



DEPARTMENT of the INTERIOR

news release

Fish and Wildlife Service

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Inez Connor 202-219-3861

SECRETARY BABBITT OUTLINES PRINCIPLES, DIRECTIVES FOR NATIONAL WILDLIFE REFUGES; WITHDRAWS SUPPORT OF LEGISLATION

Calling it a "bill burdened to the breaking point with problems," Secretary of the Interior Bruce Babbitt today said he could no longer support H.R. 1675, amending the National Wildlife Refuge System Administration Act, because crippling amendments and new interpretations of key provisions in the committee report, "weaken our ability to protect America's national wildlife refuges from harmful activities. I'd rather have no bill at all than one that leaves national wildlife refuges vulnerable to commercial activities, pesticide use and potentially depleted water supplies."

The National Wildlife Refuge System includes 508 refuges in all 50 states and consists of 92 million acres of land and water dedicated to wildlife and its habitat. Some 30 million people visit refuges each year to experience wildlife and the outdoors through observation, photography, hunting, and fishing.

Babbitt said he supports expanding these compatible wildlife-dependent recreational activities on wildlife refuges. He pointed out that he has opened 15 additional hunting programs on refuges and fishing programs on 6, bringing the total number of refuges open to hunting to 274 and the number of refuges open to fishing to 264.

Babbitt said the Administration had long been concerned that the bill would become a vehicle for provisions hostile to protection of individual refuge resources. "The amendments adopted at the full committee mark-up and the objectionable provisions of the committee report make it much more likely that additional amendments damaging to specific individual refuges will be adopted as the bill proceeds," he said. "This raises serious questions about the ultimate direction of this legislation, which should be of concern to all conservation-minded Americans."

He added that several valid issues had been raised during consideration of the bill by hunters and anglers seeking enhanced recreational access to refuges. Babbitt said he was taking immediate action to enhance wildlife-dependent recreational access administratively in a directive to the Fish and Wildlife Service. The directive alleviates one sore point with

recreational users by identifying, in advance of refuge acquisition, which activities would be allowed to continue uninterrupted after new lands are acquired. The directive also reaffirms conservation and management of wildlife habitat as the central mission of the refuge system.

A copy of the Secretary's directive is attached, along with major areas of concern with the legislation.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DIRECTIVE:

DEC 15 1995

NATIONAL WILDLIFE REFUGE SYSTEM

GUIDING PRINCIPLES FOR MANAGEMENT AND USE

In the absence of acceptable organic legislation, the following principles will guide the management and future growth of the National Wildlife Refuge System by the U.S. Fish and Wildlife Service. These principles will be advanced by immediate actions to strengthen the Refuge System's relationships with its many conservation partners and the American public.

GUIDING PRINCIPLES:

- o **Wildlife Habitat.** The central mission of the National Wildlife Refuge System is to conserve and enhance the quality and diversity of wildlife habitat on refuges. Wildlife will not prosper without high-quality habitat and, without wildlife, traditional uses of refuges cannot be sustained.
- o **Public Use.** The Service reaffirms its strong support for compatible wildlife-dependent recreational activities on refuges, such as hunting, fishing, wildlife observation and environmental education.
- o **Partnerships.** The Service recognizes the critically important role of conservation partnerships with other agencies, States, Tribes, organizations and members of the general public.
- o **Public Involvement.** The Service is committed to full and open participation by the public in refuge decision-making processes.

ACTION ITEMS:

- o By January 15, 1996, the Service will amend existing acquisition procedures to ensure that, prior to acquisition of new refuges or new land at existing refuges, the Service identifies those existing wildlife-dependent recreational activities on the lands to be acquired that will be allowed to continue. This will be accomplished through an interim compatibility determination that will accompany documentation prepared under the National Environmental Policy Act.

- o The Service will act to expand and enhance opportunities for high-quality hunting and fishing on refuges; and expand the diversity of self-guided interpretive programs and facilities supporting wildlife observation and environmental education. Special emphasis will be placed on enhancing opportunities for youths and physically challenged visitors.

(1) By February 1, 1996, the Service will instruct its refuge managers to contact potential cooperators whose participation would enable compatible, wildlife-dependent recreational programs to occur where they otherwise would be precluded by insufficient Service resources.

(2) By January 15, 1996, the Director will notify Regional Directors to assign high priority to wildlife-dependent recreational programs in the FY 1996 Challenge Cost Share initiative.

- o The Service will initiate a review of all recreational programs to identify reasonable and equitable recreational user fees and identify means to return fee income to refuges to defray program costs and to improve recreation services and facilities.
- o By January 15, 1996, the Service will issue instructions to the field to accelerate comprehensive management planning, with greater involvement of the general public, agencies, States, Tribes and organizations, including promptly initiating such plans at 12 refuges, two in each of Regions 1 through 6 (Region 7 refuges already have such plans pursuant to the Alaska Lands Act).


Secretary



FACTS

from the U.S. Fish and Wildlife Service

EXAMPLES OF DEPARTMENT OF THE INTERIOR CONCERNS ABOUT HR 1675 AND HOUSE COMMITTEE REPORT LANGUAGE

Amendment: Would allow use of all pesticides that meet state and EPA standards at Tule Lake National Wildlife Refuge in California, part of the Klamath Basin Refuge Complex. Also would include any "uses" of a refuge, such as farming, provided for in a refuge's establishing order, as part of the "purpose" of the refuge.

DOI This would allow some pesticides that cause documented mortality of migratory birds and endangered species. This circumvents DOI process for pesticide review and would generate similar demands for pesticide use without management oversight throughout the System. And again, "uses" should not be construed as a purpose of a refuge.

Committee Report: Expressly excludes reserved water rights from the definition of refuge property interests.

DOI Could not support a bill that could be construed as diminishing existing reserved water rights of individual refuges. Water is essential for maintaining wildlife habitat, a central mission of the National Wildlife Refuge System, and is critically important for wildlife, particularly for waterfowl and wading birds.

Amendment: Would prohibit use of Land and Water Conservation Fund appropriations to establish a new refuge without specific, prior authorization.

DOI This would significantly impede establishment of new refuges. Such refuges already receive Congressional approval through the appropriations process and authorizing committees are routinely informed of acquisition plans through the President's budget.

Committee Report: States that the bill would create an "open until closed" process on hunting and fishing for all refuge lands.

DOI The report does not distinguish between newly acquired lands and existing refuge lands, some of which are currently closed to hunting and fishing. This would require the Fish and Wildlife Service to undertake a lengthy and costly administrative review. For example, it would require the opening of more than 200 refuges that are currently closed, then a costly administrative review to decide if those activities should continue or be closed again. Currently, 274 refuges are open to hunting and 264 open to fishing.

Committee Report: Defines harvest of wild alligators and their eggs as "recreational hunting."

DOI Alligator harvest is largely commercial and occurs on only a small number of refuges. Alligator harvests on refuges are commercial activities that should not be given the same preferential treatment accorded fish- and wildlife-dependent recreation under the bill.

December 15, 1995

Inez Connor 202-219-3861



THE SECRETARY OF THE INTERIOR
WASHINGTON

DEC 15 1995

Honorable Don Young
Chairman, Committee on Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

We have reviewed H.R. 1675, amending the National Wildlife Refuge System Administration Act of 1969, as reported by the House Committee on Resources (Committee) on July 12, 1995, and the accompanying Committee Report.

While we appreciate the Committee's effort to craft a refuge "organic act", there is only one reason to support such legislation -- if it will strengthen protection of the Refuge System and help guarantee a bright future for our fish and wildlife resources. H.R. 1675 instead weakens our ability to protect America's wildlife refuges from harmful activities. The original bill was fundamentally flawed in its definition of the purposes of the Refuge System and weakening of the compatibility process used to determine allowable activities on a refuge. Amendments adopted at full Committee and new interpretations of key provisions of H.R. 1675 that now appear in the Committee Report, also raise grave concerns about this legislation. These issues would compel me to recommend that the President veto this bill should it be presented to him in its current form.

Many valid concerns have emerged during the consideration of the bill, including those of sportsmen for enhanced recreational access to refuges. However, improvements in these areas can be made administratively, and the Administration is committed to doing so.

The Administration is deeply troubled by and strongly opposes the amendments adopted by the Full Committee relating to pesticide use at the Tule Lake National Wildlife Refuge, converting any uses of a refuge provided for in the refuge's establishing order or law into part of the purpose of the refuge, and hamstringing our ability to protect America's fish and wildlife by requiring prior legislative authorization of any new wildlife refuge to be created with Land and Water Conservation Fund monies.

Another issue that is of significant concern is the bill's inclusion of compatible fish- and wildlife-dependent recreation

(including hunting, fishing, wildlife observation and environmental education) as one of the purposes of the Refuge System. The Administration remains committed to its position that recreation not be elevated to a purpose of the Refuge System, but rather that it remain an affirmative duty of the Secretary to provide an opportunity for such uses within the System.

We are also very concerned over several items in the Committee report. These include the statement that all refuge lands would be "open until closed" to hunting if the bill were enacted -- all refuges, including those which have been closed to hunting for decades, not just new lands; the inclusion of harvesting of wild alligators, and the collection for propagation of their eggs (both commercial activities) within the definition of recreational hunting; and statements on reserved water rights in the definition of a "refuge" that could be inappropriately interpreted as diminishing or eliminating those rights.

As stated in our testimony on the bill, we have also been concerned about the possibility of its becoming a vehicle for provisions hostile to protection of individual refuge resources. The above-noted amendments and provisions of the Committee report make it much more likely that such provisions will be added. We do not believe, therefore, that there is any benefit in further pursuing comprehensive refuge legislation at this time.

The Office of Management and Budget has advised that, from the standpoint of the Administration's program, there is no objection to the presentation of this report to Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Bullitt". The signature is written in a cursive, slightly slanted style.