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Mr. Chairman:

Thank you the opportunity to testify before the House Natural Resources Committee. As a lifetime hunter and angler and a 22-year wildlife professional with experience both at the state and federal level, I am honored to provide some comments on the important issue of energy development and its potential impacts on wildlife and hunters.

I currently serve as President of the Wildlife Management Institute. The Wildlife Management Institute, founded in 1911 and headquartered in Washington, DC, is a private, non-profit, scientific and educational organization dedicated to the restoration, sound management and wise use of natural resources in North America. The Wildlife Management Institute recognizes the importance of domestic energy exploration and development to meet the energy demands of a growing nation. The quality of life in this nation, one enjoyed by hunters and non-hunters alike, depends on a sound economy fueled in part by energy production and balanced with the needs of fish, wildlife, habitat, and water.

With respect to hunters and anglers, an important part of our quality of life depends on healthy fish and wildlife populations, opportunities to pursue fishing and hunting through regulated and well managed seasons and limits, and access to places to enjoy hunting and fishing. Human activity and disturbance that impairs populations, habitat, or access is a concern to us. Improperly managed resource use may result in the loss of the public values associated with public land and the fish and wildlife populations which live there.

As both a hunter and angler and a wildlife conservationist, I am troubled by the pace of leasing, exploration, and development occurring throughout large portions of federal public land in the west. However, more troubling than the pace of development is the manner in which it is conducted. I serve on the Fish, Wildlife, and Energy Working Group, a collection of fish and wildlife professionals representing sportsmen and conservation organizations, who understand the need for energy development but wish to see the current practice of development guided by a few simple principles. I will briefly describe those principles below.

The acronym for these principles is called FACTS. FACTS stands for Funding, Accountability, Coordination, Transparency, and Science. These key principles were developed by the Working Group as common sense, reasonable, and practical approaches to balance the need for energy development with the conservation of fish and wildlife.

Funding

Although the pace of energy development has increased during the last decade, funding to address fish and wildlife issues associated with this development has not increased accordingly.

Additional funding is required to assist both federal and state fish and wildlife managers to address means to avoid, minimize, rectify, reduce, or compensate for impacts caused by exploration, development, disturbance, roads and transmission lines. Proper planning and implementation costs money.

State agencies find themselves in a predicament. Development on federal lands under federal authorities has impacts on fish and wildlife species that are under the management authority of the state. Most state agencies in the affected areas are funded primarily through license dollars from hunters and anglers. It is quite a paradox, state agencies must use their funds to conserve species under their authority that occur on federal lands. Yet, they receive little or no assistance from the federal government that is permitting the activities that cause impacts to these species – another one of the so called “unfunded mandates.” From a private citizen’s perspective, these lands and species are held in public trust by the federal government and states, respectively and we pay taxes to both levels of government, expecting results.

State fish and wildlife managers have the expertise to assist in balancing energy development with fish and wildlife interests but they do not have the capacity. Federal funding for affected states fish and wildlife management agencies should accompany increased federal funding to expedite energy development.

Accountability

The public expects the federal agencies to manage the federal lands as a “public trust,” in addition; there is a longstanding expectation that these lands are to be managed under a multiple-use mandate. According to media reports and conversations with individuals, the public’s faith in federal land management has suffered. Managers, industry and other decision-makers must be held accountable and responsible for following laws, regulations, and policy including commitments made in decision documents. A process for accountability should be established that allows the public to track compliance with law, policy, plans and, most importantly, commitments in decision documents

Mineral leasing should be done in a manner that takes into account the current and future impacts from development on fish and wildlife resources. Therefore, we recommend a change in the current leasing process that would provide for a prior assessment of impacts from lease development before leasing occurs and includes plans that balance the needs of fish and wildlife resources. To that end we recommend a specific “Conservation Strategy” for each energy field or project, which would go beyond the NEPA-level evaluations and plans currently being completed. Such plans should be used to proactively address fish and wildlife management needs for current and future objectives. This Conservation Strategy should be finalized before development starts and must provide specific recommendations and actions to minimize impacts, while establishing plans for detailed monitoring, the use of adaptive management, and mitigation.

Proper planning and compliance, along with learning from the past, can lead to better conditions for fish and wildlife, while still developing the mineral resources.

Coordination

Coordination means more than just providing information to the public, it means interested parties working together towards common goals for a better outcome. Much effort has been put on the appearance of coordination through public meetings, listening sessions, and NEPA required public comment periods. These are more process-oriented actions than substantive coordination to improve federal land management. Public involvement from all stakeholders, including local and state governments, non-governmental organizations, industry, sportsmen and others, is important and should be assured.

State wildlife agencies that have the authority to manage fish and wildlife populations which are affected by energy development should be given stronger legal standing in the process, rather than only being given cooperating agency status. The goals set by state agencies for fish and wildlife populations should be incorporated into habitat management planning by the federal agency both during energy development plans and land use plans.

Adaptive management based on the best-available monitoring information and coordination with state agencies should be used by federal officials. An effective adaptive management process includes regular reviews of both state and federal findings from research and monitoring, active consideration of alternative energy field management, and the means for making such management changes for future development where needed to lessen impacts on fish and wildlife. There should be coordination between federal officials and state wildlife agencies to lessen or avoid impacts on fish and wildlife. Lack of coordination and data-sharing often means that the same approach to development is continued despite monitoring that has shown it is detrimental to wildlife.

Transparency

A clear, transparent federal planning process and decision-making process that follows administrative law and policy is essential. Federal land managers must make decisions on energy development following processes that allow for adequate public review. Decisions made by public officials and the processes leading to them must be part of the record and made available. Laws, policies and proper procedures must be followed at all times.

Sufficient information, including maps and other data, about proposed energy leasing and development should be provided to the public to allow for understanding and reasonable comments, and the time provided for public comments must be commensurate with the complexity of the proposals. Federal and state management agencies should use all reasonable means to conduct their business of public trust management in a transparent and visible manner.

Science

Science is the foundation of all resource management, in the past, present, and future. The fact is that there is much known about how fish and wildlife are impacted from man's activities and that information needs to be used to address and help solve some of the problems we face today and will face tomorrow.

Science must be used to inform all fish and wildlife management decisions, particularly when specific research has been conducted on the impacts of energy development. Ignoring or discounting this research will not cause the impacts to go away, but could prevent addressing the problem in the future. Adaptive management needs to be more than just a platitude, but be a process based upon monitoring data so that a systemic approach to adjusting development can be made when other natural resources are affected.

Mitigation of impacts is essential, but it is important to consider the scale and scope of energy development impacts. Mitigation is not a one-time commitment of actions or funds but a process that needs to be based on science. Mitigation must be planned by using rigorous methods and an adaptive management process that has the ability to address changing conditions. Offsite mitigation is essential when on-site mitigation cannot be effectively used or is not appropriate to offset resource values impacted at the project location. Mitigation is not a substitute for proper resource management.

Finally, we propose identification and recognition of “unique” or “special places” that are too valuable to be developed at this time. There are certain special and unique places in the West that should be either entirely off-limits or extremely limited to oil and gas drilling. The federal government should set aside these important areas to ensure that valuable fish and wildlife resources and these special habitats are appropriately protected. The Administration and Congress has recognized this situation in their decisions to set aside the Rocky Mountain Front and Valle Vidal areas. Other such places can be identified from a fish and wildlife habitat standpoint by using available science and data on population numbers and other factors. The recently completed state Comprehensive Wildlife Management Plans completed can also provide guidance.

In conclusion, I believe that energy development is a necessary and proper use of some federal lands. So too, is providing recreation, hunting, fishing, clean water, grazing, wildlife watching, and a myriad of other uses that the public demands and to which it is entitled. Balancing these uses with energy development is complicated yet possible. The acceptance and use of the simple principles embodied in FACTS – Funding, Accountability, Coordination, Transparency, and Science – would go a long way to assuring as, Teddy Roosevelt stated, “The nation behaves well if it treats the national resources as assets which it must turn over to the next generation increased, and not impaired, in value.”

Thank you for the opportunity to appear before the Committee.