



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 31 2022

The Honorable Joe Neguse
Chairman
Subcommittee on National Parks, Forests, and Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed are responses to the Questions for the Record from the October 14, 2021, legislative hearing before your subcommittee on a number of bills. These responses were prepared by the National Park Service. We apologize for the delay in our response.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure
cc: The Honorable Russ Fulcher
Ranking Member

**U.S. House Committee on Natural Resources
Subcommittee on National Parks, Forests and Public Lands
October 14, 2021 Legislative Hearing
Questions for the Record Submitted to Mr. Michael A. Caldwell**

Questions from Ranking Member Westerman

- 1. Mr. Caldwell, at the hearing you mentioned the significant backlog of authorized special resource studies that the National Park Service is currently undertaking. We have been waiting for some studies, such as New Philadelphia, for nearly seven years. These studies provide critical information to inform Congress prior to designation of new National Park System units.**

How can the National Park Service reduce the cost and complexity of these studies to ensure they are submitted to Congress in a timely fashion?

Response: The National Park Service is committed to streamlining the special resource study process. Currently, the average amount of time required to complete a special resource study is approximately three years, but varies depending on several factors, including the resource type, scope of the study area, complexity of the work, and the number of stakeholders involved. The National Park Service is leading an effort to identify and address current challenges and opportunities to create a more efficient and responsive process while continuing to provide Congress with the expert information needed when designation of a new park unit is being considered.

- 2. Mr. Caldwell, in recent years Congress has established several affiliated areas within the National Park System. These bills typically require the Secretary to write a general management plan for the site to be added. General management plans tend to be extremely costly and lengthy processes.**

Does the National Park Service believe this type of plan is necessary for affiliated areas? Additionally, would it be better for the management entity to write the plan with technical assistance or final approval from the Secretary?

Response: The National Park Service does not have any Service-wide laws or policies requiring general management plans for affiliated areas. Recent updates to NPS planning policy clarifies that a park's planning portfolio—the totality of planning documents in use at a given park—fulfills a park's planning needs, including meeting statutory requirements for a general management plan. This more responsive and flexible planning framework has proven to be efficient in meeting planning needs.

Typically, the NPS provides technical and financial assistance to related areas, which are administered primarily by nonfederal entities. Rather than a general management plan, a strategic plan or partnership plan that defines roles and responsibilities, goals and need, and details recommendations for action priorities may be a more appropriate core planning document for affiliated units.

**U.S. House Committee on Natural Resources
Subcommittee on National Parks, Forests and Public Lands
October 14, 2021 Legislative Hearing
Questions for the Record Submitted to Mr. Michael A. Caldwell**

In rare cases in which a stand-alone general management plan is deemed appropriate for an affiliated area, allowing the management entity to lead the effort and cost-share, with technical assistance from the NPS, is preferable and will likely ensure more timely completion.

- 3. Mr. Caldwell, one of the bills before us today, the “Save the Liberty Theatre Act,” is one I support because it would save money for the taxpayer by transferring National Park Service property to the City of Eunice so they can conduct necessary renovations. This is truly a win-win for everybody. That said, it’s crazy that this commonsense proposal needs an act of Congress to be accomplished in the first place since the National Park Service has no standing land disposal authority.**

Do you think it would be beneficial to the National Park Service to have new authorities to easily dispose of surplus property?

Response: The National Park Service does not see a need to have fee title disposal authority. This type of authority may present unintended consequences if fee title disposal authority were granted for land within the National Park System.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 31 2022

The Honorable Joe Neguse
Chairman
Subcommittee on National Parks, Forests, and Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed are responses to the Questions for the Record from the May 27, 2021, legislative hearing before your subcommittee on H.R. 1664, H.R. 1931, H.R. 2278, and H.R. 2444. These responses were prepared by the National Park Service. We apologize for the delay in our response.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure
cc: The Honorable Russ Fulcher
Ranking Member

House Committee on Natural Resources
Subcommittee on National Parks, Forests, and Public Lands
Follow-up questions from the May 27, 2021, legislative hearing on H.R. 1664, H.R. 1931,
H.R. 2278, and H.R. 2444.

Questions from Ranking Member Westerman

1. Associate Director Beasley, H.R. 2278 would establish a new national memorial trail that the National Park Service would oversee. Congress previously authorized the Votes for Women History Trail Route which, like the trail proposed by this bill, is not part of the National Trails System, but is instead administered through the Women's Rights National Historical Park. Under this legislation, the Secretary of the Interior was authorized to designate a vehicular tour route, to be known as the 'Votes for Women History Trail Route', to link properties in New York that are historically and thematically associated with the struggle for women's suffrage in the United States.

Can you tell me how that effort has gone? Have you been able to establish this trail? Have the National Park Service's efforts to implement the legislation been successful?

Answer: The Women's Rights National Historical Park updated its Foundation Document to include the Votes for Women History Trail Route. It also worked collaboratively with other women's history sites to develop criteria for evaluating other sites that could be included within the route. We look forward to continuing to further develop this route as funds become available.

2. Associate Director Beasley, I appreciated that your testimony suggested that the administration put together a map of the proposed route to clearly identify what is and is not included as part of the new trail. Your testimony also made the distinction between the proposal before us today and bills that add trails to the National Trail System.

2A. How would the administration of this trail differ from other trails that are included in either the National Park System or National Trail System?

Answer: While the administration of the September 11th National Memorial Trail Route is under discussion, we believe that the administration of it will be similar to other routes such as the Ice Age Floods National Geologic Trail. The route itself would likely not be a unit of the National Park System or the National Trails System. Instead, if enacted, a park unit or regional office would be assigned administrative responsibility for the route.

2B. Is there any concern that this trail designation could have unintended consequences for future rights of way authorizations or transmission line development?

Answer: The National Park Service (NPS) manages many long-distance trails and routes that cross utility rights-of-way. The NPS does not have the authority to regulate uses on land along these trails that are not under its jurisdiction.

House Committee on Natural Resources
Subcommittee on National Parks, Forests, and Public Lands
Follow-up questions from the May 27, 2021, legislative hearing on H.R. 1664, H.R. 1931,
H.R. 2278, and H.R. 2444.

3. Associate Director Beasley, in your testimony you mentioned that you would like to work with the committee to clarify the management plan portion of H.R. 2444 to establish Fort San Geronimo as a national affiliated area. General management plans are often lengthy and expensive processes.

Do you believe national affiliated areas require full general management plans, or can the National Park Service work with the owner, in this case the Institute of Puerto Rican Culture, to put together a plan that is less costly and time consuming?

Answer: The NPS does not have any specific laws or policies requiring general management plans for affiliated areas. Recent updates to the NPS planning policy clarifies that a park's planning portfolio—the totality of planning documents in use at a given park—fulfills a park's planning needs, including meeting statutory requirements for a general management plan. This more responsive and flexible planning framework has proven to be efficient in meeting planning needs.

Typically, the NPS provides technical and financial assistance to related areas, which are administered primarily by nonfederal entities. The more appropriate core planning document for affiliated units could be a strategic plan or partnership plan that defines roles and responsibilities, goals and needs, and details recommendations for action priorities.

In rare cases in which a stand-alone general management plan is deemed appropriate for an affiliated area, allowing the management entity to lead the effort and cost-share, with technical assistance from the NPS, is preferable and will likely ensure more timely completion.

4. Associate Director Beasley, the National Park Service manages the African American Civil Rights Network, the Underground Railroad Network to Freedom, and the Reconstruction Era National Historic Network. I am interested in the idea of establishing a network dedicated to Japanese American history, particularly World War II history. There are already several confinement sites in the National Park System and many other State, local, and private sites and programs that may benefit from being included in a larger national network of sites.

Is this something the National Park Service would be interested in or potentially support?

Answer: The NPS supports the creation of a Japanese American World War II history network. We would welcome the opportunity to work with you and members of the Committee on legislation that would establish such a history network.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 31 2022

The Honorable Angus King
Chairman
Subcommittee on National Parks
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Chairman King:

Enclosed are responses to questions received following the October 6, 2021, legislative hearing before your subcommittee on twenty-nine bills. These responses were prepared by the National Park Service. We apologize for the delay in our response.

Thank you for the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Steve Daines
Ranking Member

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on National Parks
October 6, 2021 Hearing: *Pending Legislation*
Questions for the Record Submitted to Ms. Joy Beasley

Questions from Senator Daines

Question 1: In the Department's written testimony on S. 1284 you stated that the Park Service is reviewing comments and will provide an assessment and recommendations to Congress on whether the site meets criteria for inclusion in the National Park System. Does the Department have an estimated date for the transmittal of the study?

Response: The National Park Service expects to complete the majority of the Amache Special Resource Study in 2022. The Study will then be reviewed and finalized for transmittal to Congress. We note that H.R. 2497, the companion bill to S. 1284, was passed by Congress on February 18, 2022, and signed into law by President Biden on March 18, 2022 (Public Law 117-106).

Question 2: Following up on the discussion we had during the hearing on S. 2580, the VIP Act, and its relation to current laws allowing free access to national parks for Gold Star families sponsored by Chairman King and myself, does the bill need to be modified to ensure that it complements P.L. 116-283 Sec. 625?

Response: Sec. 625 of P.L. 116-283, the Gold Star Families Parks Pass, made the annual National Park and Federal Recreational Lands Pass free for Gold Star Families. The VIP Act, S. 2580, makes the Gold Star Families Parks Pass a lifetime pass for recipients. The text of the VIP Act was included in the National Defense Authorization Act for Fiscal Year 2022 and passed into law on December 27, 2021 (P.L. 117-81). We have not identified any necessary modifications to this authorization, which complements and builds upon the important work of P.L. 116-283 Sec. 635.

Question 3: This subcommittee has long worked to get more veterans into our parks. In your opinion, why do you think it's important to give those who have served and sacrificed for our country the opportunity to have free access to our nation's national parks and public lands?

Response: The Department believes that members of the Armed Forces, veterans, and Gold Star Families should be recognized for their service and sacrifice to our Nation. Generations of veterans have enjoyed visiting national parks and public lands for physical and mental relaxation. We encourage members of the military, past and present, and their families to continue this tradition. More than 100 national parks with direct connections to the U.S. Military and veterans include battlefields that recall their bravery, landscapes that served as training grounds, monuments that supplied inspiration, and natural areas that have provided rest and recreation. One tangible way for the Department to recognize the service and sacrifice of members of the armed forces and their families is to provide free access passes to Federal recreational lands, and to continue to support this visitation, which we do.

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on National Parks
October 6, 2021 Hearing: *Pending Legislation*
Questions for the Record Submitted to Ms. Joy Beasley

Question 4: Regarding S. 2158, what other National Park Service advisory commissions are currently congressionally authorized or are similarly sunset such as the Cape Cod National Seashore Advisory Commission?

Response: Each advisory commission is unique. Some advisory commissions are established statutorily and some are established by the Secretary. Some commissions have sunset dates but need to file a charter every two years to be able to meet. Some commissions with sunset dates have completed their work and no longer need to be re-established. Of the commissions without sunset dates, some are still in existence but not active. For these reasons, it is difficult to provide exact numbers or comparisons to the Cape Cod National Seashore Advisory Commission.

Question 5: How has the Park Service worked with the community and community leaders since the Cape Cod National Seashore Advisory Commission has been sunset? What actions can or cannot be taken between the Park Service and the community while the commission is sunset compared to when the commission was authorized?

Response: Since the September 2018 sunset of the Advisory Commission, Cape Cod National Seashore has continued to work with the community and community leaders through direct relationships on an issue-by-issue and jurisdiction-by-jurisdiction basis. This approach is in contrast with the work of the Commission, which held regularly scheduled, structured interactions with the multitude of leaders and stakeholders within Cape Cod communities. Many parcels of land within Cape Cod National Seashore are privately owned or are owned by the six Lower Cape Towns. Before its authority to operate sunset, the Commission enhanced and encouraged communication between park managers, landowners, and local communities on significant issues. It had established a reputation as a facilitator of vital community dialogue and provided a mechanism for community involvement in the protection of resources within the seashore.

Questions from Senator Hoeven

Question 1: Congress authorized a study for the “Great Western Trail” in 2009 and it was only after the study was complete that National Park Service suggested that the trail be named the “Western Trail.” As this committee considers S. 1112, will you work with us to ensure that the views of our constituents and other stakeholders are reflected in the final legislation?

Response: The National Park Service looks forward to continuing to work with your office and the Committee on S. 1112. While this trail went by a variety of names during the historical period, its primary distinction from the Chisholm Trail was that it was well to the west of the Chisholm. As a result, the more prominent historical sources all refer to it as the Western Trail. The feasibility study determined that the proposed trail routes had consistent and well determined names associated with its national significance (Chisholm and Western), as the bill title reflects.

U.S. Senate Committee on Energy and Natural Resources
Subcommittee on National Parks
October 6, 2021 Hearing: *Pending Legislation*
Questions for the Record Submitted to Ms. Joy Beasley

Question 2: Will you work to ensure that any legislation pertaining to this issue is historically accurate when it comes to both the name and the geographical location of the Trail?

Response: The National Park Service looks forward to continuing to work with your office and the Committee on this legislation. We appreciate the opportunity to provide recommended amendments to S. 1112, including updated geographic and mileage information from the feasibility study.

Question 3: As this committee considers trail designation legislation, will you work with us to ensure that there are adequate safeguards for landowners and agriculture and energy producers, including language to prevent unauthorized access onto private property?

Response: The National Park Service looks forward to continuing to work with your office and the Committee on this bill. Designation of national historic trails does not change private land ownership and does not provide permission or authorization for any person to enter private property without the consent of the landowner. Participation by private landowners in the National Trails System is voluntary. National historic trail designation would not impact existing land ownership or land management actions concerning agriculture and energy production.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 31 2022

The Honorable Jared Huffman
Chair
Subcommittee on Water, Oceans, and Wildlife
Natural Resources Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chair Huffman:

Enclosed are responses prepared by the Department of the Interior to the questions for the record submitted following the January 20, 2022, legislative hearing on H.R. 4057, Albatross and Petrel Conservation Act, H.R. 4716, Refuge From Cruel Trapping Act of 2021, H.R. 4677, New York-New Jersey Watershed Protection Act, H.R. 4092, Coastal Habitat Conservation Act of 2021, H.R. 5973, Great Lakes Fish and Wildlife Restoration Reauthorization Act of 2021, H.R. 6023, Multinational Species Conservation Funds Semipostal Stamp Reauthorization Act of 2021, and H.R. 1546, Combating Online Wildlife Trafficking Act of 2021.

Thank you for the opportunity to respond to you on this matter.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure
cc: The Honorable Cliff Bentz
Ranking Member

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

Questions from Chairman Huffman

There are currently 568 refuges within the National Wildlife Refuge System (NWRS), which is managed by the U.S. Fish and Wildlife Service (FWS). Based on the FWS trapping website, trapping currently occurs on 242 refuges across 46 U.S. states and the U.S. Minor Outlying Islands, equating to nearly 43% (42.6%) of the entire refuge system.

Question 1. On how many refuges does trapping for commercial and recreational purposes occur? Of the 242 refuges where trapping currently occurs, how many allow a) steel-jaw leghold traps; b) Conibear or kill-type bodygripping traps; c) snares or cable restraints for recreational or commercial purposes?

Response: When public trapping is permitted on National Wildlife Refuges, we do so in accordance with state laws, state regulations, and state licensing requirements, with additional refuge-specific regulations, as needed, to ensure consistency with applicable federal statutes. To be consistent with state requirements and meet refuge-specific objectives, decisions on trapping for commercial and recreational purposes, and associated information collection, are maintained at the individual refuge level. Trapping on the refuges occurs in various combinations, meaning some may only conduct trapping for management purposes, while others allow commercial or recreational trapping, and some allow both. Again, this is planned, implemented, and monitored at the individual refuge level.

The FWS has stated on their website that trapping is used within the NWRS as a wildlife management tool. The agency also views the activity as a “legitimate recreational and economic activity,” but that trapping for these purposes may not be allowed on all refuges, even on refuges where trapping for management purposes occurs.

Question 1. Of the 242 national wildlife refuges where trapping currently occurs, how many allow trapping for management purposes only? In the 242 refuges where trapping currently occurs, how many refuges use steel-jaw leghold traps, Conibear or kill-type body gripping traps, snares or cable restraints for wildlife management purposes, or a combination of the aforementioned traps? And what types of body-gripping traps are most frequently used? For what the purposes or scenarios are body-gripping traps chosen as a wildlife management method on refuges?

Response: There are currently 226 refuges that have approved management plans allowing for the use of trapping for management purposes. However, not every refuge utilizes trapping every year but instead only when needed to meet refuge management objectives. In 2021, only 100 refuges used trapping for management purposes.

Body-gripping trap types used on refuges include legholds, spring traps, and snares, with the conibear trap used most frequently. Body-gripping traps are used to remove pest species (including invasive species) to protect refuge infrastructure such as water control structures,

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

dike/impoundment roads, and wildlife habitat. In other situations, trapping occurs to protect threatened or endangered species.

Question 2. Who conducts trapping for wildlife management purposes on national wildlife refuges? Is it FWS employees, employees of other federal agencies, private contractors, a combination of a-c, or some other entity? (Please specify)?

Response: Trapping for wildlife management purposes on national wildlife refuges is conducted by a combination of Service employees, other federal employees, state employees, and private contractors. Factors such as staffing capacity, expertise requirements, and availability help to determine who conducts trapping for wildlife management purposes.

Question 3. Which non-lethal methods are used for wildlife management purposes on refuges? How does the cost of their deployment compare to the use of body-gripping traps for similar management purposes?

Response: Trapping must meet management objectives that have been determined in each refuge's planning documents. Both lethal and non-lethal alternatives are part of the analyses. Non-lethal methods used on refuges may include predator proof fencing, live trapping with humane killing, and live trapping feral dogs/cats to be taken to a shelter. Live trapping animals is more complex and costly due to factors such as live traps are much larger and can be difficult to bring into the trapping site; they require more frequent trap checks; and the disposition of the live animal may pose higher risks to employees compared to the use of body-gripping traps for similar management purposes. Additionally, live trapping costs are driven by staffing capacity, logistics, and complexity of the live trapping effort - often preventing the ability to achieve management objectives, and sometimes by the need to contract out the work. It is important to emphasize that many states do not allow the release of invasive or pest animals to another location.

Question 4. What types of body-gripping traps do the FWS or other federal agencies or federal contractors ("federal personnel") use for management purposes on national wildlife refuges? Is there a FWS-wide policy on how to decide when body-gripping traps may be used for wildlife management? Are non-lethal methods attempted first? Are there any other body-gripping traps the FWS or other federal agencies or federal contractors use for wildlife management purposes? If yes, what traps are used?

Response: The Service decides whether to use trapping as a wildlife management tool in accordance with the conservation mission of the Refuge System and the purposes of the individual refuge. The bureau conducts a robust analysis on a station-by-station basis to determine if trapping is the appropriate management tool.

Trapping must meet the management objectives that have been determined in each refuge's planning documents. Both lethal and non-lethal alternatives are part of the analyses. In addition, the Service coordinates with appropriate state wildlife agencies and conducts consultations

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

pursuant to required NEPA documentation and ESA consultation (if necessary). When deciding on how best to manage wildlife, the cost and efficacy of live trapping are considered, and non-lethal control is used when appropriate. There is often no effective way to move or dispose of live-trapped animals as, in many cases, animals cannot be released somewhere else due to state laws and regulations. Nutria are an example of animals that cannot be released back into the wild. In addition, the large number of pest species to remove often prohibits the ability to successfully or cost-effectively live trap. The Service and other federal agencies or contractors may use body gripping traps, for wildlife management purposes, that include legholds, spring traps, and snares, with the conibear trap used most frequently.

While the FWS website lists the refuges on which trapping currently occurs, more information is needed on how much trapping occurs on each refuge and for what purposes. More information is also needed on what types of body-gripping traps are being used, what animals—target or non-target species—are being trapped, and in what numbers. Lastly, more information is needed on other management tools available to the FWS, including non-lethal methods of management and control, how they are currently being deployed, and the cost of their deployment.

Question 1. How many non-target animals (not limited to companion animals, service animals, and protected species) are caught each year in body-gripping traps on refuges where trapping occurs? Please provide data for 2019-2021 if possible. How many humans have been caught in body-gripping traps on refuges where trapping occurs? What are the steps that FWS take to ensure non-target animals and humans do not get caught in body-gripping traps on a refuge where trapping occurs?

Response: Partial year data collected for required congressional reporting in 2020 and 2021 indicate that fewer than 150 non-target animals were trapped. A review of our records management system was completed and there were no records found regarding humans being caught in traps. For human safety, each refuge with a trapping program posts a sign that is accessible to the public to alert the public that trapping occurs therein. Each refuge with a trapping program also provides this information on its website.

To prevent non-target animals from being captured, a variety of methods are used, including appropriate trap placement (e.g., areas away from non-target animals, avoiding time of year and time of day), camouflage, dyes, trap covers with openings designed for target animals, frequent trap checks, and placing traps in tunnels with excluder devices.

Question 2. Does the FWS track and maintain data or records on the trapping that occurs within the NWRS? If the agency does not collect this information, what steps would need to be undertaken to implement a data tracking system? If the agency does collect this information, what steps would need to be undertaken to make these data available to the public?

Response: When public trapping is permitted on National Wildlife Refuges, we do so in accordance with state laws, state regulations, and state licensing requirements, with additional refuge-specific regulations as needed to ensure consistency with applicable federal statutes. To

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

be consistent with state requirements and also meet refuge-specific objectives, decisions on trapping activities are made and associated information collection is maintained at the individual refuge level. To make trapping data available to the public would require the development of national database and additional staffing capacity at the field, Regional, and Headquarters level to collect and enter data, conduct quality control, summarize, and maintain the data. Additional personnel would be needed to make the data available to the public on local refuge websites and our national FWS trapping website.

Question 3. Are recreational/commercial trappers who deploy body-gripping traps on refuges required to provide information to the refuge or the FWS—including but not limited to the number of traps set, the types of traps set, the location of the traps, the number and species of target and non-target animals they catch, the method(s) used to kill animals found alive in the traps, other? Additionally, does the FWS have an agency-wide policy in place regarding the trapping that occurs on refuges for wildlife management purposes regarding trap-check times, where traps may be set within the refuge, when during the year traps may or may not be set, approved kill or release methods for animals caught in traps, types of body-gripping traps that may be used, procedures for keeping a record of non-target animals caught, or any other pertinent information?

Response: Recreational and commercial trappers who deploy body-gripping traps on refuges are often required to provide information to the station where trapping activities occur, but more commonly through voluntary or mandated requirements under state regulation. This information can be used to assess how wildlife management objectives are being met for the local station. The State of Alaska is a special case, because recreational and commercial trapping is allowed by the Alaska National Interest Lands Conservation Act (ANILCA) under applicable State and federal laws and regulations. ANILCA states that, except in emergencies, any regulations prescribing such restrictions relating to trapping shall be put into effect only after consultation with the appropriate State agency having responsibility over hunting, fishing, and trapping activities. The Alaska Department of Fish and Game does not require trappers to report. Trapping data is received from a voluntary survey sent to those who purchased trapping licenses.

As previously noted, the Service decides whether to use trapping as a wildlife management tool in accordance with the conservation mission of the Refuge System and the purposes of the refuge and conducts a robust analysis on a station-by-station basis to determine if trapping is the appropriate management tool. Trapping must meet the management objectives that have been determined in each refuges' comprehensive conservation plan and associated trapping plan. Both lethal and non-lethal alternatives are part of the analysis. The FWS Refuge Manual's Trapping Policy, 7 RM 15, applies to trapping for both management purposes and for recreational and commercial trapping and states that trapping programs will be conducted in the most professional manner possible, using the most humane, selective, and effective technique that is reasonably practical.

Requirements, such as trap check times, are intended to reduce animal suffering and non-target captures. General trapping conditions stipulate species and numbers to be taken, seasons and hours, areas where trapping is permitted or prohibited, methods of trapping, methods of

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

dispatching animals found alive in traps, methods of carcass disposal, procedures for submission of reports of target and non-target species and animals suspected to be diseased, provisions governing use of refuge vegetation, provisions governing trap and equipment removal, and other provisions as required. Additional, more restrictive, conditions may be required by the refuge manager to be consistent with guidelines of the State wildlife agency.

House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022

Questions from Rep. Cohen

Question 1. The National Wildlife Refuge System (NWRS) was established to be a national network of protected lands and waters for the benefit of native wildlife and enjoyment by people. The NWRS currently attracts more than 61 million annual visitors, and trappers constitute only a very small percentage of those visitors. However, their activities put millions of other visitors at risk of stepping into a trap. How can the NWRS fulfill its mission to be a haven for wildlife lovers when the activities of a small minority jeopardize the safety of the majority?

Response: Trapping is a management tool used to ensure healthy wildlife populations and refuges. A review of our records management system was completed, and no records were found regarding humans being caught in traps. To ensure the safety of the visiting public, a variety of methods are used, including signage, appropriate trap placement away from heavily visited areas, avoiding time of year and time of day, camouflage, trap covers with openings designed for target animals.

Question 2. Over 40% of our nation's 568 wildlife refuges currently allow trapping, either for recreational purposes, management purposes, or both. It is well known that body-gripping traps are indiscriminate and will harm any animal or person that steps into one. Refuges which are enjoyed by Americans primarily are home to more than 380 endangered species. What measures has the agency taken to ensure that it is capturing the animals intended by body-gripping traps, which under the Refuge from Cruel Trapping Act would be invasive species or animals that are hazardous to threatened, endangered and sensitive species?

Response: There are currently 226 refuges that have approved management plans allowing for the use of trapping for management purposes. In 2021, only 100 refuges utilized trapping for management purposes, which is less than 18 percent of the total number of National Wildlife Refuges in the System.

To prevent non-target animals from being captured, a variety of methods are used, including appropriate trap placement (e.g., areas away from non-targets, selecting most appropriate time of year and time of day), camouflage, dyes, trap covers with openings designed for target animals, frequent trap checks, and placing traps in tunnels with excluder devices.

Question 3. It is my understanding that the FWS does not have a centralized system in place for tracking the trapping that occurs on refuges. Rather, that information is stored separately by each individual refuge. Does the FWS keep any centralized records on the types of trapping—management, recreational, commercial—that are occurring on refuges?

Response: When public trapping is permitted on National Wildlife Refuges, the Service does so in accordance with state laws, state regulations, and state licensing requirements, with additional refuge-specific regulations as needed to ensure consistency with applicable federal statutes. To be consistent with state requirements and also meet refuge-specific objectives, decisions on

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

trapping for commercial and recreational purposes, and associated information collection, is maintained at the individual refuge level.

- a. ***IF NOT: What would it take to start tracking that information and making it publicly available?***
- b. ***IF SO: How can the public access the information?***

Response: To make trapping data available to the public would require the development of national database and additional staffing capacity at the field, Regional, and Headquarters level to collect and enter data, quality control check, summarize and maintain the data. Additional personnel would also be needed to make the data available to the public on local refuge websites and our national FWS trapping website.

Question 4. Does the FWS have an agency-wide policy in place for how trapping for management purposes is to be conducted? In other words, does the FWS have NWRS-wide policies in place for trap-check times, wheretrap, traps can be set on the refuge and during what times of year, what the approved kill methods are for trapped animals, what actions need to be undertaken if a non-targeted animal is caught, etc.?

Response: The Service decides whether to use trapping as a wildlife management tool in accordance with the conservation mission of the Refuge System and the purposes of the refuge. The Service conducts a robust analysis on a station-by-station basis to determine if trapping is the appropriate management tool. Trapping must meet the management objectives that have been determined in each refuge's comprehensive conservation plan. Both lethal and non-lethal alternatives are part of the analysis. The FWS Refuge Manual's Trapping Policy, 7 RM 15, applies to trapping for both management purposes and for recreational and commercial trapping and states that trapping programs will be conducted in the most professional manner possible, using the most humane, selective, and effective technique that is reasonably practical.

Requirements, such as trap check times, are intended to reduce animal suffering and non-target captures. General trapping conditions stipulate species and numbers to be taken, seasons and hours, areas where trapping is permitted or prohibited, methods of trapping, methods of dispatching animals found alive in traps, methods of carcass disposal, procedures for submission of reports of target and non-target species and animals suspected to be diseased, provisions governing use of refuge vegetation, provisions governing trap and equipment removal, and other provisions as required. Additional, more restrictive conditions may be required by the refuge manager to be consistent with guidelines of the State wildlife agency.

Question 5. Steel jaw leghold traps have been banned by more than 85 countries and eight states, yet the United States allows their use and the use of body-gripping traps even on lands deemed a "refuge" for wildlife. Which species can the Fish and Wildlife Service point to that explain the need to use body-gripping traps because other more-humane or non-lethal traps are completely ineffective?

**House Natural Resources Subcommittee on Water,
Oceans, and Wildlife
Hearing on Fish and Wildlife Related Legislation
January 20, 2022**

Response: Invasive nutria within the Chesapeake Bay have degraded thousands of acres of protective marshland through their destructive feeding habits, putting wildlife and people at greater risk from the harms of climate change-amplified sea level rise. The Service and USDA's Animal and Plant Health Inspection Service's Wildlife Services implemented an integrated wildlife damage control program designed to eradicate the species from the Delmarva Peninsula within Chesapeake Bay. USDA and the Service also conducted a robust analysis to determine what methods to use. This analysis resulted in a decision that relocating nutria was not feasible and that the use of traps, firearms, and detection dogs to systematically seek out and remove nutria from infested wetlands would be the most effective. The program has been very successful and is in the process of verifying the successful eradication of nutria.