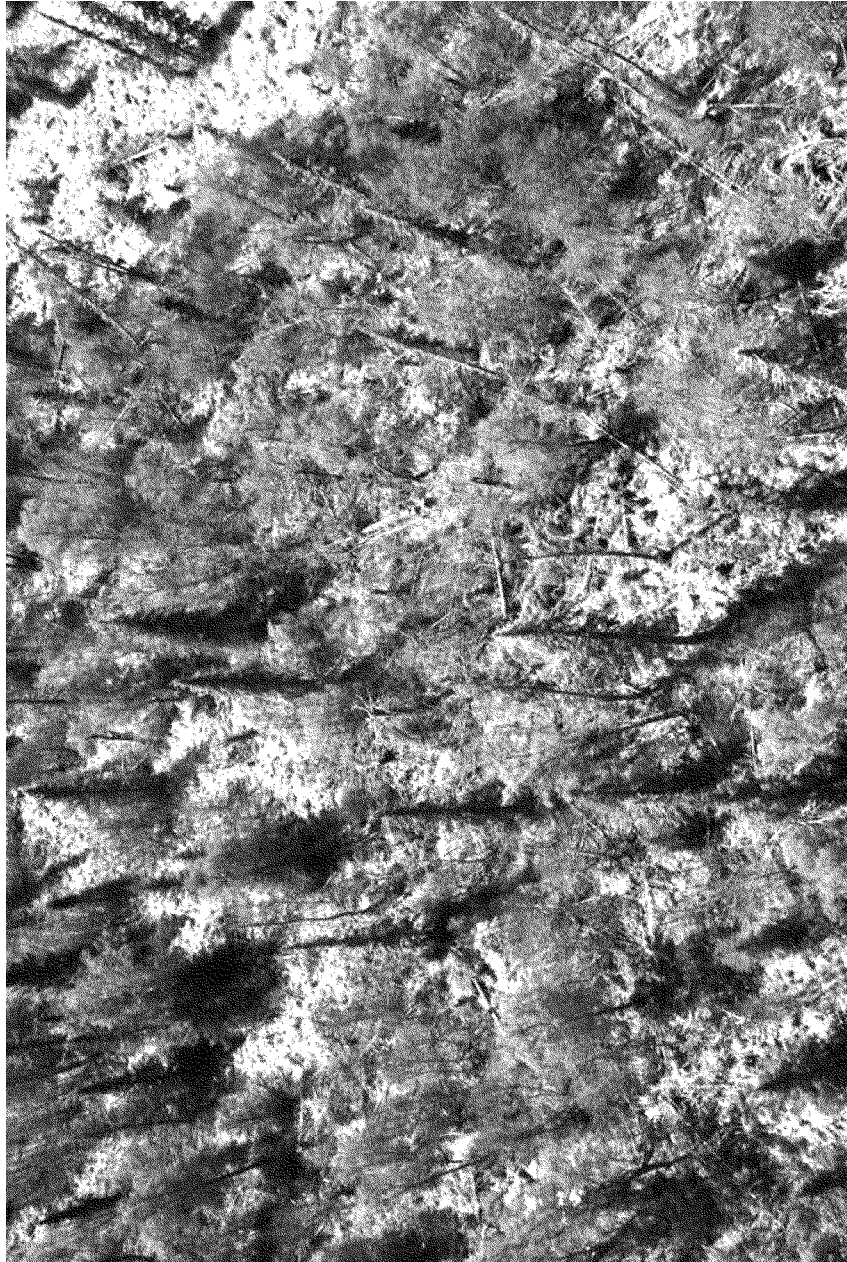
Our suggestion, if possible, is that the U.S. Senate Committee on Energy and Natural Resources invite federal managers to consider, more broadly, adaptive management. For this committee to

support federal managers in a way that enables them, not to disregard their agency mission, but to identify policies, practices and tools that are responsive to changing landscapes and social concerns within communities. And then, to go that next step and invite those federal managers to come back to this committee and address this important question with insightful and effective recommendations, justified by due consideration of all options in the spirit of their missions. Regardless of how this idea is perceived, we want to continue to work with federal managers to the maximum extent, because we are dependent on each other to protect the public during wildfire suppression efforts as well as to complete successful wildfire mitigation projects - a continued investment to protect and to enhance our natural resources.

Enclosures (2):
Maps
Photos









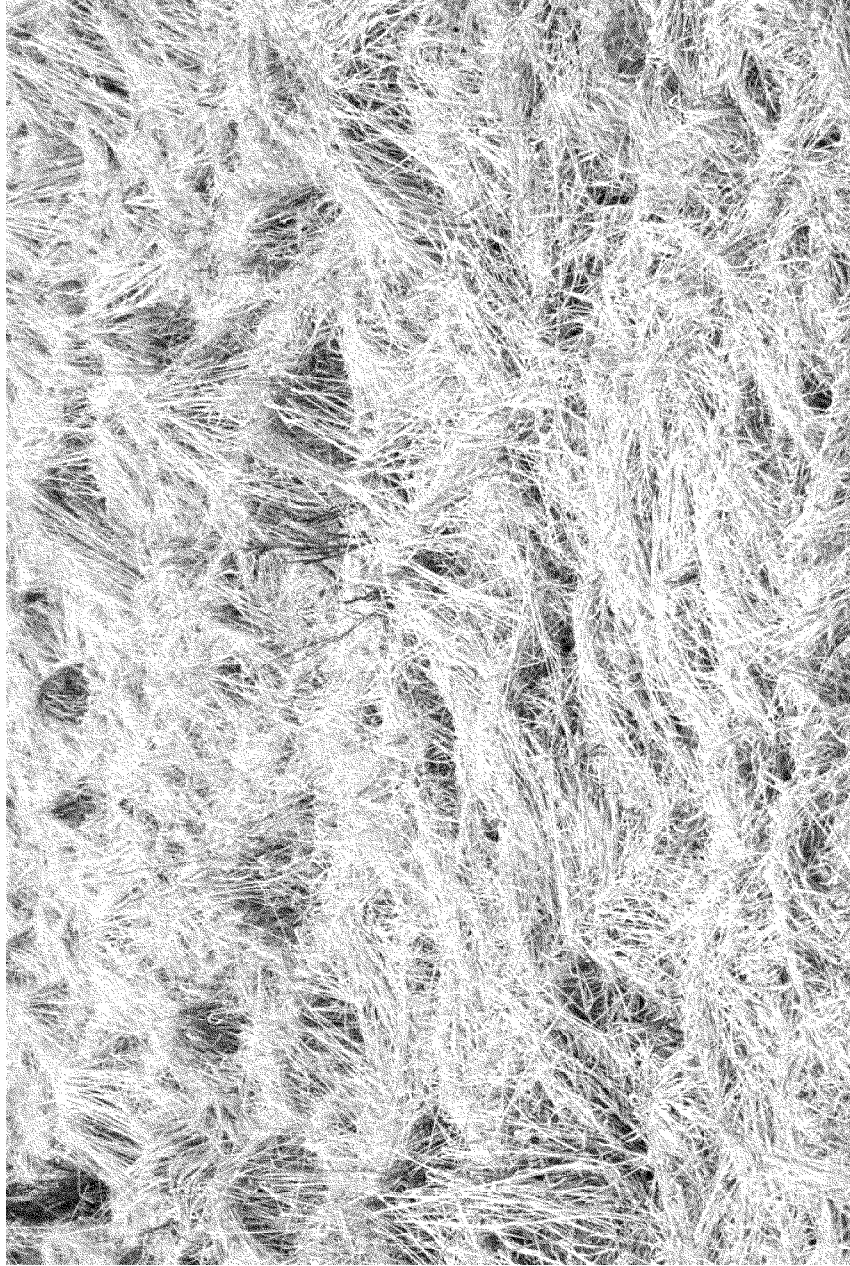














The CHAIRMAN. Thank you, Mayor, I appreciate it.
Cindy Clock, welcome.

**STATEMENT OF CINDY CLOCK, EXECUTIVE DIRECTOR,
SEWARD CHAMBER OF COMMERCE**

Ms. CLOCK. Yes and so we're going to take just a little break now from these really heavy duty, serious subjects and talk about tourism, specifically winter tourism. And thank you as well from Seward for being here and for inviting me.

The Seward Chamber currently has about 315 members. Our small, seaside town has a population of just under 3,000. The Chamber partners with the City of Seward for economic development using strategic doing.

Our current focus is on the Seward Marine Industrial Center and alternative energy. You may or may not have heard about the sea water heat pump at the Alaska Sea Life Center and that's really our poster child in Seward for alternative energy.

Historically, Seward has struggled with a seasonal economy. We're very lucky to live in such a beautiful place and appreciate our thousands of summer visitors, but for years we've been searching for ways to encourage people to visit in the shoulder season, along with promoting and encouraging winter tourism in our community.

Many of Alaska's smaller coastal communities are challenged to maintain a viable and consistent, year-round economy. Those without a strong year-round economic basis rely on the state to assist their residents in maintaining basic standards of living. Communities that can successfully maintain a year-round economy with stable year-round employment support populations that are generally more self-sufficient and rely less on state assistance.

Because Silverton Mountain Guides, which could very well be one of the new concessionaires that you spoke of, based their heli-skiing operation out of Seward last year using BLM lands, we saw a real boost to our local economy during the winter months.

Aaron Brill, owner and operator of Silverton Mountain Guides, and his client guests supported many businesses through purchases of food and beverage, lodging accommodations, leasing hangar and office space at the Seward Airport, not to mention purchasing aviation fuel.

There's a huge opportunity for Silverton Mountain Guides and hopefully other heli-skiing operations like them to grow their business but to do so it is imperative they're able to utilize United States Forest Service terrain.

Representing my Board of Directors and the Seward Chamber membership I would very much like to see them be awarded permits for United States Forest Service designated heli-skiing exploratory zones including East Moose Creek, Mount Ascension, East Ptarmigan, West Bench Peak, Mid Seattle Creek and East Seattle Creek.

With the ability to fly inland at higher elevations and colder temperatures and where the sun shines more frequently, Silverton Mountain Guides could increase client capacity upwards to 24 clients per week. The current DNR heli-skiing terrain is located along the low coastal areas of Seward which doesn't work very well dur-

ing low snow years and warmer temperatures like those we've been experiencing lately.

Silverton Mountain Guides needs to be able to expand the terrain options for clients in order to have the ability to fly inland at higher elevations for optimal snow, and we know that means powder for these guys. Winter tourism is good for Seward.

And finally, I would just like to address the permit application process. So anything that the United States Forest Service could do to actually open up and then streamline the process to accommodate new businesses to enhance economic development in small towns like Seward would be very much appreciated. As communities like ours are encouraged to stand on their own by the State of Alaska during these very challenging economic times, the business community seeks to thrive and we know our Federal partners can help.

Thank you very much.

[The prepared statement of Ms. Clock follows:]



**Seward Chamber of Commerce
Conference and Visitors Bureau**

Cindy Clock, Executive Director
Seward Chamber of Commerce, CVB
Seward, Alaska

Thank you for traveling to Kenai and for this opportunity to testify at your field hearing.

The Seward Chamber currently has 315 members. Our small seaside town has a population of just under 3,000. The Chamber partners with the City of Seward for Economic Development using Strategic Doing. Our current focus is on the Seward Marine Industrial Center and Alternative Energy ~ with the Sea Water Heat Pump at the Alaska SeaLife Center featured as the central project.

Historically, Seward has struggled with a seasonal economy. We are very lucky to live in such a beautiful place and appreciate our thousands of summer visitors, but for years we've been searching for ways to encourage people to visit in the shoulder season, along with promoting and encouraging winter tourism in our community.

Many of Alaska's smaller coastal communities are challenged to maintain a viable and consistent year-round economy. Those without a strong year-round economic basis rely on the state to assist their residents in maintaining basic standards of living. Communities that can successfully maintain a year-round economy, with stable year-round employment ~ support populations that are generally more self-sufficient and rely less on state assistance.

Because Silverton Mountain Guides based their heli-skiing operation out of Seward last year, we saw a real boost to our local economy during the winter months. Aaron Brill, owner and operator of SMG, and his client guests supported many businesses through purchases in food and beverage, lodging accommodations, leasing hangar and office space at Seward Airport, and purchasing aviation fuel.

There's a huge opportunity for Silverton Mountain Guides to grow their business, but to do so it is imperative that they be able to utilize USFS terrain. Representing my Board of Directors and the Seward chamber membership I would very much like to see SMG be awarded permits for the USFS designated heli-skiing exploratory zones including East Moose Creek, Mt Ascension, East Ptarmigan, West Bench Peak, Mid Seattle Creek and East Seattle Creek.

With the ability to fly inland at higher elevations and colder temperatures ~ and where the sun shines more frequently, Silverton Mountain Guides could increase client capacity upwards to 24 clients per week. The current DNR heli-skiing terrain is located along the low coastal areas of Seward which doesn't work very well during low snow years and warmer temperatures like we've been experiencing the past few years.

Silverton Mountain Guides needs to be able to expand the terrain options for clients in order to have the ability to fly inland at higher elevations for optimal snow (powder) that is the goal of every heli-skier!

Winter Tourism is good for Seward ~ and Silverton Mountain Guides is good for winter tourism!

And finally – I would like to address the permit application process. Anything that the USFS could do to streamline this process would be very much appreciated. As communities are encouraged to stand on their own by the State of Alaska during these very challenging economic times, the business community seeks to thrive ~ and our Federal partners can help.

The CHAIRMAN. Thank you, Cindy.
Ricky Gease, welcome.

**STATEMENT OF RICKY GEASE, EXECUTIVE DIRECTOR, KENAI
RIVER SPORTFISHING ASSOCIATION**

Mr. GEASE. Thank you.

Thank you, Chairman Murkowski and for the opportunity to testify today. It's really great to see you on the Kenai Peninsula.

My name is Ricky Gease. I'm the Executive Director at Kenai River Sportfishing Association. We're a non-profit fishery conservation group here on the Peninsula. I also sit on the South Central RAC, the Regional Advisory Council, for the Federal Subsistence Board.

Federal lands comprise about two-thirds of the Kenai Peninsula so agencies and the regulations do have a big impact here. The Kenai River is the largest sport, personally-used fisheries in Alaska and combined with commercial, sport, personal use and subsistence fisheries here at Cook Inlet, it's more than a \$1 billion industry. You know, for outdoor recreation, hunting and fishing and tourism, it's big business here and it's a very important topic that we're covering today.

I want to cover three topics and they all have to do with the one size fits all approach of, kind of, Federal philosophical approaches.

And they have to do with wilderness. I'll talk about the Cooper Landing bypass, kind of this passive instead of active management. I'll give two examples with fire management and predator control. Then I'll wrap up with funding restrictions with the Endangered Species Act and how it impacts the Pacific Coastal Salmon Recovery Fund and our ability to access money for salmon research.

So first off with wilderness. You know, as an ecologist I firmly support wilderness designation on Federal lands. I think it's important to have a mosaic of different land designations and wilderness is definitely important. But I don't think they're as valuable in having an inflexible regulation that ties the hands of our land managers so much so that it discourages wise choices.

So let's talk about the Cooper Landing bypass. This issue has been around our community for more than 40 years. It's been controversial, yet there does seem to be light at the end of the tunnel. Unfortunately that light looks like an oncoming train. The two objectives of the bypass were to move highway traffic around Cooper Landing safely and to move highway traffic away from the Kenai River.

So what's the oncoming train wreck? The preferred alternative by DOT is the most expensive route. It builds another bridge across the Kenai River. It fails to move highway traffic and more importantly, I think, the commercial truck traffic that everybody understands here if you're a resident, away from the Kenai River. It does not mitigate the high impact areas such as the bend between Gwin's and the Russian River Campground in Quebec, and it utterly disrupts Alaska Native, culturally sensitive lands.

So after five years, you know, 40 years, why are we stuck with this loser of a proposition? Because DOT both at the Federal and State level wants no part of working through the process of the land exchange that involves a wilderness designation even though

the Russian River Lands Act, passed by Congress, authorizes this land exchange.

We have 80 acres of a rock mountainside in the Kenai National Wildlife Refuge that has a wilderness designation. And that's the start of the area that would be the top shelf or what I think is the best route. And that stands between us and a bypass that would bypass both Cooper Landing and the Kenai River.

It would avoid culturally sensitive lands, and it would come in at a cost of \$50 million less. So we're going to forgo being smart and wise and strategic just to avoid the worrisome and dull and inflexible regulations of wilderness, and that doesn't make much sense.

I'll add in some about fire management. If we do go in with this preferred alternative and we have fire response coming over from the Moose Pass area and they get stuck in the bottleneck of Cooper Landing during July and we have a big fire down here, it's going to be a pretty poor example of good planning, when we have everybody from the personal use fishery trying to get to or from the Kenai Peninsula and we have all these emergency disaster trucks and everybody at the stage ready to go and they can't get here to fight the fire. And that's going to be real fun to watch.

Second thing I'll talk about is passive verses active management, and I'll start off with fire management. I'll say if and when the Greater Kenai/Soldotna area burns to the ground in a catastrophic fire. I don't think it's a question of if. I think it's a question of when. I think more than a few people here are going to be thinking it didn't have to be that way. And I'll just state this. There's a funny TV commercial. A bank has an armed robbery. People are hitting the floor, panic erupts, and the distraught bank customers are asking the security officer to do something. And he replies, oh, I'm not a security guard. I'm only a security monitor. I'm only to advise you when a robbery is going to take place. And after a short pause the guy goes, a robbery is taking place. That's kind of what it feels like here. If a catastrophic fire sweeps through our community, we're going to be feeling like a robbery is taking place.

Now fire is an integral part of the ecology of the Kenai Peninsula. We're willing to spend unlimited resources on fire suppression and control once a fire starts, but we're unwilling to implement proactive fire management plans before our fire begins. And I'm not letting this, you know, fault at the fire managers. We've heard enough examples that it's policy that's doing this.

There's a no nonsense fire line south of the Funny River Road that saved our community from a catastrophic fire, and without that fire break fire would have spread through our communities like a freight train. I don't know if this building right here would still be standing today without the hundred yard by ten-mile-long fire break that got put in on private lands.

So what's our current protection plan for the North and East of the communities of Sterling, Soldotna, Kenai and Nikiski? Well-controlled burns are now actively being the case on Federal lands. What large scale fire breaks are located on Federal lands? Not much.

It seems as if the onus of fire protection is placed on non-Federal entities is disproportionate to that placed on Federal managers,

and it's heading us for an eventual, large scale disaster. Again, I want to say it's not the people personnel on the Kenai Peninsula. But they have their hands tied, and we need to do something to unbind those hands.

Second issue in terms of passive management I'll talk about, and this is more from the perspective of sitting on the South Central RAC and Federal subsistence, it's the concept of predator control.

No issue in Alaska highlights the difference between passive and active management on Federal lands like predator control. The leave no trace wilderness philosophy has crept into the Federal perspective on predator management and now has become a thou shall not kill predators. Traditional wildlife philosophy sets ranges for both predators and prey species in game management. The population base goals are to ensure the sustainability of both predator and prey populations and to provide harvestable surpluses for hunting. Hunting provides important food for Alaska families. It's safe to say that no Federal agency in Alaska is a dynamic proponent of predator control. Examples abound. Wolves on Unimak Island. The Federal response to Alaska Natives of "no, you didn't hunt that," when Alaska Natives talk about their traditions of predator controls for bears, wolves and sea otters.

The most recent attempt by the National Park Service and U.S. Fish and Wildlife Service to impose hunting restrictions and bans through the Federal agency regulatory process instead of using Federal or State game board management.

Hunting and trapping for all animals, whether predators or prey, has a historical place in wildlife management in Alaska and should be included on Federal lands now and into the future. These activities have long held an important place in the pantheon of outdoor recreation and tourism on the Kenai Peninsula.

The last issue I want to talk about is funding restrictions. First off, Federal funding is important on the Kenai Peninsula for fisheries and fishery conservation and habitat. We have the cost share program. It's an amazing program. I think a third of the properties on the Kenai River participate in that, and that's a great relationship between U.S. Fish and Wildlife Service and the Alaska Department of Fish and Game.

We have a fish habitat partnership that's been putting, you know, important, strategic plans in place. We've talked about the Elodea. The co-operation between everybody, agencies and ridding that of the invasive species on the Kenai Peninsula.

So let's wrap up with the Pacific Coastal Salmon Recovery Fund. Regulations now state that research can only be for salmon listed under the Endangered Species Act. This restriction was added just a few years ago, and it's taken about \$10 to \$15 million out of salmon research from Alaska.

Since no salmon has an ESA listing it effectively blocks further salmon research in Alaska using Pacific Coastal Salmon Recovery Fund monies, and it's that is the largest source of Federal salmon research money available in the country.

Salmon populations through the North Pacific rise and fall in cyclical boom and bust fashion following periodic changes in ocean productivity that we don't really understand the mechanisms. It makes no sense to research the salmon or it just makes sense to

research salmon to all phases of the boom and bust cycles so that we can come to understand all the variables involved in the population dynamics through the years, the decades and the centuries.

Early run king salmon fishing on the Kenai River is now closed for the fourth straight year. Gillnets as a subsistence gear for king salmon are prohibited once again on the Kuskokwim River and that's the largest subsistence king salmon fishery in the State of Alaska.

Commercial and subsistence harvest of games on the Yukon are fading from memory. It's been so long there since people have done it.

We have a statewide king salmon crisis and other species are also starting to show signs of ocean distress such as sockeye salmon. This is about the second year in a row that the third, three-year, ocean, sockeye salmon are showing little to no growth.

We have halibut over the last decade. Halibut had the rate of growth as to decrease by one-half.

We have sea birds. This is about the second year in a row that we've had great die offs of common birds across the Gulf of Alaska.

Something is going on in the North Pacific, and yet access to research fronts through the Pacific Coastal Salmon Fund is denied. We're unable to find out the reasons for poor ocean productivity for salmon and these other species. The lack of an ESA designation does not mean that Alaska salmon, in particular, or king salmon, are not in need of help.

The lost economic opportunity for recreational fishing, specifically for king salmon and halibut in Cook Inlet, are on the magnitude of tens of millions of dollars. You throw in the lost opportunity for subsistence, personal use and the impacts of salmon restrictions and halibut restrictions on commercial fisheries, here and statewide, and you have untold losses in the millions and millions of dollars.

But these losses are not enough to override the regulatory requirement for and ESA listing to trigger funding for salmon research. That's just not a reflection of smart and responsive government.

So the ESA listing is kind of like this wilderness and this clunky, bulky, regulation, a one size fits all approach, from DC imposed on Alaska, both the Federal and state managers in Alaska. And it just doesn't work very, you know, sharply.

I want to thank you for the opportunity to speak to you today and to the Committee, and we have some written comments.

Thank you.

[The prepared statement of Mr. Gease follows:]

Testimony of Ricky Gease
Executive Director
Kenai River Sportfishing Association

Before the U.S. Senate Committee on
Energy and Natural Resources

May 31, 2016

Thank you Chairman Murkowski and members of the Committee for the opportunity to testify on the challenges and impacts of federal regulations and wildfire management on outdoor recreation, hunting and fishing opportunities, and tourism on public lands on the Kenai Peninsula.

Whereas federal lands comprise about two-thirds of the lands on the Kenai Peninsula, federal agencies and regulations have a big impact. In the short time here I want to cover three topics and their impacts on access and opportunity: wilderness, active vs. passive management, and funding restrictions.

Wilderness: First, I support the concept of wilderness areas on federal lands, as I think there is value in having a mosaic of land use designations from an ecological perspective. However, I do not think there is value in having an inflexible structure that ties the hands of the land management decision making process, so much so that it discourages wise choices. Let me provide two examples:

1. **Cooper Landing Bypass:** The issue to build a highway bypass around Cooper Landing has been around for more than 40 years. It has been controversial, yet there does seem to be light at the end of the tunnel – unfortunately that light looks like is an oncoming train.

The bypass has had two objectives – allow highway traffic to move safely and at highway speeds around Cooper Landing, and to move highway traffic away from the Kenai River.

What then is the oncoming train wreck? The preferred alternative by the State DOT is the most expensive alternative, builds another bridge across the Kenai River, fails to move highway traffic away from the banks of the river, does not mitigate high accident areas, and utterly disrupts culturally sensitive areas.

So after 40 years, why spend an additional \$50 million, put the river at continuing risk of large scale environmental damage, and plow through culturally sensitive lands of Alaska Native heritage?

Because DOT, both on the federal and state level, want no part of working through the process of a land exchange that involves wilderness designation. 80 acres of a rock mountain side in the Kenai National Wildlife Refuge has a wilderness designation, at the starting point of the “Top Shelf” route that would safely bypass the whole of the Kenai River, avoid culturally sensitive land, bypass Cooper Landing, and come in at \$50 million less cost.

And though the Russian River Lands Act passed by Congress allows for land exchanges in the area, no one wants to go through the seeming futility of working through that regulatory framework. Even though proposed lands for the exchange are much more ecologically important for brown bear and king salmon habitat. We will forego being smart, and wise, and strategic, just to avoid dumb and inflexible regulations.

I will talk about fire management in a minute, but if this preferred alternative I call the “G-String” route (more expensive, skimpier, less protection) is eventually built, and a major fire erupts on the central Kenai Peninsula, and federal emergency fire management crews on the eastern peninsula are stuck on the Sterling Highway in Cooper Landing for hours during the height of the tourism season because of the bottleneck bypass design, how’s that going to look as a sterling example of smart government?

2. **Wilderness “study” area of western Prince William Sound:** This area has been under study as a wilderness designation for about two decades.

Western Prince William Sound is important for outdoor recreation, hunting and fishing, and tourism. Because of the ongoing “study” there can be no development, no infrastructure improvements, such as public use cabins built in the region that would improve access and accessibility of this area for visitors. While it may be a romantic notion that structures like public use cabins obstruct the true wilderness experience, they do provide a safe and secure structure for visitors to experience the wilderness. My firsthand experience from being a park ranger at Kenai Fjords National Park showed me that public use cabins in remote areas on federal lands improves the visitor experience. Twenty years is not a timely manner to conclude on a study on wilderness designation. It is time for Rapunzel to let down her golden hair.

Active vs. Passive Management: A funny TV commercial – a bank has an armed robbery, people hit the floor, panic erupts, and the distraught bank customers ask the security officer to do something – he replies – “oh, I am not a security guard, I am only a security monitor. I only advise you when a robbery is taking place.” After a short pause, he informs them “A robbery is taking place.” Two examples highlight the issues with de facto passive management.

1. **Fire Management:** If and when the greater Kenai / Soldotna area burns to the ground in a catastrophic fire, more than a few people here will be thinking “A robbery is taking place.” Fire is an integral part of the ecology on the Kenai Peninsula. We are willing to spend unlimited resources on fire suppression and control *once* a fire starts, but we are unwilling to implement proactive fire management plans *before* a fire begins. The only reason our community did not face catastrophic fire damage in the billions of dollars a couple of years ago was the strategic placement of a no nonsense fire line south of Funny River road. Without that head start fire break to fight the fire that eventually burned close to 200,000 acres, mostly on federal lands, most likely it would have swept through our communities like a freight train.

What is our current protection plan to the north and east of the communities of Sterling, Soldotna, Kenai and Nikiski? What controlled

burns are occurring now on federal lands? What large scale fire breaks are located on federal lands? Not much.

The interface between the federal lands in the Kenai National Wildlife Refuge and the surrounding state and private lands is interesting. It seems as if the onus for fire-protection placed on non-federal entities is disproportionate to that placed on federal managers. Not that federal fire personnel don't see the importance of our community safety, but lack of adequate funding for proactive fire management and an unwillingness to locate adequate fire buffer zones on federal lands is heading us for an eventual large scale disaster.

2. **Predator Control:** No issue in Alaska highlights the differences between active and passive management on federal lands than predator control. The leave no trace wilderness philosophy has crept into the federal perspective on predator management – and now has become thou shall not kill predators. Traditional wildlife philosophy sets ranges for both predators and prey species in game management. The population based goals are to ensure the sustainability of both predator and prey populations, and to provide harvestable surpluses for hunting. In Alaska hunting provides an invaluable food source for many households, increasing basic food security for many families. Whether for subsistence or sport hunting, access to harvestable surpluses of animals is a foundational aspect of life for many.

It is safe to say no federal agency in Alaska is a dynamic proponent of the traditional wildlife management tool of active predator control. Examples abound: from the predator control issue of wolves on Unimak Island, to the Federal "BORG – resistance is futile" response to Alaska Native / rural Alaskans claims that predator control for bears, wolves and sea otters is a customary and traditional tool long used to prevent the spread of predator pits, or the most recent attempt by NPS and USFWS to impose hunting restrictions and bans through federal agency regulations instead of federal or state game boards.

Hunting and trapping, for all animals whether predators or prey, has a historical place in wildlife management in Alaska, and should include federal lands, now and into the future. These activities have long held an important place in the pantheon of outdoor recreation and tourism on the Kenai Peninsula.

Funding Restrictions: With the varied mosaic of land ownership on the Kenai Peninsula, with its mix of federal, state and private lands, funding for basic infrastructure is key to maintaining a healthy economy and healthy ecosystems.

For the most part, federal agencies do a very good job of cooperating and partnering with state, municipal, tribal and private entities, in particular for fisheries and fish habitat. Examples of effective partnerships include the USFWS and ADFG Cost Share program, which has allowed one third of private property owners on the Kenai River to protect, restore and enhance riparian fish habitat along the Kenai River. The Kenai Peninsula Fish Habitat Partnership, the Don Gilman River Center and the Kenai River Special Management Area are other examples of effective partnerships between federal, state, municipal, tribal and private entities.

However, there is one federal regulatory restriction that greatly restricts the effectiveness of partnerships for fisheries, in particular fisheries research on salmon. That is the restriction on federal funds for research projects through the Pacific Coastal Salmon Recovery Fund. PCSRF regulations now require funding to be limited only to the study of salmon stocks listed under the Endangered Species Act. This regulatory restriction, added just a few years back, has effectively blocked further salmon research in Alaska with PCSRF monies, the largest such source of federal salmon research money available.

Salmon populations throughout the North Pacific rise and fall in cyclical boom and bust fashion, following periodic changes in ocean productivity. It just makes sense to research salmon during all parts of the boom and bust cycles, so that we can come to understand all the variables involved in the population dynamics through the years, decades and centuries.

Early-run king salmon fishing on the Kenai River has been closed for four years. Gillnets as a subsistence gear for king salmon is prohibited once again on the Kuskokwim River. Commercial and subsistence harvests of kings on the Yukon are

fading from memory. We have a statewide king salmon crisis, and other species are also showing signs of distress, such as sockeye salmon (second year in the row that third year ocean fish show little to no growth), halibut (rate of growth declines by one half in the last decade) and seabirds (winter die offs of the iconic common murre in the Gulf of Alaska).

No one can state that there is not some sort of ocean dynamic in play in the North Pacific that is greatly distressing Alaska salmon populations. Access to research funds through the PCSRF would go a long way towards finding out the underlying reasons to this time of poor ocean production for salmon and other species. ESA listings for salmon stocks brings about as much flexibility as wilderness designations. People in Alaska are loathe to go forward with any such designation for salmon populations in the state. However, lacking an ESA designation does not mean that salmon, in particular king salmon, are not in need of help.

Lost economic opportunity for recreational fishing, specifically for king salmon and halibut in Cook Inlet, are on the magnitude of tens of millions of dollars. Throw in lost opportunity in our subsistence, personal use and commercial fisheries, here and statewide, you have untold losses. But these losses are not enough to override the regulatory requirement for an ESA listing to trigger funding for salmon research. Again, how is that a reflection of smart and responsive government?

In summary, federal regulations are a necessary component to well managed federal lands. But at times they are also an unnecessary roadblock to smart government, where providing access and opportunity for outdoor recreation, hunting and fishing, and tourism are on par with environmental protections. With a few tweaks (none controversial) on how we view wilderness, active vs. passive management, and funding restrictions, we can be a lot further down the road of ensuring both healthy economic activity in tandem with necessary ecosystem protections for the Kenai Peninsula and elsewhere in Alaska.

Thank you for the opportunity to speak to the Committee today on this topic.

The CHAIRMAN. Thank you. Thank you, Ricky.
Our last panelist this morning is Ted Spraker. Thank you for being here.

**STATEMENT OF TED SPRAKER, SAFARI CLUB
INTERNATIONAL, ALASKA**

Mr. SPRAKER. Thank you, Senator Murkowski and members of the public, I appreciate being here. I'm really grateful for the opportunity to address some of our local issues, especially some of our local Federal issues that we have before us.

For the record, again, my name is Ted Spraker. Unlike probably many in this audience, I'm not a lifelong Alaskan. I was born in another state. I was raised in Wyoming. I've lived in Alaska for 42 years and 38 of those years have been here on the Kenai Peninsula.

When I first came to Alaska I was very fortunate to land a job and have a career with Alaska Department of Fish and Game where I worked as a wildlife biologist for 28 years, and I spent 24 of those years as the Area Wildlife Biologist here on the Kenai Peninsula.

After retiring from the state in '02 I was appointed by Senator Murkowski's father, Governor Murkowski at that time, to the Alaska Board of Game. And the Board of Game is, as many of you probably know, made up of seven members. We're elected or we're appointed by the Board, by the Governor, and then we're confirmed by the legislature to three year terms. I'm currently serving my fifth term, and I'm the Chairman of the Board of Game and I have been for the last couple terms.

However, this morning I'm only representing the interests of Safari Club International (SCI) as I testify to some of the local concerns related to declining wildlife populations, restrictions to access and lack of protection from wildfires as it relates to a healthy forest.

At this time, I'd like to introduce Spencie Neschert. Spencie is the local President of SCI. We flipped a coin to see who was going to testify. I'm not sure if I won or lost, but I'm glad to be here. I think I won to be here to testify this morning. I'm very grateful to be here to talk to you folks, especially to the Committee.

I'd like to focus my comments on the Kenai National Wildlife Refuge that comprises about 70 percent of the game management unit that we're in right here. This is 15A. And if you have the opportunity to read my written testimony, you will know that the Kenai National Moose Range was assimilated into ANILCA as part of the new Kenai National Wildlife Refuge by the addition of about 200,000 acres of Federal land.

The purposes of the expansion and inclusion of the Moose Range into the Kenai National Wildlife Refuge are there's three prominent goals that they have. A is to perpetuate a nationally significant population of moose, B is to protect populations of fish and wildlife and their habitats including moose and other mammals and water fowl, and three is to provide opportunities for wildlife-oriented recreation in a matter consistent with the purposes specified in subparagraphs A and B.

Now let me take you back quite a few years. In the early 70's the refuge, this Kenai National Wildlife Refuge, then it was the Moose Range, was clearly known as a leader in developing and implementing techniques to enhance habitat for moose and a variety of other species that depend on early serial stages of forest growth.

In fact, in the early 70's I attended an international moose conference. It was held in Seward, and one of the featured events of this international moose conference was a field trip near the refuge to look at the techniques that they were using to enhance habitat for moose. They were, without a doubt, the leaders and known worldwide for habitat that was done on the Kenai. This leadership role halted in 1976 when the service changed their policy from a proactive agency to a more passive management approach, where we are today.

I've also, in my written testimony, included a peer reviewed paper that outlines some of the issues addressed in the early 90's as far as habitat and moose and where the population may go, that was written by the current refuge manager. I don't know if he is here today. Perhaps he is. He is here today. The Refuge Manager that wrote this is here today. I would encourage you to look at this manuscript or this paper, because it outlines exactly what they thought in 1991. And the clear message was if habitat enhancement is not continued moose numbers will plummet, and they certainly were correct.

I'd also like to direct you to the service's comprehensive management plan. If you have a chance to read that, it's very informative, and they have a goal in there to enhance 5,000 acres annually.

And in my interpretation and that of the SCI, I don't think this should be used as with the wildfire. It should be used as acreage that can be counted as this 5,000 should be enhanced because wildfires don't always happen in the best places to benefit, not only the wildlife but protecting people and so forth whereas enhanced areas through prescribed burns, suppression and so forth do.

There's also a goal in that. It's called a CCP, the Comprehensive Conservation Plan, that addresses a goal of maintaining about 3,600 moose in this sub unit, 15A.

Presently our moose population is in severe decline. In the early 80's state biologists estimated about 4,300 moose in game management Unit 15A. In a similar study in 2015 found about 1,200 moose, about a quarter, less than a quarter.

I also looked at a comparison of a five-year period in the early 80's as far as for local harvest, and during that time hunters took about 293 moose per year. I also looked at the last five years, and the last five years the average has been 22 moose with a range of four to 35. I want to tell the public and the Senator, people have pretty much abandoned hunting moose on the Kenai because our moose numbers are so low.

Now that the moose population is less than a quarter in size compared to 30 years ago, predators are now accelerating the decline. We now have what is called a predator pit where regardless of how much the area is enhanced, the habitat is enhanced for moose, the moose population will not recover until the impact of predation is temporarily reduced. But the Service refuses to allow effective predator control although there are strong proponents of

their own predator control as long as it doesn't include wolves or bears. Additionally, trappers willing to harvest wolves to benefit moose survival have been saddled with very restrictive regulations on this refuge.

You know, a comparison was made by a colleague of mine when we talked about predator pit and habitat enhancement and the debate between predator/prey relationships and so forth. And the comparison was that creating more habitat for moose population in a predator pit is like trying to fill a water bucket without patching the hole in the bottom because it really—you have to have both. You really can't do with one without the other.

And another colleague, a couple years ago when we were involved in a moose calf study here on the Kenai, made the comment that habitat enhancement in 15A would just provide for fatter moose for the wolves to eat. [Laughter.] I think he was exactly right. The Service's policies are not perpetuating significant moose population and by law they're required to do so.

And until the Service has passed its management policies driven by the preservationist ideology of natural diversity and biological integrity are removed, no one should have any hope that the moose population will recover. Restoring moose numbers will not only provide additional animals for locals to harvest for food security, but will provide moose for viewing and prey for predators.

Senator, there's just a little bit more I'd like to talk a little bit about public access.

The refuge, I'll have to proudly admit that they do an excellent job when it comes to maintaining trails for hiking, for canoeing. There's a lot of camping areas that are excellent camping areas on the Kenai.

The one place I think we're lacking is just public roads, gravel roads, where people can access the refuge. There's several gravel roads on the Kenai, all of which are in 15A. One of them is the Skilak Loop which is maintained a little bit in the summertime, not in the winter. There's good fishing there in the wintertime. It's difficult to get to if we have a normal winter with lots of snow.

But the one I'm really concerned about is Mystery Creek Road. Mystery Creek Road is about 12 miles long. It's a gravel road. It's used extensively in the fall by hunters. I think, and SCI has talked about this, it could be open from the first of May through the end of October. Now the refuge has a design plan right now to improve the access to that where you turn off from the highway because it's really steep. If there's snow on the road like there is sometimes in October, you slide down the hill and you run into the gate which has been done. I think the gate just could be moved a little further down the road where it's flat. I think the gravel that's going to be used to improve this access point should be put on the road, improve the road. There's also several lakes off of Mystery Creek. If the refuge was willing to provide some camping areas and access to those, I think those would be really appreciated by the local public and would also remove some of the crowding or reduce some of the crowding effort that we have with other campgrounds and other fishing areas that we have on the Kenai.

One last thing about public access as far as the Mystery Creek Pipeline Road. There's three airports. There's three airstrips on

that road. There's only one that's open to the public. The other two are pretty much overgrown.

And the one that is open, although it provides good water fowl hunting, there's a cabin there. It's the trickiest one to land on, and the other two, I think, should be cleared and open for public use as well.

As far as wildfires, there's certainly been a lot said about that. But in the past decade the peninsula has witnessed several large wildfires, largely human caused. The refuge, along with state and U.S. Forestry and other agencies, have certainly done an excellent job battling these threatening wildfires to minimize property loss, but the communities of the peninsula are still far away from being safe.

And there's been years of talk that there's been very little action as far as building these fire breaks. And one of the things I'd like to point out is there's another purpose to prescribed burn and fire breaks and so forth in addition to wildlife—wildfire protection. And in addition to the loss of habitat at high mortality due to predation on moose, about 200 moose are killed annually on local roads.

And as the moose numbers drop animals killed by vehicles on roads have become a significant contribution to this decline plus high property loss, human injury, including some fatalities. If we can clear these fire breaks and do it wisely and do it in the proper areas, in the proper habitat types, there is an opportunity to encourage moose to not use our roads so much, to make areas more available to moose and habitat available and attract moose away from our highways. Because unfortunately right now, about the best moose habitat on the Kenai is along our highways because of the Department of Transportation's four or five year cutting program. So hopefully we can do fire breaks, and hopefully they're done wisely and done in the right places, in the right habitat types.

I know the Senator has referred several times to the Federal public lands as "open until closed." In our opinion the Kenai National Wildlife Refuge has clearly adopted a philosophy of "closed until open." And we sure hope you address some of these issues, provide for more access.

And as a hunting organization, conservation organization that supports hunting, we're just very hopeful that this Committee can address some of these issues here on the Kenai and other places in Alaska. We have a lot of predator control issues across the state where hunters are not having an opportunity to harvest game because of a lack of predator control and trying to get these predators and prey in somewhat a balance.

I want to point out one that hasn't been talked about and that's the Western Arctic Caribou herd. A lot of that is Federal land. That herd is going to be counted again this spring. If it goes below 200,000 the intensive management program kicks in place. If that kicks in place, there's going to be a lot of reduction in hunting. The only way to correct that is probably to reduce, temporarily, the number of wolves preying on caribou and almost all of that is BLM land/Federal land.

So the battle is about to begin, and that is a huge issue for food security in Western Alaska for a lot of our residents.

So, I know I've gone more than my five minutes, Senator. Thank you very much for the opportunity. I really appreciate it.

Thank you.

[The prepared statement of Mr. Spraker follows:]

Testimony of **Ted H. Spraker** to the U.S. Senate Committee on Energy and Natural Resources at a Field Hearing in Kenai, Alaska.

May 31, 2016.

Representing Safari Club International, Alaska

Good morning Senator Murkowski and members of the Senate Committee on Energy and Natural Resources. And to those that have not visited our state, welcome to the great State of Alaska.

Thank you for the opportunity to provide insights on federal issues in Alaska.

My name is Ted Spraker, and I am a 42 year resident of which 38 years I have lived on the Kenai Peninsula, in the nearby town of Soldotna. I was fortunate to have an exciting career as a wildlife biologist for the Alaska Department of Fish and Game (ADFG) for 28 years, having spent 24 of those here on the Kenai as the Area Wildlife Biologist. After retiring in 2002, I was appointed by Senator Murkowski's father, Governor Frank Murkowski, to the Alaska Board of Game (BOG). I am currently severing my fifth term, and I am the chairman. This morning, as a long time member, I will only be representing the interest of Safari Club International as I testify to some of the local concerns related to declining wildlife populations, restrictions to access and the lack of protection from wildfires. My primary focus will be a brief history of moose subpopulations on the northern portion of the peninsula, in Kenai National Wildlife Refuge (KNWR).

In 1931, the Alaska Game Commission recommended establishment of a moose sanctuary of approximately 1,230 square miles, in the northwestern part of the Kenai Peninsula, today known as Game Management Unit 15A. The giant Kenai moose were renowned by hunters in the early 1900s that traveled from various parts of the world in hopes of harvesting one of these magnificent animals.

The Reorganization Act of 1940 merged the Bureau of Fisheries and the Bureau of Biological Service to form the Fish and Wildlife Service (FWS). Ira Gabrielson, Director of Fish and Wildlife, supported a moose refuge at the same time the Army requested to use this area as a bombing practice area. Fortunately, Gabrielson persuaded the Army to select an alternate area. On December 16, 1941 President Franklin D. Roosevelt signed an executive order establishing the Kenai National Moose Range and commissioning the Alaska Game Commission to manage hunting and trapping. The Kenai National Moose Range was established to ensure the perpetuation of the giant Kenai moose, other fish and wildlife, scenic and recreational resources. Over the years, the Service fought incessantly to protect the Kenai National Moose Range by formulating tough standards where strong pressures from the oil industry and its allies attempted to force compromises. They were also the leaders in developing and implementing techniques to enhance habitat to benefit moose, and a variety of other species that depend on early seral stages of forest regrowth. This leadership role was halted in 1976 when the FWS changed their policies from a proactive agency to a more passive management approach.

The abstract from a peer reviewed paper written by the current Refuge Manager of the KNRW illustrates the concern in 1991, that if habitat enhancement is not continued moose numbers will plummet, and not surprisingly the authors were correct.

EFFECTS OF FOREST SUCCESSION AFTER FIRE IN MOOSE WINTERING HABITATS ON THE KENAI PENINSULA, ALASKA

Andre J. Loranger, Theodore N. Bailey and William W. Larned

U.S. Fish and Wildlife Service, Kenai National Wildlife Refuge, P.O. Box 2139, Soldotna, Alaska 99669

ABSTRACT: Estimates of moose (*Alces alces*) density during winter in early seral forests created by human-caused wildfires and in older successional forests on the northern Kenai Peninsula were obtained using data from standardized aerial surveys conducted from 1964-1990. Wintering moose densities in the study area were highest within areas burned by wildfires in 1947 and 1969, reaching peaks of 3.6-4.3 moose/km². Density estimates for the 1947 burn were available 17-43 years post-fire. The relationship between moose density and forest age in the 1947 burn from 1964-1990 was highly significant ($P < 0.01$, $R^2 = 0.68$), and density declined at a rate of approximately 9 percent per year during this period. Highest densities, ranging from 2.0-3.6 moose/km², were recorded 17-26 years post-fire (1964-1973). Winter moose density in the 1947 burn and the area's total moose population then declined abruptly. Favorable habitat created by the 1969 wildfire resulted in a major increase in total population by 1982, although wintering densities in the 1947 burn remained low. Moose density estimates in the 1969 burn following this increase were high and remained relatively constant 13-21 years post-fire (1982-1990), ranging from 3.6-4.4 moose/km². In older successional forests, wintering moose density was low throughout the study period, ranging from 0.1-0.8 moose/km². Forest succession in the 1969 burn will ultimately result in habitat capable of supporting wintering moose densities similar to those currently found in mid-successional and older forests. We predict the area's moose population will decline in the absence of early seral forests.

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By the early 1970s, the Alaska National Lands Conservation Act (ANILCA) was being proposed by congress in several different bills, each outlining a single proposed park or monument. In 1980, President Jimmy Carter signed ANILCA into law, setting aside 80 million acres of federal public lands, a third of which was secured as wilderness areas. By many, ANILCA was deemed the largest land grab by the Federal Government in recent U.S. history.

The Kenai National Moose Range was assimilated into ANILCA as part of the new Kenai National Wildlife Refuge, by the addition of 203,600 acres of Federal land. The purposes of the expansion of the Moose Range into the Kenai National Wildlife Refuge are to:

- (A) Perpetuate a nationally significant population of moose;
- (B) Protect populations of fish and wildlife and their habitats, including moose and other mammals and waterfowl;
- (C) Provide opportunities for wildlife-oriented recreation in a manner consistent with the purposes specified in subparagraphs (A) and (B).

The significance of this legislation is the clear intent and purpose congress enacted into law. The Service has failed to fulfill their legal obligation set forth by our legislators. Additionally, their Comprehensive Conservation Plan (CCP) obligates the Refuge to enhance 5,000 acres annually, which they have not completed since the mid-70s. Presently our moose population, particularly in GMU 15A, is in severe decline. In the early 1980s State Game biologists estimated approximately 4,300 moose in GMU 15A, a similar 2015 census estimated about 1,200 moose. During a five year period in the early 80s, an average of 293 moose (primarily bulls) were harvested in GMU 15A, ranging from 211 to 395. A similar comparison during the last five years shows an average of 22, with a range of 4 to 35. One of the major reasons for the precipitous decline is a direct result of inaction by the Service, by primarily not conducting habitat enhancement (i.e. prescribed burns, crushing or clearing). In addition, trappers willing to harvest wolves to benefit moose survival have been saddled with very restrictive regulations. The KNWR is the only refuge in the state where a four-day trap check is required; it is also the most restrictive refuge regarding regulations for access. All other refuges in our state require less snow depth before the public is allowed access by snow machines, the primary mode of access for trapping. Now that the moose population is less than a quarter its size compared to 30 years ago, predators are now accelerating the decline. We now have what is called a "predator pit" where regardless of how much of the area's habitat is enhanced; the moose population will not recover until the impact of predation is temporarily reduced, and Service refuses to allow effective predator control. Although, they are strong proponents of their own predator control programs as long as it does not include wolves or bears.

Studies have shown, to sustain a moose population a minimum ratio of 30 moose per wolf is needed; this ratio does not factor in the significant impact of bears. Currently, the ratio is approximately 20 moose per wolf (1200/60) in GMU 15A.

In March 2011, the State of Alaska Board of Game passed an intensive management program in attempt to halt the current decline in the Kenai Moose population. The question Alaskans should be asking is why the Service is refusing to follow the law set forth by congress and the purpose for which the Kenai National Wildlife Refuge was established? The Service policies are not perpetuating a significant moose population and by law they are required to.

Public Access: The KNWR provides many trails open to hiking, camping areas and extensive lake systems for canoeing. There are also many lakes with reasonable access open to fishing, which attract visitors and locals to these outdoor opportunities. However, there are only three gravel roads, all in GMU 15A, open to the public. Swanson River Road extends from the town of Sterling to the Swanson River, about 12 miles. The Swan Lake Road branches off the Swanson and is about 15 miles in length. The third road is Skilak Loop which is about 18 miles but is not maintained so it is not open during most winter months, and snow machines are not allowed on the road, even when closed. There is also a fourth gravel road in GMU 15A, Mystery Creek Road, that is open from mid-August to mid-October that should be open from May through October. Opening this road would provide additional access to recreate including camping, spring bear hunting and viewing wildlife.

Wildfire issues: In the past decade, the peninsula has witnessed several large wildfires, largely human caused. The Refuge, along with State, U.S. Forestry and other agencies have done an excellent job battling these threatening fires with minimum property loss but the communities of the peninsula are far from being protected. There have been “years of talk” but no action towards creating a fire break to help protect communities west of the Refuge. These fire breaks, if completed wisely, would serve another purpose in addition to wildfire protection. In addition to loss of habitat and high mortality due to predation on moose, about 200 moose are killed annually on local roads. As moose numbers dropped, animals killed by vehicles on roads have become a significant contribution to this decline plus high property loss and human injury, including fatalities. Clearing fire breaks, resulting in regeneration of moose browse, will attract moose away from highways. Due to the lack of wildfires in GMU 15A, the best moose habitat is currently along highways.

In Summary: Local Refuge staff should be directed in conservation minded efforts through habitat enhancement and a temporary reduction in predators to allow the moose population in GMU 15A, and the remainder of the Refuge, to begin recovery to a healthy level. This will only happen if the Service’s passive management policies driven by the preservationist ideology of “natural diversity and biological integrity” are removed. Restoring moose numbers will not only provide additional animals for locals to harvest but will provide moose for viewing and prey for predators.

The current passive management approach on Refuge managed lands controlled burns have resulted in not only an unhealthy wildlife situation but a dangerously critical environment in the event of a large wildfire. We have been very lucky during the last two major fires, one day our luck will run out.

Senator Murkowski has several times referred to Federal public lands as “open unless closed” whereas, the KNWR has clearly adopted a philosophy of “closed unless opened”.

Thank you

The CHAIRMAN. Thank you, Ted.

Well, thank you. There is lot of good information out on the table. We have got about an hour or so to have some further discussion and build out some of the topics that you have each raised.

Let's start with just, perhaps, a more specific focus on fire, because when you think about the economic impact of fire in a region like the peninsula here whether it is the impact on your tourism, you have folks that have a reservation to come down and go out fishing or go over to a cruise out of Seward and you are shut down because of smoke. You have the lost revenue that comes from cancellation of bookings. You have just the reality of that economic impact. But when you think about what it means beyond the actual fire itself, smoke in a region, perhaps temporary road closures.

When the habitat has been impacted, whether it is along our streams and that is impacting habitat where our fish are coming up or now have no place to really feel safe as they are moving in and out. Whether it's the impact to the land that creates the brows. The impact on our hunting and fishing and those opportunities well beyond the actual fire itself. The impact that you have when you have actual property loss.

We are going to start off with you, Chris, in terms of the road blocks that you see that prevent the various land management agencies from really dealing with the hazardous fuels reduction that we know has to take place in order to reduce the risk, to move forward with whether it is a level of timber harvesting, thinning or the fire breaks that we have talked about.

What is it that is holding us back? We have talked a little bit about having the appropriate resources, and we recognize that at the end of the day so much of this comes down to money. But we have also seen situations where, even if you had the money, you have regulatory road blocks. You have got to go through your various NEPA analysis before you can move forward with that road, with that fire break.

Talk to me a little bit about what we can do better to prevent these really significant fires that then have such consequential economic impacts to a region like the peninsula? What do we need to be doing resource wise, regulatory wise and just in the bigger picture?

Mr. MAISCH. Okay, thank you, Madam Chair. I'll do my best to—

The CHAIRMAN. I don't know, can you folks hear him in the back okay or do we need the mic? You are good? Okay.

Mr. MAISCH. You're good? Okay.

Well there's a quite a number of things we need to do to help address these issues, and a lot of it has been touched on here by the speakers today.

I would emphasize a couple of key points. I did make the point about the NEPA and the planning process, as you've heard from others about the whole planning process situation. And I would go back to the Funny River fuel break project. And I refer to these as fuel breaks. I know everyone here has been referring to these as fire breaks, and to a fire person there's no such thing as a fire break.

A fuel break is probably the term we like to use because even with a fuel break, fires on the Funny River Fire when that wildfire approached that we lit the burn out. We had a lot of spots that went all the way over that very large fuel break which we were able to catch because we could see them. We had access. We had aviation resources.

So I know what you mean when you say fire break, but it sends a false sense of security, I think, sometimes to the lay person that may not be familiar with it. They think there's a fire break there. It's not going to cross it. But that, unfortunately, is not the circumstance.

The CHAIRMAN. Okay.

Mr. MAISCH. So with that Funny River project one of the key things there is I know in some of the legislation that's put forward to help Federal agencies do a better job is categorical exclusions for certain projects.

The problem with most of the CX projects, as they're known, is that the treatment sizes are probably too small. They're really a postage stamp treatment in a landscape that needs a lot larger scale approach. And again, that particular fuel break is a pretty good example of that.

Our fire managers have talked a lot about the lands here on the Kenai. And we would really like to see a system of fuel breaks and a shaded, more complete, kind of, an in depth defense, if you would, between the Federal lands and the communities that are up against these Federal lands.

Because a lot of the fires, I keep looking at this map that's sitting right here that the Mayor has that shows the fire scars over the past years on the Kenai Peninsula. And a majority of them start on the Federal landscape and they spread, you know, to various portions of the peninsula.

So I think to help communities have at least a sense of comfort that we are aggressively doing something to treat fuels and to provide a reasonable chance of success should a fire start and we are trying to protect a community like happened with the Funny River situation.

The other aspect I noticed with Federal agencies is they have really lost, in many cases, capacity to actually do projects themselves. They have to rely on partners like the states. Good Neighbor authority is a good example of an authority that's help, to some degree in the country, with addressing projects that the Federal agencies can't perform themselves.

Again, the Funny River project was a good example where the state agency actually performed the work. The funding came through Federal sources, but that work also had to be done on private lands and rural lands which was good that the Borough and the private landowners stepped forward.

To my thinking that should have really been on the Federal side of the line where that project actually occurred. But we didn't do that because of some of the NEPA challenges that we would have had to have gone through. And in fact, if we would have tried to do a NEPA process, that fuel break would have never been put in place in time to serve the purpose that it did just two years ago.

The CHAIRMAN. Well of course, that is the great frustration here because the fire could care less whether this is Federal land or private land or State land. The expectation, I think, from the public is all those involved, Federal, State, local, tribal, whatever, wherever, whoever you are. It does not make any difference that we have some way to work collaboratively in the event of these disasters.

We talk a lot about interagency cooperation and collaboration. In your view, do we have some good examples?

I think many of us look to the Funny River Fire as an example where there was some pretty good coordination. If there is any grumbling about who was the most difficult partner? What I am hearing it is always the feds that were the more difficult partner.

So the question that I have is, again, and I appreciate what you are saying about making sure that we have got an opportunity for larger scale approaches with categorical exclusions, but how can we make sure that that Federal partner is not the one lagging behind?

Mr. MAISCH. Right, not an impediment.

Well I think on that point, you know, a landscape scale NEPA analysis would be one tool, potentially, to approach this. Where if you have to do NEPA, which we will if we're doing Federal projects on Federal land, at least clear a very large landscape so that you can tier multiple projects out of that one analysis so you're not continually doing additional NEPA each time you propose a project.

The CHAIRMAN. Right.

Mr. MAISCH. And there's some examples of that around the country where they're attempting to do that right now in Prince of Wales with a landscape scale analysis, in that case for timber sales as opposed to fuel mitigation work. And there's some other examples around the country where places have tried that approach.

I have to say that, really, the Kenai is a very good example where we've had a lot of good interagency cooperation. The Federal agencies have been the best, I think, that they can with the toolbox they currently have in place. Although, I do think they lost capacity in their ability to actually do these projects on the ground.

And that's worrisome. We see that both in the Forest Service, and we see that across a lot of the different Federal agencies. I think you alluded to some of that with your discussion about management on the refuge.

So I'm not quite sure what the answer to that particular point is, but that is definitely an observation from our point of view.

The CHAIRMAN. Let me ask, and I will tie the Mayor in on this because I think we recognize that there is a host of different things that can make the threat of fire be even more daunting. One is just not managing, but when you have an epidemic like we had with the spruce bark beetle some years ago, you could see that coming. You could see that coming and you knew that we were going to be paying for this with a lightning strike that was just placed in the wrong spot or somebody who is out in the woods and was being a little bit careless.

We can pray for cool, wet weather, but that is not a very good policy, really, when we are talking about how we can improve forest health. So when it comes to limiting the damage that we can see from something like a spruce bark beetle, and I understand

that we are actually looking at a new, it's not a beetle coming in, it is some kind of an aphid, and it is causing the needles to literally turn brown and drop to the ground. We all know that you light that on fire and it is just like popcorn going off. I am not one who thinks that we are out of the woods when we think about the impact of insects and how they are, again, adding more tinder to the forest floor. Outside of, perhaps, spring, which I do not know that this is possible, how can we work better, and again more collaboratively and smarter, in dealing with some of these forest health issues?

Mayor, I am going to put you on the spot on this one because you have talked a lot in your testimony about what \$20 million in Federal dollars did to help reduce fire hazards. I want to know what you think we can do in the Borough to help continue to reduce the risk of wildfire.

I am going to throw this one at you because we learned just last week there was a call from one of my staff to the Forest Service Washington Office. We were told that there were not any projects needed on the Kenai because outside of 2014 the forest areas in the Chugach seem quite healthy to them.

Now what do you do with that when everybody says, okay, you guys are doing just fine, so we do not think you need any more resources from within Forest Service budget.

I am throwing it out there to both of you in terms of what can we do more on the preventive side whether it is working now to work on things like fuel breaks, the larger scale approaches. But what do you do when everybody thinks that we are "healthy" right now?

Mr. NAVARRE. Well you could put a rider in a piece of legislation and—

[Laughter.]

The CHAIRMAN. There you go.

Mr. NAVARRE. You know, I guess from my perspective it does boil down to resources.

The CHAIRMAN. Take the mic there.

Mr. NAVARRE. Including the aerial photography so that we can do some vegetative mapping, so that we know what the resources are.

One of the things about the Funny River Fire that was interesting was that the live trees were far more volatile than the dead trees were. And I didn't know that, that the black spruce were going off like crazy and identifying where the various fuel sources are and then on Federal land, having some ability. The NEPA process is slow, cumbersome and expensive.

I know it has to be done, but there's got to be something that recognizes what happens more predominantly in Alaska than anywhere else in the country and that is with all of the Federal lands that we have, the urban/rural interface is wildland urban interface, it's all over the place. And when we see these fires start on Federal lands and they don't recognize boundaries. They move, they can move very, very quickly and when we end up with a huge disaster everybody is going to be pointing to the reasons why it shouldn't have happened and that somebody should have done something.

So I think a collaborative process that's facilitated between Federal, all of the various interest groups, that would allow for putting a plan together that could, maybe even as a Kenai Peninsula, we'd be happy to do it as demonstration project to show why it's important to create an ability to move a little bit quicker than is allowed for now.

I think one of the things that is sometimes frustrating, well I know it's frustrating for a lot of people, whether it's users, hunters, fishers or with Federal entities is we get, I guess we get the response that it can't be done. Oftentimes what it takes is folks who are willing, and I think the managers have been willing to say, wait a minute. Instead of it can't be done, how can we do it and what are the impediments to responsible management of all of the land including all of the Federal lands? So again, it boils down to resources to do some of the mapping and the aerial photography on a continuing basis. It takes—

The CHAIRMAN. How far along are we in the mapping would you say percentage wise?

Mr. NAVARRE. We have a great system at the Kenai Peninsula. We are constantly trying to update it. I think the last photography that we have now is 2012. So we need some additional resources in order to do some over flights again.

And the reason we do aerial photography instead of satellite photography is that it, aerial photography, can be shared. There's no impediment against or there's no restriction on its use whereas with satellite imagery it's—there's more restrictions on it.

So, either remove the restrictions on satellite and then we could utilize that or else the aerial photography is the way to go and it allows us to do high resolution where we can see the vegetative map and we can identify where the changes are in the landscapes. We can see where the high fuel sources are and where the, I guess, where the changes are happening.

And then, as importantly, using that information in order to put together a responsible management plan.

The CHAIRMAN. Chris, what would you add to that?

Mr. MAISCH. I think I'd add a few things.

One in particular, a lot of the Federal agencies are really focused on restoration of various ecosystems around the country including in the Tongass it's focused on restoration of mostly salmon habitat. In the far south it's long leaf pine. You can go around the country and there's different restoration efforts. And it's always perplexed me that on the Chugach we don't actually have a restoration effort or at least an active restoration effort.

The CHAIRMAN. Have we ever?

Mr. MAISCH. We established forests that were destroyed as part of the bark beetle outbreaks in the 80's and 90's. There's been some activity, mostly on private lands and some state public lands, but not a lot on Forest Service lands.

As you know the current forest plan is being revised for the Chugach, and it's the one national forest, that I'm aware of in the country, that does not have an allowable cut in it. And to my way of thinking, you have to manage that resource and have the ability to have some timber harvest to help restore the forest to a healthy state.

So, I think a lot more could be done with the Forest Service in terms of approaching restoration of this habitat. We have grasslands that have established themselves that several speakers have mentioned. That's a really difficult fuel type forest because it's very light and flashy. It dries out quick, presents a whole new level of danger for firefighters, and it's also very difficult to reestablish trees once that grass type has established itself. It's very difficult to deal with that.

So it won't be an easy task, but it's one of the things, I think, that has to occur through this collaborative process the Mayor has talked about. It's got to be all landowners. It's not just the Federal landowners, but they're really a key because of the amount of ownership they have here.

So—

The CHAIRMAN. Before we move off fire, I am going to ask the question that everybody wants to ask you which is what is the fire outlook for the Kenai Peninsula?

Mr. MAISCH. Well, it was, for the first three months of the season, so that's April, May, June, predictive services which is our intelligence part of the fire operations up at the Alaska Interagency Coordination Center looks at indexes around the area, long-term climate issues, a whole variety of things. And for the Kenai and the Mat Valley through the end of June, it's a higher than average risk factor. And we've seen that already with a number of starts that we've had in both the Mat-Su and the Kenai, it's still really dry out there.

As the Senator mentioned, we've had several carry over fires. One, a couple from the 2014 fire which is very unusual. Typically, in a year we have maybe one or two carryovers statewide. We've had 14 already this year statewide.

So that just is a reflection of less snowfall over a lot of the state, a lot drier fuels. We've also had about 200 fires to date statewide which is about on track for a normal season, as we would call that. But a normal season means almost two million acres are going to burn in the state.

We've had very light lightning activity so far, but where we've had lightning activity, which is mainly out in McGrath, we've had fire starts from that lightning. I think we had three lightning starts over the holiday weekend here.

So that does cause me some concern that as we enter lightning season which is June, we could see significant starts from lightning statewide. Really, the next three weeks will tell us how we're going to fair with that lightning part of it.

To date, out of those 200 fires I mentioned, only eight of those are lightning-caused. All the rest have been human-caused. So technically all of those fires would be preventable.

So that's really one of our key places that we feel like we can make a bigger difference is on prevention, and that's why I stressed some of that in my comments earlier.

So—

The CHAIRMAN. Yes.

Mr. MAISCH. Let's hope it's a less than normal season. It will be perfectly acceptable to me.

But 2004 was the tipping point for this state. We went from burning about 800,000 acres a year to now almost two million acres a year on average. So I think due to long-term climate issues we have definitely seen a big change in the amount of fire on the landscape and the length of the season.

So——

The CHAIRMAN. Yes, and again, praying for cool, wet weather is really not a policy that you can bank on. Yet it seems that sometimes that is what we are waiting for, or if you have got a fire underway, we are just going to pray that the wind changes and that is going to be our answer. We have much that we need to be on alert for.

Let me move just a little bit and talk to you, Cindy and to Ricky and Ted, on where we are right now with our Federal agencies, whether it is Forest Service or otherwise, in terms of some of the permits that our folks need whether you are an outfitter, whether you are seeking to bring skiers up for a great heli-ski adventure. We are hearing some real dissatisfaction about the timeliness of getting these permits issued. We are hearing that the Forest Service has again limited or perhaps not opened up these general solicitations for some of the concessions. So can you give me a little more insight?

You have spoken specifically, Cindy, to the Silverton Mountain Guides and their efforts, but are you hearing from others in the Seward tourism business about the permitting or application process for either conducting tours in the Kenai Fjords National Park or in the waters around Prince of Wales or Prince William Sound? Is this just limited to Forest Service? How difficult is it across other Federal agencies?

Ms. CLOCK. Well as everyone probably knows Kenai Fjords National Park really put Seward on the map in the middle 80's, and there are lodges and other concessionaires that work. It seems to be a fairly easy process for them to work inside the national park.

The CHAIRMAN. Through the Park Service?

Ms. CLOCK. Yes, through the Park Service.

As far as with the heli-skiing, it may not be new to some parts of Alaska but it is new to this area. And I think, maybe, the Forest Service does need to just, maybe, change philosophy or undergo a little paradigm shift where they shouldn't have to go out and solicit for vendors. It should be an open permitting process to where, I mean, why would they go out and seek people to bring heli-skiers up into the Chugach? It seems a little backward.

So it's not even that they wouldn't grant the permit. It's that they, well, we didn't ask you to apply. So we're not even going to consider it. That was some of the communications that I got a hold of through a letter to Ms. Blackwell.

So it just, it seems not very conducive at all to economic development. I know that it doesn't seem like a big deal to bring 24 extra people to Seward each week in the winter time, but it really is.

So that's—I don't have a lot of experience about other guides and outfitters asking for permits. Right now it's just the heli-skiing.

The CHAIRMAN. Okay.

Ms. CLOCK. Yeah.

The CHAIRMAN. Yes.

Ricky, did you want to weigh in?

Mr. GEASE. Yeah, I just wanted to talk about two things.

One is I want to say that the process of the Kenai National Wildlife Refuge has for upper river Kenai River guides in place is a good process. It's concessionaire based. It's not a transferable permit so whoever has the most amount of money gets permitted. It's actually based on qualifications, experience, and I think that's a great process to follow and I want to give kudos to them for that.

You were talking about the Chugach National Forest. One of the things that concessionaires need to be able to make use of is infrastructure, and in Western Prince William Sound there's been a wilderness study for 20 some years now. It's one of the slow, slower moving studies that we have in the Federal Government, and that's preventing public use cabins from being installed in Western Prince William Sound that people, whether it's the members of the general public or concessionaires, can sign up and make use of.

I was a park ranger for Kenai Fjords National Park for six years during the 1990's, and for the first three years it was no and hell no are we ever going to have public use cabins on the Outer Kenai Fjords. And then suddenly there was a rider from Senator Stevens and voila, we had four public use cabins out on the Outer Kenai Fjords.

The original mindset of the regulators of the superintendent at the park was it's just not acceptable to have infrastructure, public infrastructure, on this outer, wilderness "areas." And it's probably one of the best things that the park has done.

The CHAIRMAN. Yes.

Mr. GEASE. It allows visitors a safe and secure environment to enjoy the wilderness experience. And if you don't have people out experiencing wilderness not everybody is going to be out there, you know, in their tent in rainfall and with populations of bears, whether black bears or brown bears. People want to feel those safe and secure environments, and I think public use cabins are just one of the ways to increase that opportunity and access into wilderness or remote areas that are on Federal lands.

The CHAIRMAN. Is some of what we are seeing necessarily regional but with the ease of either getting a permit or just working through some of the one size fits all regulations that we deal with as you have Federal agencies? Does it depend on who your refuge manager is? Who is the district manager is? Does it get as, I guess, parochial as that? Sometimes it is good and sometimes it is bad depending on who we have assigned to the region?

Mr. GEASE. I think it does. I think people at the end of the day, people in positions are doing their jobs and if they have experience and they understand, I think, kind of, why Federal lands are so important for tourism, outdoor recreation, hunting and fishing. And you have regulators who are welcoming of the public on Federal lands instead of an us versus them. We want to limit access. We don't want you to go there.

But say no, we welcome you. We want you to visit these lands in a safe, secure, accessible, meaningful manner. I think that makes a lot of difference. I think at times you, kind of, flip flop through philosophies that, kind of, filter and trickle down through

the government and some of it or people saying that we don't want people on public lands and other ones are very welcoming.

It's like going to DMV. I mean, is that going to be a great customer experience or really crappy customer experience? I think you've got both of those type of personnel and philosophies within the Federal Government.

And from my experience on the Kenai Peninsula, I really look with respect and admiration to those Federal officials that have a welcoming approach to people accessing in a meaningful way. For example, if you go up to Exit Glacier. For many years it was a really crappy—I'm just going to be brutally honest. It was a rock road, gravel road going out there that would get wash boarded. And somehow some people at the national park thought that if you struggled to get to the wilderness, somehow seeing Exit Glacier was going to be a more meaningful experience for you which I thought was a bunch of caa caa. I mean really, it was just a stupid way.

And then once again, Senator Stevens got involved, I think, and then the funding got in to pay for Exit Glacier and put in a meaningful parking lot and so people aren't jammed on each other and parking on the sides of the roads because it's a popular destination. At the end of the day people were out there and said, wow, this isn't so bad after all. It's nice to have a road to go visit one of our beauties of our national parks, and to see a crown jewel and to be able to walk up and see a glacier.

I mean, so there's differences in philosophies. And I think that one of the things on public lands is an approach, whether you're somebody who is getting a guided experience or on your own, is to have a welcoming experience from the Federal Government on Federal lands as a citizen of this country and from people all over the world to say, you're welcome to come here and we've provided the infrastructure and access for you to have a great experience. People come to this peninsula because they can experience some of the best days of their life on this peninsula on Federal lands.

That's how great this area is. That's why it's so popular. You talk to anybody and they're like, wow, I've never experienced that. I've never seen a glacier. I've never hooked a king salmon, never had halibut, never seen whales. Wherever they go across this peninsula you can have the best day of your life.

I think it should be yes, protection is important. But we can also do it in a way that we provide meaningful opportunity for people who are visiting here.

The CHAIRMAN. Well that is a great advertisement for the Visitor's Center here on the peninsula. We appreciate that, and I think you are right. You can have one of your best days here.

One of the things that I hear from Alaskans, though, is a frustration that Forest Service is different than BLM, is different than Park Service, is different than Fish and Wildlife Service. It is not unlike what we were talking about earlier when you were talking about fire. Fire knows no boundaries there. It does not care whose land it is tearing across. But when we talk about access and public lands being public, what I hear a lot of is that well, it means different things if you are on Forest Service lands than it does for instance on Park Service lands.

Some of what we saw back when the Federal Government was closed for that period of time. Ricky, you will have to refresh my memory on this, but there was some concern that if you put in on the Upper Kenai and you are drifting down the Kenai, and you move from basically the parts of the river that are surrounded by refuge versus coming through into non-refuge areas, you are subject to different rules, different interpretations, a little bit different example than what I am talking about between the various public or Federal agencies.

This is something that, as I am talking to folks, there is a degree of frustration that they do not see a level of consistency in terms of how we would define access for whether it is the hunter or whether it is the person who is just going out hiking, and they want a level of consistency there.

Ted?

Mr. SPRAKER. Senator, I'd like to offer a very clear example of that from the hunter's aspect.

If you would like to hunt in Unit 7, which is U.S. Forest Service land, and would like to harvest a bear using bait, you're allowed to do it. There's no real restrictions. It's pretty much wide open. I have participated in some of the orientation programs with the Department of Fish and Game and the refuge and U.S. Forest Service and so forth, and they actually encourage people to come to Unit 7 and take bears. They also allow them to take brown bears over bait which is a real controversy over on this side on the refuge.

Now the refuge has, I think, a very well thought out plan, although it's very restrictive. They only allow the taking of bears using bait as a method in a very small portion of 15A, and they do not allow the taking of brown bears. So that focuses the effort.

If you want to take brown bear on the state land or the U.S. Forest Service land, there's a real inconsistency in those two. I know from talking to hunters it seems like that should be a simple fix. The refuge should allow the taking of bears because this is a difficult place to hunt bears because of the dense vegetation, and the use of bait is a very successful method.

It's also been proven that hunters can be very selective. And one of the management tools on harvesting bears is to not allow hunters to take too many of the adult females. That works really well if you have a bait station you could take your time and you can avoid taking females, and it's been shown that it works.

So that's an inconsistency between Federal agencies that I wish we could address. It would provide for a lot more opportunity for hunters, and it would reduce some of the confusion that hunters deal with, with regulations.

Because you mentioned floating down the river, it's the same thing here. If you go on state land it's one regulation, you go on Federal land it switches, and it's always confusing.

The CHAIRMAN. Let me continue with you, Ted, just relating to the hunting impacts of these Fish and Wildlife proposed regulatory changes.

I certainly share many of the concerns that you have raised. We had a witness from Safari Club International speak before our Committee back in December when we had a hearing on ANILCA. She mentioned at that time that these proposed regs, in her view,

amounted to a takeover of our state's authority over wildlife management. The concern was that while this is happening in Alaska and clearly very state specific, the issue that she was raising was a fear that this could set the stage for similar actions in the State of Alaska. This was not just looking at regulations in Alaska and the impact there on the ground but again, this move by an agency to really insert itself into the regulation, the management, of hunting that would otherwise be left to the states. Can you comment on that?

Mr. SPRAKER. I certainly can, but I can't add much more to it other than the fact that of the proposed rules and the bite on everything else that's going on these days, one of the things that as a, you know, long time avid hunter living in Alaska, that's really frightening to me is that the authority that the state has exercised for years in management of our game is slowly being, not slowly, it's rapidly being taken over by the Federal system.

And what is threatening to me is the process that they're using. They no longer go to the state agencies and try to work with those and compromise with those. It seems like what we're hearing and seeing more of is Federal agencies can make a ruling. For instance, the brown bear being on the Kenai. That's a value judgment. It has nothing to do with biology, good, sound science. We have quotas for those bears, we reach the quotas, and the state shuts the season down.

The refuge came in a couple years ago and closed the brown bear hunting on all the refuge. Everything else was open but they had the authority to do that, and that's the frightening thing to me is I see this moving rapidly throughout the Federal system, to usurp the authority of the state to manage our wildlife. That's the threatening part to us.

The CHAIRMAN. If that happens and we see that, kind of, play out on the Peninsula, the impact to access to the lands, the impact to the people, the businesses, the local economy going forward, is effectively shutting things down.

Mr. SPRAKER. Yes.

The CHAIRMAN. Let me ask, again, when we think about the economy here on the peninsula, so much of it is tied to our outdoor spaces. It is our opportunity to fish, to recreate, to hunt, to hike, to really take advantage of our lands. Again, when you think about how we care for the lands, the impact that we have seen because of fire has been something that has had negative impact to us.

From your perspective, and I am going to throw it out to all of you here, and again, I am asking you to look at this from the Federal lands because that is what we are trying to put on the record here, what do we need to be doing? What should we be doing to promote a healthier economy here on the Kenai Peninsula and from the perspective of whether it is regulation?

Ricky, I will go back to your example of the proposal that we are dealing with just for access into the peninsula and our highway system and the fact that we have got some road blocks that keep people from perhaps making that decision as to whether or not they are going to come down to the peninsula at all because it is going to be a nice weekend and the road is going to be choked up and how we deal with that?

What else can we be doing to promote the economic health of this peninsula?

I am going broader than our hearing agenda here so you probably have not prepared for it, but this is my opportunity to figure out what else it is that we need to do to make a difference?

Go ahead.

Mr. GEASE. I think it's just important on Federal lands to realize the importance of tourism on the Kenai Peninsula. Kenai National Wildlife Refuge generates the third highest amount of revenues of any refuges across the United States. The other two, the top two, are locations on the Mississippi River. They get millions of visitors.

We probably get a million visitors on the Kenai Peninsula, probably, hundreds of thousands do visit the Kenai National Wildlife Refuge, and just their footprint here has a lot of economic value.

So on that broad sense, I think, just generalized training, more interagency cooperation. When I was a park ranger we had interpreters who were the front line of interaction between visitors on the peninsula. We had seasonal trainings for all the agencies. It didn't matter if you were with the wildlife refuge or with the Park Service, with the Forest Service, or State parks, we all worked together, cooperatively, in interagency, kind of, trainings. I think to see of more of that and the continuation of that is important.

There's also sometimes some really small regulations that prevent business and prevent commerce.

We look at sea otters. There was an article in the Alaska Dispatch recently about why is the sea life center getting inundated with sea otter pups? Well because protection of sea otters has been wildly successful. [Laughter.]

The CHAIRMAN. Yes.

Mr. GEASE. We're over the carrying capacity for sea otters. It just makes sense that sea otters, you know, they're very abundant now and some of them are getting lost because there's no suitable habitat there. If you go to Cordova or Southeast Alaska, if you see sea otters in the harbors, they're skin and bones.

They're eating themselves out of house and home. In our commercial fisheries in Southeast Alaska and Eastern Prince William Sound, the crab populations are collapsing and we no longer have viable, commercial fisheries because there's too many sea otters.

Well, the U.S. Fish and Wildlife Service has a regulation saying that the only people who can hunt sea otters by Federal law is Alaska Natives.

Okay, well, that tribe is a tribe because it works cooperatively within the framework of a tribe. But these regulations say that you have to be the single person, an individual can only hunt and then transform a sea otter pelt into something of artwork. There can be no barter between members within a tribe. There can be no barter between a husband and wife.

There have been people who have been convicted of saying well the husband goes and hunts the sea otter and the wife preps it. Well, sorry, can't do that. That's illogical. That prevents business.

I mean, the first eight years of Alaska under Russian colonialism was based on sea otter furs and trade. It's a very valuable commodity that could be enumerable amounts of money could be generated for Alaska Natives as to go out and hunt. If they were al-

lowed to barter with other members of the Alaska Native community, whether it's within a tribe or between tribes, to then transform that into pieces of artwork that could be sold to tourists here or could be exported. It'd be very, very lucrative. But because of that one regulatory restriction that says, an individual must go out, kill the sea otter and then switch hats and become an artist. Well, how many people here are expert marksmen and expert artists?

The CHAIRMAN. I am. [Laughter.] I am just kidding, just kidding.

Mr. GEASE. But you're not Native Alaskan.

The CHAIRMAN. No, so moot.

Mr. GEASE. I mean, traditionally there's separations of work in tribes just like there are in any other communities, and yet we fail to recognize that at a basic level of providing access to a resource. And then we wonder why? Why are there so many sea otters? Wow, the sea life center is going to go broke trying to take care of all these sea otters. Well they're not endangered any more.

The CHAIRMAN. That is good.

Mayor, what are you hearing from your constituents because they are coming to me and they are saying Forest Service is cracking down on activity as a small miner. We mentioned the concessions, and Fish and Wildlife imposing these new regs. If I am hearing them I have to figure that you are hearing them. What else are you hearing that perhaps has not gotten to me?

Mr. NAVARRE. You know, I guess what I would—my observation is that despite all of the complaints and sometimes angst, it's focused. Those are focused oftentimes on specific incidents or rules or regs that come out that create a hot button issue at the time. By and large it's been working pretty well here on the Kenai Peninsula.

The CHAIRMAN. Good.

Mr. NAVARRE. I say by and large. There's problem areas, and I do hear about those.

From an economic standpoint, visitor industry is critical to the Kenai Peninsula. You know, we're a microcosm of Alaska and have, probably, the most diverse economy in the state, without, I think, without question.

One of the things you pointed out earlier that I want to focus a little bit on is you mentioned the changing landscape when there is a huge fire. That is important because oftentimes after the resources are immobilized and they are incredible. It's an incredible process to watch when there is a fire incident how many resources and how much expertise is brought to bear in order to combat the fire, to protect life and safety and infrastructure.

But it gears down just as quickly. Boy, when it's over they pack up and they are gone, and what's left is the scars on the landscape.

And with climate change and warming temperatures, I'm sure, which mean that oftentimes we're already seeing impacts to habitat. You know, one of the things that we've talked about is streams warming and waters warming and what that does to the habitat for salmon, the resources that we rely on. And when you have the scars from a forest fire that denude, you know, right up to the water's edge, that has ongoing impacts. While it will regenerate over time, the reforestation efforts in those situations are critically important.

So, the followup, oftentimes, I mean, we get the resources when there is an incident. What we often don't get is the resources before and after that are as critical and as important as during the incident.

The CHAIRMAN. Well, you do not have the resources and then again, you have people that are looking at an area and saying well, really? Do I want to go down and camp in an area where there are no trees anymore? It used to be a nice campground area. It used to be a nice place to go fish, and they do not come back. They do not come back.

Cindy, did you want to jump in there?

Ms. CLOCK. Well I just wanted to say, to get back earlier to what you were saying about, you know, what could we do to help economic development?

Wouldn't it be great to like, just sit down at a table together with the United States Forest Service, with the Park Service, with maybe the Mayor of Seward, maybe the Mayor of the Borough, whatever community we're going to talk about and, sort of, hash out the issues right there? And so, that would be my preferred way to move forward as face to face conversations.

The CHAIRMAN. I think that is what the Mayor refers to as adaptive management. [Laughter.] I am looking forward to how you tailor these policies to a changing landscape, to social concerns, to just trying to think beyond where we are today.

I think, oftentimes, the way our regulatory process works, both State and Federal, sometimes the regulatory process does not allow for a more nimble management. It is where it is today and it is going to be that way tomorrow and perhaps next year unless we force those changes.

I am just going back and looking through some of the things that I wanted to make sure that I got on the table, and I wanted to go back to you, Ted, regarding these regulations, these proposed regs on refuges.

It was about ten days or so ago now I sent a letter to the Office of Information Regulatory Affairs within OMB. We argued in that letter that Fish and Wildlife's management regs should be returned to the agency for more analysis because the true economic impact of these regulations had not been sufficiently captured.

As you know, because you are very engaged in this, the letter that the delegation had sent initially to Director Ashe was one where they made clear in their regulation that this is not going to have any impact on subsistence. These regulations would not have impact on subsistence.

So we sent a letter back to OMB saying, you have got to relook at this because you have not looked at the economic impact. These regulations, we believe, will impact subsistence which is, of course, economically critical to so many.

I would like you to just comment on whether or not you would concur that even though these regulations specifically say this is not going to impact subsistence, when you manage in an area or you regulate in one area, again, your wildlife that is within the area does not pay any attention to whether or not you are a Federal manager or state manager. It does not know where the boundaries are and does not really care what regulations we put in place.

Can you just comment on the subsistence aspect of what we raised in our letter?

Mr. SPRAKER. Yes, Senator, I'll attempt that one.

There's no question that these new rules are going to impact subsistence. And we've talked a lot, several testifiers have talked a lot, about proper management. There sometimes is a need for reducing numbers of predators and so forth, the impact of predation. What happened? And I already briefly mentioned the Western Arctic Caribou.

The CHAIRMAN. Right.

Mr. SPRAKER. I think that's going to be the real, the proof is going to be in the pudding there because if we're not allowed we—as in Alaskan hunters, Department of Fish and Game and the Federal agencies—if we're not all allowed to address that in some proper manner to increase that herd of caribou there's no place in the state where subsistence, I think, is so vital for food security other than the Western Arctic Caribou.

Local residents kill between 12,000 and 14,000 caribou annually. They don't kill them for the antlers. They don't mount the heads. They take the meat. That's going to be the real question, I think, in analysis when that plays out in the Western Arctic it's what happens here.

You know, we're all looking forward to a count this summer. We're hoping that count comes in higher. Some of the basic parameters of game management are looking a little more positive for it. But if they go the other direction and if falls below 200,000 animals, subsistence is going to be impacted because I don't think we're going to be able to do the proper sort of management that's necessary, and that is predator control. I don't want to mince words about it.

The way to address that is not habitat enhancement and we can't do anything with the climate or anything addressed there, but the one thing that we can do is we can reduce the impact from predators. I'm talking about wolves.

The other thing that's involved there, and this is going to be really interesting, is that I made a comment about trappers who are saddled with a bunch of regulations here. Trappers have never been able to reduce predators to any sort of a level that will benefit a prey population. There's only been one case in Alaska in the 40-mile herd where they came fairly close and it was short lived.

If you want to do effective predator control it has to be over a long period of time. You want to keep a base number of predators in there. You don't want to take them all out, but you have to reduce them over a long period of time to release the prey population and let them build.

Again, those questions are going to be asked on this Western Arctic, and with all these new rules in place it's really going to be interesting to see which side of the line the Federal guys fall on.

The CHAIRMAN. Ricky?

Mr. GEASE. On this specific issue I would just point to the record of the Federal Subsistence Board. Every Regional Advisory Council wrote in opposition to the National Park Service and U.S. Fish and Wildlife regulations. Those are rural residents, qualified rural resident users, for the most part, and the overwhelming testimony, I

think, in feeling the people was yes, we may be qualified rural subsistence users, but we also make use of the non-subsistence Federal lands and also the state lands for hunting and fishing.

It's telling that the core regulatory body within the Federal system, made up of primarily subsistence users, said no, we don't like these regulations. That's a very telling testimony, in my opinion.

The CHAIRMAN. We are going to wrap up the panel here. I am going to give you one last opportunity to put on the record what you think we may have overlooked or something that you need to amplify, recognizing that what we were trying to do today was to effectively review the management of our national forests, of our public lands and what we can be doing together, cooperatively, to make them healthier, to make them more productive, for the people who live here as well as attractive for the people who we want to bring up here, who will help us with our local economy, whether it is enhancing our tourism opportunities, whether it is guiding, whether it is for recreation for hunting, for fishing.

Chris, is there anything that we need to amplify or supplement for the record, certainly from the perspective of making sure that our forests are healthy? You have brought that perspective to the panel today, and I appreciate that. But if you would like to add anything further to that and specifically we will look forward to further analysis of this draft proposal that we have put out there. As you know, we are still working to build that out and to work on a final draft, final legislation.

Mr. MAISCH. Yeah, thanks for the opportunity.

I think that it's a great start and there's a lot of good things in it, and I think we can help them make improvements. So, we'd be looking forward to commenting further.

I think what I wanted to comment on I think we've covered fairly well that we understand we need to try to get ahead of the problem and there's many facets of them.

And one of those is having these Federal landscapes support the communities and the residents that live in this landscape and around the landscape. It's very important that we have economic activity to allow us to prosper, and that's been something we've been working in particular on in the Tongass very earnestly for quite a number of years. The Tongass Advisory Committee and that of the Tongass Transition Collaborative are really holding the Federal agencies feet to the fire that when they come up with a planning direction, which they do pretty regularly on all these landscapes, that they actually follow through, that they actually implement what they say they're going to do and that we hold them accountable for what they say they're going to do.

That's been a real focus on the Tongass, in particular, about the timber situation and how dependent the economies in South East Alaska are on that particular resource. It's been a real frustration for many but that landscape has not been able to produce the renewable resource that it has in sufficient quantities to maintain a viable timber industry, so we've been working very hard out there trying to work with the Federal agencies to come up with new ways to engage them, to get them involved with the communities, to really get them to feel that they have an important role to support these towns and citizens.

And it's a real mind shift, I think, for some of the agencies to start thinking that way.

The CHAIRMAN. Right.

Mr. MAISCH. And it's not an easy shift. We call it a cultural change within the agencies. The recommendations the Tongass Advisory Committee made, only about a third of those will actually go into the management plan that they're amending. Two-thirds of the recommendations we made have to be things that we do to this transition process to ensure that they're held accountable for what they say they're going to do.

So anyways, new ways of collaboration. Collaboration is not an easy thing to do. It's been very difficult, and it takes a lot of time and energy. But if people commit to it, I think it can result in, you know, better days for all of us.

So, that's what I—

The CHAIRMAN. I appreciate that, and I appreciate what you have said about the Tongass and recognizing that it is different in the Tongass now than when I was a kid growing up and living in that region. But when we talk about a transition to a second growth and what that means, we need to understand what it is that we have so that we know that a transition is workable within the time that Forest Service believes it is.

We have been pretty adamant that we understand our inventory first, and I think Mayor, that is some of what you suggested in your comments here was that to be better prepared let's know where our trouble spots are. Let's make sure that we have got the aerial mapping. Let's make sure that we know what we might want to do. It is, kind of, an inventory of our assets here. So are there other things that we need to know?

Mr. NAVARRE. You know, I think a collaborative effort in which we just continue to communicate because there are conflicts between the different managers at the State and Federal levels and as you know, the different agencies.

So good communication and you know, maybe even, as I mentioned, a facilitated process where you can identify what the impediments are to management instead of identifying what reasons, what things can't be done, identify what needs to happen and then figure out how you accomplish that in a way that allows for it to be done in a little bit more efficient manner so that you can make sure that we protect long-term both access to the economies that go with our natural resources that we have up in Alaska and on the Kenai Peninsula.

And I want to thank you again, Senator, for bringing the Committee to the Kenai Peninsula and to Alaska for these hearings.

The CHAIRMAN. Thank you.

Cindy?

Ms. CLOCK. Well, Okay.

So Chris mentioned that really scary word, change. We may all need to go to some workshops to learn how to deal with change, but I definitely believe in a proactive approach to the world instead of reactive, so that would be awesome.

The other thing that I just brought to mind when the Mayor was speaking was strategic doing. We ask three questions. The first one is if we could do anything at all, you know, what would we do?

Then the second one is well, okay, but now let's narrow it down and what can we do? Then the final, nitty gritty question was what will we do? So I think once we get to that question some awesome things will happen.

Thank you, again.

The CHAIRMAN. Thank you, Cindy.

Ms. CLOCK. Thank you for facilitating the conversation, and I appreciate being part of it.

The CHAIRMAN. Thank you.

Ricky?

Mr. GEASE. A couple things.

One is, I'll hammer the point, the first point I made about Cooper Landing bypass and the thing about wilderness.

I mean, you've had your own share of battles with the concept of wilderness in Alaska. But I really think this is an amazing example where you have an Alaska Native Regional Corporation and you have an Alaska Native Tribe who both oppose going through their culturally sensitive lands. They're both, kind of, timid on going up against wilderness designation even though the lands that the Alaska Regional Corporation holds on the Kiwi River, are our important brown bear habitat, important king salmon habitat. It would be a great trade to put into the Kenai National Wildlife Refuge.

We're timid, and we won't trade it for 80 acres on a rocky mountain hillside so we can put a highway through. That makes the most sense.

That that to me just, it's mind boggling to me why we're going to put another bridge across the Kenai River, where it will end up behind the Princess Lodge. We're going to come down on the 45 mile an hour stretch. Then they're going to go through the S turns, and you know, ramble along the Kenai for five miles when it could, just as easily, been bypassed and have the whole highway go outside the Kenai River and the ability to have an accident.

Again, that's another one where it's not a question of when. We've already had trucks come in to the Kenai River. Anybody who goes driving between Kenai and Anchorage at nighttime understands the amount of truck traffic, of double trailer, truck traffic. It keeps our stores alive. It keeps the economy moving and stuff. But such a basic access and infrastructure need and we're being cow towed by our own limitations of the concept of wilderness. And it's just amazing to me.

The second thing I would say is that in terms of fishery's research there's no greater balkanization, I think, of research fisheries. We have fresh water. We have salt water. We have U.S. Fish and Wildlife. We have nymphs. We have ADF and G. We have universities. We have industry. We have NGO's. And it would be very, very helpful to have some sort of coordinated research in pink salmon because they go into everywhere basically, State waters, Federal waters, fresh water, salt water, and somehow get all the research embedded into a technological format that you can start understanding the limitations on where we have these bottleneck productivity for king salmon and other species in the North Pacific.

It's a big area where we have changing climates. We have changing productivity. It's cyclical. Sometimes we have booms and some-

times we have busts, and to get a better understanding of that I went to Stanford prior to the biotech revolution and was, you know, we were still using the lots of crit DNA models and getting graduate studies and——

When you come back 20 years later it's like, well this is the genome of the human, and this is the genome of a brown bear, and this is the genome of the sockeye salmon, and here's our genetic testing labs.

For whatever reason in terms of fishery's research we have not utilized technology and information to the extent that we can visualize what's happening in the ocean to the extent that we can.

It comes back to information technology whether it's mapping, seeing these different areas. Where we can do here, where we can go there, where we can be strategic? That's visual information.

And in terms of visual information for fisheries, we're a long way. And I hope we come back 20, 30 years from now, we can visually go into areas and see hey, this is what's happening out in the Pacific. We have visuals.

We think we can have a virtual reality where we're swimming along and oh, this is the bottleneck because there's no—there's none of this feeding group at this ecological level. I hope we build in the systems that can do that, take advantage of these new technologies that are coming out.

We would never have the advances in medicine if biology never embraced technology. I think in our fishery's research we need to make that same jump and really get an advance in using that so that we can see systems that we can't see just by themselves.

The CHAIRMAN. Okay, good suggestions.

Ted?

Mr. SPRAKER. Well, the last main comment that I want to make is I would hope that your Committee will take a very serious look at this new ideology. I think it's clearly a preservationist approach to wildlife management. And in terms of natural diversity and wildlife with integrity I think it's going to just stop all management on wildlife refuges.

You know, a refuge is not a national park. You know, it's here to use and it's here. And I think if we, we were talking earlier about the revenue. If we could bring some of the 3,500 plus hunters that used to call the Kenai their area for hunting, bring them back here, it would be a huge increase in revenue.

In the early 70's, 80's, we used to have check stations on the Swans River Road because there was so many hunters. Today you go to those same roads on the opening day of moose season and you can't even tell that the moose season is open. You may see one guy with a camo shirt on but that's probably the same shirt he had on the day before. [Laughter.] So, I mean, hunting on the Kenai for moose is just a thing of the past. I'm not going speak for the refuge, but I know these people. I've worked with them. I know them well. And for the author that put together a paper in 1991 saying that if we don't do something about our moose population it's going to decline, I think that's the same refuge manager that would like to lead the recovery of the moose population on the Kenai.

And it's simple, the management of a wildlife resource is very simple. It's getting through all the bureaucracy and the permits

and the authority to do it. That's the difficult part. Managing moose is not difficult. Managing habitat is not difficult. Just having the funding and the authority to do it is the tough part.

We have some of the best scientists in the world living in Alaska, working for State and Federal agencies that would like to do their job, and I don't think they have a chance to do it. And that's what I would hope that I could just leave you with that thought.

The CHAIRMAN. Okay.

Mr. SPRAKER. Letting managers do their job will produce wildlife for viewing, for people to hunt, for food security, for predators to eat. We could produce moose. While people come to the Kenai to see moose, they rarely ever see moose.

Thirty years ago there were a lot of moose. And there's also a, kind of, a social carrying capacity. You don't want a lot of moose produced in town. So that's where the smart researcher, the smart manager does habitat work away from towns to create areas where moose will live and be away from towns. It produces road kills, problems with the moose in town, so same thing with bears.

These things can be done. We just need the authority and managers need to be allowed to do their job.

I want to thank you as well for being here today and bringing the Committee to the Kenai. This is a real privilege for us. We really appreciate you being here today. Thank you.

The CHAIRMAN. Well, thank you.

I thank each of you for giving up your morning and helping us fill out the record here as we look to not only the impact of fire and why it is so important to do what we can ahead of time to make sure that the losses that are associated with wildland fire are limited. Limited for a host of different reasons, from an economic perspective, from safety perspective and just from a management perspective. But also the opportunity to talk about how we really can do a better job working with the Federal managers of our public lands whether it is Forest Service, whether it is Park Service, whether it is BLM, all the various Federal agency, Fish and Wildlife. I think we recognize here in this state it is not easy when you have multiple agencies that you are dealing with, not only at the Federal level, but at the state level. I know that the frustration level gets very, very high. I know because I hear about it as I am sure that your local leaders and your state representatives do as well.

As we try to work through some of the challenges that we face and some of the impediments to a stronger economy and a healthier region and healthier communities, this is what we are trying to do by peeling back the onion a little bit.

So thank you to each of you. I want to thank those of you who have also spent your morning with us. We appreciate that, and thank you to the staff that have helped make it happen this morning.

The record will be held open for two weeks from today. If you have anything that you would like to provide to the Committee in writing, you can submit it by going to the Energy Committee website.

I am looking for affirmation and I'm told no. Annie Hoefler will be back there making sure that if you need more information about

where to submit and how to submit your testimony make sure that you see her or you can also go to our website.

But just so you are aware, this is more than just a nice opportunity to have conversation with these folks. We actually do take the input that we receive and we use this, whether it is to flesh out more of the details on this draft legislation that we laid down last week or whether it is how we move forward in advancing either comments to regulations or if we need to do measures by utilizing other legislative tools, say for instance, through the appropriations process. We gain good information here.

So do not think that this is just an exercise where we come to town, listen for a little bit and then leave and do not do anything with it. We definitely do take all of this into account as we are formulating our legislation, our comments and our input back in Washington, DC, and yours will be considered and evaluated too.

Thank you for being here. Thank you all.

With that the Committee stands adjourned.

[Whereupon, at 12:28 p.m. the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

Public Input from Jim and Ginny Harpring to Testimony Senate field hearings, Senate Energy and Natural Resources, May 31, 2016, Kenai, Alaska

The following input is provided from a personal perspective on the history and comments made by Senator Murkowski and panelist on May 31st at the above referenced field hearing.

My wife and I have owned a home on the Kenai River just outside the Kenai National Refuge for over 38 years. Our home is at mile 11 Funny River Road and approximately 1.2 miles from the refuge boundary. We are surrounded on three sides by State DNR lands, and two state parks (Morgan's Landing and the Funny River State Recreational Area). We are very humbled to have found this property as we are very isolated for a home site on the Kenai River. However, the home is not a paradise as it was in the early to mid 80s.

Over the years the passive actions of the management oversight of the Kenai Wildlife Refuge Staff has been one of initial frustration to one of outright disregard for residents needs living so close to the refuge. The single issue is one of wildlife management, especially **the contempt the National Parks Service management has towards the taking of brown bears on the refuge.**

Please allow me to explain. In the 1980's we would see maybe four to five different brown bears on our property during the annual red salmon run. In the 90s the number of encounters increased substantially to the point that we had a mandatory "guest lecture" on what to do if you encounter a bear on the property especially one that wanted your fish at the cleaning stand. Beginning in 2003 to 2004 the bears became so numerous that you were very carious to venture outside the yard on most days in July and August. From 2004 through 2012 the bear encounters had become so frequent that you did not go outside after 8pm for fear of bear attack. On October 11, 2011 I was charged by a large brown bear boar on my front porch. This encounter was not provoked. After it charged it persisted for over 20 minutes walking along the porch and adjoining sidewalks occasionally trying to get into our home by pushing on the front door. One year later almost to date that same bear was destroyed near the Soldotna Elementary school by a Soldotna Police officer. It measured over 10 feet and according to AG&G was one of the largest bears ever killed on the Peninsula.

Over the years I have been very political vocal in attempting to secure funding for the AF&G to receive the necessary funding to conduct a "real" brown bear census for the Kenai Peninsula. Reason being, the federal government wanted the bear population to increase to some indefinite number to improve the popularity of brown bear viewing on the refuge, the state was caught between the environmentalist wanting no hunting and the sports and subsistence hunters wanting some reasonable hunting season. Simple put no one really knew how many bears were on the Peninsula and what the carrying capacity was or SHOULD BE however all knew that once a real number could be documented all might lose in their initiatives....no bear count equated to no need to have public testimony to resolve the issues of human bear encounters on the peninsula.

However, from a property owner just off the refuge with hundreds of acres of state and native lands surrounding your property you suffered all the traditional bureaucratic infighting. With the encounter in 2011 I had finally had it with not being able to just simple sit on my front porch and watch the river without a brown bear encounter. In fact, during the period 2010 to 2014 we deployed between 10 and 14 game cameras and 8 motion detectors to determine the location of bears and how many there were on the property. In one night in July 2012 we counted 9 different brown bears on the property between

8 pm and 7 am over an 11 hour period. Only 3 were cubs or yearlings. Most were bears with few immature cubs.

I opine that these bears home range during 10 months of the year is the refuge area between mile 6 and 10 of Funny River Road and during the salmon runs they congregate on the 7 miles of undeveloped river just off my property line. Of course as Mr. Spraker testified to as well as others, animals and fire know no boundaries and I suffer the results as these bear move along the river.

To this end, all seemed to be lost until the State Biologist Mr. Jeff Selinger for the Kenai area actually was able to "convince" his department and the State Board of Game that enough was enough and various brown bear hunting seasons were allowed. This approach to cull out some of the brown bears was beginning to show improvement as the number of human bear encounters on our property began to decrease. However, as is usual, someone felt that this was unneeded and the Kenai Wildlife Refuge senior management stepped in, conducted a mockery of a public hearing process, closed the refuge to hunting and that was that. Before the public testimony period I personally met with the Senior Kenai Refuge Staff and asked why they were so insistent on closing the refuge to the taking of brown bear and they had basically two reasons. First the alleged ethics of taking bear over bait stands and the second was one that surprised me. It was because of the success of hunters during the on-going season and that it, "... would take 17 years to regain the baseline of bears taken to date." I was so taken back by this statement that I had to try and reason why this was their goal. After further discussion it was apparent that they were determined to cause the river drainage to be that mirrored as a wildlife experience of a Katmi like bear viewing area for tourist. At the public hearing addressing the refuge bear hunting closure, I as well as Mr. Spraker, addressed the issues of oversight and overreach of the federal government and how it directly impacted on the average Tom and Mary resident. To no avail-the refuge was closed.

My final testimony in 2014 at the public hearing concerning taking of bear on the refuge was that it was only a matter of time before someone in my family or a neighbor was mauled by one of these rufuge bears. That occurred in September 2015 when my neighbor Mr. Danny High was near fatally mauled by two bears just off of my property. He was in a Seattle hospital for months and is now blind in one eye and very disfigured. Again, I told you so.

Two concerns here, first, the outright disregard towards the residents negatively impacted because of the daily bear encounters and secondly the refusal to understand the real issues of allowing hunters to cull bears using a bait stand where you can first observe the animal to ensure it is not a bear with cubs, choosing the animal to be harvested by sex and age and making an ethical single shot at close range; thereby, minimizing the number of wounded animals. I know this for a fact as my wife and I own a cattle ranch in Texas and use deer feeders on that ranch. This is legal and encouraged by the state to endure that only the deer you want harvested each season are taken. It is called management and it works.....

To this end, the desire of a few individuals in senior management positions can cause many unwanted bear human encounters and NO the Kenai River drainage should not be considered a "....bear viewing area only." If you want that experience, go to Lake Clark.

Finally, neighbors have asked me many times why I just don't shoot the bears especially ones that continually break into our out buildings or become aggressive. Well I do not hunt bears nor do I see a need to shoot a bear just because it cannot read the no trespassing signs on the driveway. I maintain an immaculate property and do not tolerate any thing on the property that will attract bears up to and

including washing down the fish cleaning stands with clorox and vinegar after each use and placing mothballs in all buildings to discourage bears from becoming attracted to the property.

On a second point, how can the State of Alaska DOT&PF choose the South G alternative for the Sterling Highway at Cooper Landing when it cost the most (\$303.5M), puts another bridge over the Kenai River and you still have to most of the existing dangerous road in the Cooper Landing area to navigate through. Note, I did not say drive as I believe you have to navigate this area because after nearly forty years of traveling it I have seen so many accidents, trucks overturned in the river, and the worse road conditions on the Peninsula because of the narrow roadway and road icing on this 10- mile stretch. I attended every meeting through the scoping procedures and public testimony hearing process on this project. I believe the DOT&PF did a wonderful job studying the project and I welcomed the Juneau and Juneau Creek Variant Alternative (cost \$257M) as the by far best choices.

However, as was addressed at the hearing and at the scoping process it was more politically convenient for the DOT&PF Project Engineer to select a route that cause the least degree of involvement from the federal government and especially the Wildlife Refuge. In fact at the Gillman Center scoping process meeting she acknowledged that, "... you know that the federal government probably will not allow us to cross any part of the refuge and we need to get this project finished after some forty years of studying it." Why again can the FEDS stop a needed project and allow the State to put its tail between its legs and just give up the ghost?.....hell the studies have only been going on for some forty years....

I have many other "opinions" on how the Federal government has overreached its authority and caused me not to be able to develop marketing concessions' on federal controlled lands. But that is another chapter in this saga.

Again, I appreciate you taking the time to take this testimony.