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UNITED STATES
DEPARTMENT OF THE INTERIOR
COOPERATIVE CONSERVATION LISTENING SESSION

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TRANSCRIPT OF PROCEEDINGS

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DATE: September 20, 2006

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TIME: 4:01 p.m.

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PLACE: Jeff's Catering Banquet and
Convention Center

11

5 Coffin

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Brewer, Maine

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APPEARANCES:

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For the Department of
Interior:

DIRK KEMPTHORNE, Secretary

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For NOAA:

JAMES WALPOLE, General Counsel

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For U.S. Fish & Wildlife: MARVIN MORIARTY, Northeast
Regional Director

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(This Cooperative Conservation Listening
Session was taken before Rebecca M. Pearson, RPR, a
Notary Public for the state of Maine, at Jeff's
Catering Banquet and Convention Center, 5 Coffin
Avenue, Brewer, Maine, on September 20, 2006,
beginning at 4:01 p.m.)

MR. WITTER: Good afternoon. Welcome to the
19th of 24 listening sessions on cooperative
conservation.

My name is Dan Witter, and I'm the moderator for
today's session. More formal introductions will
follow in a moment, but I'm joined on the podium by
Department of Interior Secretary Dirk Kempthorne,
National Oceanic & Atmospheric Administration General
Counsel, James Walpole, Fish & Wildlife Service
Northeast Regional Director Marvin Moriarty, court
reporter Becky Pearson. And we'll have sign
interpreters working at the event, as well, Pat
Heitmann and Brenda Williams.

It's become obligatory at this point of almost

21 every public gathering in the United States to ask as
22 a courtesy at this point you can guess what. Please
23 turn off your cell phones and pagers. Interestingly,
24 even when set to vibrate, those units interfere with
25 the microphone system.

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1 Thank you very much.

2 Now, to begin, I'm honored to introduce members
3 of Cub Pack 21, Boy Scout Troups 1, 21, 301, 478, who
4 have made themselves available today to lead us in the
5 Pledge of Allegiance. Please come forward, scouts.

6 Let's give them a round of applause.

7 (Applause)

8 MR. WITTER: And please stand.

9 (The Pledge of Allegiance was given.)

10 MR. WITTER: Thank you, thank you. Well
11 done.

12 (Applause)

13 MR. WITTER: Those folks are future
14 conservationists, and we very much appreciate them
15 taking off from their school schedules and being here
16 today and working with us. Thank you.

17 I'd like to start by giving you a quick preview
18 of our agenda today and the process we're going to
19 follow. I'll make some introductions. We'll have
20 some opening comments and brief presentations by those
21 on the podium. We'll then move right into the reason
22 we're gathered here, which is to listen to your
23 comments on cooperative conservation.

24 The process we're going to follow is designed to
25 hear from all of you, should you choose, while giving

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1 everyone a fair chance to be heard.

2 As you came in this afternoon, you should have
3 received an index card with a number on it, with the
4 key questions being addressed at these listening
5 sessions and information about additional ways you can
6 provide comments, such as Web, fax, mail or by placing
7 material in the basket at the back of the room.

8 I'll call you to the microphone in order of
9 numbers, actually a sequence of numbers. Please come
10 to the microphone so the audience and the recorder can
11 hear you. Give us your name, spell it if appropriate,
12 please -- our event reporter may ask for a spelling --
13 city, state and organization if you're representing
14 one. We'll capture all the proceedings.

15 If you're not comfortable speaking today,
16 remember you can send your comments by letter, fax,
17 Web site listed on the card. Leave them in the back
18 of room. All methods of input are weighted equally.

19 If you would please, limit your comments to
20 two minutes and 30 seconds. It may seem like it's not
21 much time, but we want to give everyone a chance to
22 participate, and you'll be amazed what you can say in
23 two-and-a-half minutes.

24 I'll show you a yellow card at two minutes, and
25 if you would please then, wrap things up with 30

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1 seconds. I'll try to help you do so with some body
2 English at first, and then by gently interrupting you
3 at two-and-a-half minutes. Thank you.

4 My responsibility as moderator is indeed twofold,
5 to keep everything moving along, so I apologize in
6 advance if I have to cut you off. It pains the
7 moderator nothing more than to have to cut you off,
8 and I must keep track of time.

9 Second, to keep us all on topic, and as it should
10 undoubtedly go without saying, civil.

11 Also, given that we want to hear from all who
12 want to be heard, we'll not be able to answer
13 questions from the podium or get into an exchange.

14 Dirk Kempthorne was confirmed as the 49th
15 secretary to the U.S. Department of the Interior on
16 May 26, 2006, in a voice vote by the U.S. Senate. Mr.
17 Kempthorne took the oath of office on that same day.
18 Prior to his confirmation as secretary, Mr. Kempthorne
19 served nearly two terms as Governor of Idaho, elected
20 first in 1998 and reelected in 2002.

21 As Governor, Mr. Kempthorne worked to develop
22 consensus on management of Idaho's and the West's
23 natural resources. He worked with his colleagues in
24 Oregon, Washington and Montana to develop an historic
25 bipartisan agreement on a state-based solution for

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1 returning salmon runs in the region.

2 Following the devastating wildfires of 2000, he
3 worked with fellow western governors and federal
4 officials to fundamentally change the approach to
5 forest health and wildfire management.

6 Under his leadership, Idaho developed wolf and
7 grizzly bear management plans aimed at delisting the
8 endangered species and giving the state of Idaho
9 management responsibility.

10 Before his terms as governor, Mr. Kempthorne
11 completed a successful six-year term in the U.S.
12 Senate. As a Senator, he wrote, negotiated and won
13 passage of two major pieces of legislation, a bill to
14 end unfunded federal mandates on state and local
15 governments, and a substantial revision of the federal
16 Safe Drinking Water Act.

17 He also worked to improve the quality of life for
18 American active-duty military personnel, reservists
19 and their families and veterans.

20 Mr. Kempthorne began his commitment to public
21 service as a highly successful mayor of the City of
22 Boise from 1985 to 1992.

23 Secretary Kempthorne has been recognized by his
24 peers as a leader. As governor his colleagues elected
25 him as chairman of the National Governors Association

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1 in August of 2003. He served as president of the
2 Council of State Governments and chairman of the
3 Western Governors Association. He served on the

4 executive committees of the National Governors

5 Association, and Secretary of Education Rob Page
6 appointed then Governor Kempthorne to the National
7 Assessment Governing Board. And Secretary of Homeland
8 Security, Tom Ridge, appointed him to the Homeland
9 Security Task Force.

10 Secretary Kempthorne and wife Patricia are both
11 University of Idaho grads, and have two grown
12 children, Heather and Jeff.

13 Please join me in welcoming Secretary Kempthorne
14 to the podium.

15 (Applause)

16 MR. KEMPTHORNE: Dan, thank you very much,
17 and to all of you, thank you for making me feel very
18 welcome in this beautiful state of Maine.

19 As I was listening to Dan go through some of my
20 past experience, it reminded me of the Unfunded
21 Mandates Act. My partner in writing that was John
22 Glenn of Ohio.

23 When I was a member of the United States Senate,
24 I had the honor of being on the Armed Services
25 Committee, and because I was new, I thought we were

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1 supposed to go to all the hearings, so I was there. I
2 was the only republican. This is not a partisan
3 story. But many of the democrats were there.

4 I listened to the discussion that John Glenn was
5 leading, and I thought he made a great deal of sense.
6 And as it turned out, he'd tried that for a number of
7 years, was never successful because none of the other
8 democrats supported what he was suggesting.

9 So as he completed his comments, one of the staff
10 members behind me leaned forward and he said, sir, do
11 you realize that you have all the proxy votes of all
12 the other republicans?

13 I said, you're kidding?

14 He said, oh, no, sir.

15 So anyway, he made his motion, but there was this
16 long silence. Nobody was going to second the motion,
17 so I seconded the motion. Well, they finally looked
18 up to see who did that, and it was the new guy seated
19 way down there because of seniority, so this was not
20 going to be a big deal.

21 They began to call the roll, and Senator Sam Nunn
22 was the chairman. So Senator Nunn? No. Senator
23 Kennedy? No. Senator Lieberman? No. Senator -- and
24 anyway, then they called the republicans. Senator
25 Thurman? And I said aye by proxy, and then Senator

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1 Warner? Aye by proxy. Senator McCann? Aye by proxy.
2 Every time they'd call a name, I'd vote.

3 And then came to Senator Kempthorne. I said aye.
4 Well, they tallied the score, and they said the
5 ayes have it.

6 Senator Nunn then adjourned the meeting.

7 So as we left the room, and there were different

8 doorways as there are here, as I walked out the one
9 doorway, I noticed at the other end standing was John
10 Glenn, and he waited for me as I walked that way. And
11 as I approached him, he said, who are you?

(Laughter)

12
13 MR. KEMPTHORNE: And I said, I think I'm
14 your new best friend.

15 But I mention that simply because you're probably
16 saying who are you? But I have the honor of serving
17 you in this new capacity as Secretary of the Interior.
18 The President asked me to take on this responsibility,
19 and I'm honored to do so.

20 Like you, I love this outdoors. I love our
21 environment. I love the issues that pertain to that,
22 and I like working with people.

23 So with all the time that he spent with his
24 parents at Kennebunkport, I can see why he calls this
25 a second home. I can see why he loves Maine and why

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1 it has so much meaning to him.

2 As late as last Friday in a meeting with him in
3 the oval office, we talked about these listening
4 sessions and how they're going. And they're going
5 very, very, well.

6 Here in Maine, with your spectacular seashores
7 and your forests and L.L. Bean, lobster and
8 blueberries, you have so much going from you. Being
9 from Idaho, you notice I did not mention potatoes.

(Laughter)

10
11 MR. KEMPTHORNE: I think many of you here
12 are here because you love Maine, here at this
13 particular listening session. You want to see its
14 landscapes protected, your way of life preserved
15 through a thriving economy. And I'm here, as is Jim
16 and Marvin and Dan to listen to you, and to capture
17 all the comments by our court reporter. We're here to
18 listen.

19 And I'm here because the President asked us to do
20 this. He asked the Department of the Interior, the
21 Department of Agriculture, the Department of Commerce,
22 the administrator of the Environmental Protection
23 Agency, the chairman of the Council On Environmental
24 Quality to go out and hear what the American citizens
25 have to say about these issues.

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1 From here I will go for a listening session in
2 Florida next week. I'll finish up next week in
3 California for the listening session that takes place
4 there.

5 The Department of Interior is heavily involved in
6 environmental and natural resource issues. We manage
7 one-fifth of the land in the United States of America.
8 We manage more than 390 national parks and 545
9 wildlife refuges. We welcome 470 million visitors to
10 our public lands. The land and offshore waters are
11 managed is one-third of our domestic energy in the
12 United States. We provide drinking water to 31

13 million Americans. We help protect citizens and
14 property and the environment from forest fires. We
15 have major Endangered Species Act responsibilities.

16 Here in Maine Interior manages Acadia National
17 Park, which I had the great pleasure of visiting this
18 morning. It is awesome. It's a national treasure,
19 and it's the first national park east of the
20 Mississippi.

21 Fortunately we have many partners at the state
22 and local level who care deeply about the environment
23 and the land on which we live. Without the help of
24 these citizen stewards, we could not possibly achieve
25 our conservation goals, and that's just a fact.

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1 I don't believe that all answers reside in
2 Washington, D.C. That's why I voluntarily left the
3 United States Senate to run for governor.

4 I do believe people living in Brewer or Bangor or
5 Bar Harbor or throughout Maine have a lot of
6 outstanding ideas, suggestions, and in many instances
7 solutions. You're proving that right here in Maine.

8 In fact, the Gulf of Maine Coastal Program is one
9 of 13 programs nationwide this year to receive the
10 Interior's Cooperative Conservation Award for the
11 Maine Atlantic Salmon Conservation Fund. You should
12 be rightfully proud of that. It's a model that we've
13 held up in other parts of the country.

14 The President understands the importance of
15 working closely with local partners, and he said, and
16 I quote, we believe that cooperative conservation is
17 the best way to protect the environment. This means
18 that we must focus on the needs of states and respect
19 the unique knowledge of local authorities and welcome
20 the help of private groups and volunteers.

21 He also said that through cooperative
22 conservation, we're moving away from the old
23 environmental debates that pit one group against
24 another and towards a system that brings citizens of
25 every level of government together to get results. To

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1 get results.

2 More than 1,300 individuals representing hundreds
3 of organizations met in St. Louis tried illustrations
4 of cooperative conservation projects across the
5 nation, and now this is the next step, and here's what
6 we're tuned into by asking these questions.

7 How can the federal government enhance wildlife
8 habitat, species protection, other conservation
9 outcomes through regulatory and voluntary conservation
10 programs?

11 How can the federal government enhance
12 cooperation among federal agencies with states and
13 tribes and local communities in the application of
14 environmental protection and conservation laws?

15 How can the federal government work with states
16 and tribes and other public and private sector
17 partners to improve science used in environmental

18 protection and conservation?
19 How can the federal government work cooperatively
20 with businesses and landowners to protect the
21 environment and promote conservation?

22 How can the federal government better respect the
23 interests of people with ownership in land and the
24 water and other natural resources?

25 How's the Endangered Species Act working?

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1 Do we have sufficient emphasis on the recovery of
2 the species after it's been listed?

3 What can we do in these areas?

4 So that's why it's an honor to be here in Maine.
5 I look forward to hearing your comments.

6 It's an interesting process, when you consider
7 that we're doing this across the United States. To
8 date we have had hundreds of individuals who have
9 stood up at the microphone and made comments. We have

10 over 15,000 pieces of e-mail traffic from citizens.
11 America is speaking up about this wonderful nation,
12 about the conservation efforts, about the environment
13 and because of that we're going to be even better.

14 So I thank you for again the respect and the
15 dignity by which these listening sessions are
16 conducted, and I look forward to your comments.

17 Thank you.

(Applause)

18 MR. WITTER: Thank you, Secretary
19 Kempthorne.

20 James R. Walpole has served as the National
21 Oceanic & Atmospheric Administration General Counsel
22 since his appointment by President Bush in 2002. In
23 this position he is the chief legal officer for all
24 NOAA activities. He also serves as a policy advisor

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1 to the undersecretary.

2 As General Counsel Mr. Walpole provides overall
3 management and leadership to more than 90 attorneys.
4 Legal issues addressed include those relating to
5 coastal zone management, operation of weather and
6 environmental satellites, management of commercial
7 fisheries, protection of marine mammals and endangered
8 species, monitoring ocean and atmospheric data and
9 mapping and charting U.S. waters. These are all in
10 the context of trial and litigation, regulatory
11 procedures, legislative drafting and enforcement
12 actions.

13 Previously Mr. Walpole was a partner in the
14 international law firm from Chadborne & Park and prior
15 to that was a partner in the Holland & Hart law firm.

16 While at the U.S. Department of Justice from 1971
17 to '74 he handled numerous environmental cases at the
18 trial and appellate levels on behalf of federal
19 agencies. And he taught environmental law from 1975
20 to '79 at Catholic University in Washington, D.C.

21 A native of Oswego, New York, Mr. Walpole
22 received his BA from John Carroll University and his
23 juris doctor from Case Western University.
24 He's published many articles and is the author in
25 a chapter in the American Law of Money Treatise.

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1 Mr. Walpole, an avid fisherman and Civil War
2 buff, and his wife Cathleen live in Alexandria,
3 Virginia.
4 Please join me in welcoming Mr. Walpole to the
5 podium.

(Applause)

7 MR. WALPOLE: Thank you very much, Dan.
8 I would like to thank everyone for taking time
9 from your day, your early evening to lend a hand to
10 help conservation here in this country and
11 particularly in Maine. There's no reason that you
12 have to be here, other than to help the process, and
13 we very much appreciate that.

14 I will have to say it's delightful to be here in
15 Maine. I, at the Department of Justice many, many
16 years ago, was up to Maine -- up in Maine here a good
17 bit, and I didn't realize how much I missed it, but I
18 was in Portland before and in Augusta, Bangor, Calais.
19 I learned how to say Calais, and I also learned to say
20 in one syllable bahba.

21 It's also particularly nice for me to be here
22 today. My close cousin that I grew up with in Oswego,
23 New York, is now a Mainer, and I'll be spending some
24 time with him this weekend. He's here -- he's here
25 today.

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1 But just to echo some of the comments of the
2 Secretary, cooperative conservation can be a buzz word
3 or it can be something that really works. And I
4 believe that it really does work. It's something that
5 involves the efforts and the resources of a lot of
6 different groups, and people really do want to help
7 the environment. When I say people, I mean people
8 that work in the agencies, federal or state or local,
9 people that work in other organizations, whether it's
10 a corporate organization, non-governmental
11 organization, people just in their private capacity,
12 and that's what these sessions are about.

13 NOAA, as you may know, regulates commercial
14 fishing, is involved in regulations on the Endangered
15 Species Act, the Marine Mammal Protection Act and
16 other conservation statutes, and we have a long
17 history of cooperative conservation.

18 We have been very active with the Gulf of Maine
19 Council, which I'm sure you're familiar with here,
20 which is an excellent example of cooperative
21 conservation where we have three states and two
22 governments from Canada working on the regional
23 ecosystem here to figure out what's good for this
24 area, not just for what's good for the whole world.

25 Also, just as another example, NOAA participated

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1 in the dedication event when we removed the smelt dam
2 and that provided an extra five miles of canoeing and
3 kayaking area on the river. This was done through
4 many of the agencies, the Corps of Engineers, the
5 Department of Interior, Fish & Wildlife, the Maine DNR
6 and many other agencies.

7 But this is a good example of how the different
8 organizations can work together. NOAA is very active
9 in its Open Rivers Initiative, and many of the
10 organizations I know in Maine are involved in that,
11 and we're very excited about it.

12 But just to finish up, I really am involved here
13 in listening because that's, that's how new ideas come
14 to the fore where you can decide if that's a better
15 idea or not as good an idea as before, and the more
16 this goes on, it seems the better the ideas come out,
17 taking things from a different viewpoint or bringing
18 in different partners, being more creative in how we
19 can all conserve our wonderful natural resources here.

20 So with that, I'll depart but look forward to
21 listening to the comments.

22 Thank you for having me here.

23 (Applause)

24 MR. WITTER: Thank you, Mr. Walpole.

25 It was either Ben Franklin or Mark Twain -- now

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1 pick one depending on your preference for regional
2 wisdom and dry humor -- who said there's nothing more
3 uncomfortable than a good example.

4 This clever turn of words reminds us that good
5 examples compel us to strive for excellence, and here
6 to offer a brief example of exemplary cooperative
7 conservation is Mr. Steve Camick, executive director
8 of Project SHARE.

9 Join me in welcoming Steve.

10 (Applause)

11 MR. CAMICK: With all the good things that
12 are happening in Maine, it's a pretty interesting
13 honor that Project SHARE was selected to be here. I
14 hope I do justice not only to some of the board of
15 directors that are in the room, but some of the old
16 timers that were the originators of SHARE. I'm sure
17 there's a few of them out there too right now.

18 I usually don't speak from notes, but they wanted
19 the short version, not the long-winded version, so
20 I'll try to keep on track.

21 The chair was charged in 1994 as a 501(c)(3)
22 non-profit. It's an entity of entities. Federal
23 agencies, state agencies, conservation groups and
24 corporate landowner types are the four major
25 categories that make up the membership, make up the

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1 board of directors.

2 What's important to note that way back when, it
3 was the commercial forest industry that came to the
4 federal services, not the other way around, as far as

5 looking for a new model.
6 Looking at the demographics Downeast, some of
7 these same entities had gone through the Spotted Owl
8 listing in the Pacific Northwest, rather
9 controversial; they didn't want to go through that
10 again. That in a nutshell was the rationale behind
11 starting Project SHARE.

12 Another thing to note from early stages it was
13 the top white collar decision makers from these
14 entities that saw the value of Project SHARE enough to
15 where they were the ones who participated. They
16 didn't delegate type thing.

17 So it's a diverse stakeholder group that back
18 then, along with the time of the listing, even now,
19 don't agree on everything. Some of them sued the feds
20 for the listing. Some were agency people at the time
21 that the governor was suing the feds to reverse the
22 listing.

23 Those kind of things are not talked about at
24 Project SHARE versus the central niche of how can we
25 all come together on the very narrow topic of habitat

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1 restoration of Atlantic salmon. SHARE actively is
2 involved in that. It is not an advocacy group.

3 The early years SHARE was more of a hub of
4 interaction between these parties. I came on board in
5 January of 2001. Since then we've created an active
6 restoration program within Project SHARE itself. I'm
7 not going to go through any details on that. We have
8 a board that shows some of the activities.

9 But I can tell you that our program is at the
10 range of 3 to \$400,000 a year of program type
11 activities. Some of it outreach. Most of it
12 on-the-ground restoration. I'm the only staff person.
13 My capacity, Share's capacity comes from tapping the
14 capacity of its member groups.

15 Right now today a project has happened out on
16 Cold Stream because I have U.S. Fish and Wildlife
17 biologist on site.

18 They asked me to speak of what some of the
19 stumbling blocks that we've dealt with and what we see
20 as far as going forward, so I would like to basically
21 deal with three of them. Of course, two of them are
22 big ones that are not separate. One is funding, and
23 one is that four letter word called process.

24 I deal with 3, 4, \$500,000 a year. If you do
25 your homework and do a good job at it, there is lots

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1 of sources of dollars to do on-the-ground restoration
2 projects. Not so easy is dollars to do the prep, the
3 identification, the design planning; and then even
4 less easy is that lovely concept of where you get the
5 general operating that you can't write a grant for for
6 the sexy things like the annual audit or general
7 liability insurance.

8 So I noticed on your Web site that part of the
9 conservation exercise is support of cooperative

10 conservation. Think of the concept where Interior has
11 a budget line item for recovery dollars. There's a
12 budget line item in there for Atlantic salmon
13 recovery.

14 What happens if they're -- an entity like Project
15 SHARE is a named with an annual \$10,000? Think of
16 what that would do as far as my source for the
17 non-sexy stuff that you can't fund, but think more
18 importantly if something recognizing an entity that is
19 doing cooperative conservation that these partners are
20 all actively involved with is recognized at that
21 level.

22 The other issue with regard to funding is what I
23 call annual fiscal year dollars. Most of the dollars
24 that we have access to come in annual budgets that --
25 I think your fiscal year starts October 1st. We find

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1 out about it probably February. The deadline for
2 applying for it is probably May, and when you add in
3 to cooperating with this agency, plus this one, plus
4 this one, you have multiple process that there's not
5 enough time to react to some of the opportunities that
6 we have.

7 Another problem that SHARE has actually been able
8 to solve with regard to process has to do with some of
9 the process. My example is with the NRCS whip money
10 that's aimed at the landowner. A couple of years ago
11 there was restoration dollars intended for salmon
12 restoration that went back because the demographics
13 Downeast and with the listed rivers could not get the
14 landowners that it needed to, because the landowner
15 needs to be the client. The NRCS person thought
16 outside the box and realized that Project SHARE could
17 become a client of NRCS.

18 By identifying the need, it took about two years,
19 but we are now a client, and at long last we'll be
20 doing five projects with NRCS whip money that three
21 of them will be happening next week.

22 Along with that process has to do with the
23 permitting. The U.S. Fish & Wildlife and NOAA, after
24 about two years of Section 7 consultation we, went
25 through and finally found a pathway, and SHARE

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1 possibly may be the first NGO in Region 5, I'm not
2 positive, but we have a Section 10 permit.

3 Those two things took care of a lot of process.
4 But if SHARE didn't exist, those things wouldn't
5 happen.

6 So that is the -- basically in a nutshell a few
7 bullets. And again I'm honored that in all the good
8 things that are happening in Maine, that Project SHARE
9 is here to tell you about what we're doing.

10 Thank you.

11 (Applause)

12 MR. WITTER: Thank you, Mr. Camick.

13 Now joining us on behalf of Governor Baldacci is
14 Patrick Kelleher, executive director of the Maine

15 Atlantic Salmon Commission, to bring the governor's
16 comments and concerns to the session.

17 Join me in welcoming Mr. Kelleher.

18 Please, sir.

19 (Applause)

20 MR. KELLEHER: Thank you.

21 Am I on? I'm on. I'm always the one -- Mr.

22 Secretary, Mr. Walpole, Mr. Moriarty, welcome.

23 At breakfast this morning my wife said, do you
24 have a good opening joke?

25 And my four-year-old looked at me and said,

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1 Daddy, tell them the dirty joke.

2 I told him I wouldn't tell a dirty joke, but the
3 dirty joke is five white horses fell in the mud, so
4 that's about as good as it's going to get, but for a
5 four-year-old it goes over big.

6 On behalf of the Governor, Governor Baldacci, I'd
7 like to welcome you and your staff to the great state
8 of Maine. It's an honor to have you here today.
9 We're very appreciative of your time and willingness
10 to listen and talk with the people of Maine who are
11 very passionate about the conservation of our natural
12 resources.

13 My name is Pat Kelleher. I'm the executive
14 director of the state of Maine's Atlantic Salmon
15 Commission and chair of the Governor's Natural
16 Resources Subcabinet.

17 I'm here today representing the Governor, who
18 sends his apologies for not being able to attend. He
19 had an engagement that precluded him from attending.

20 Mr. Walpole, I may give you a couple more
21 one-syllable words that -- if you pay attention, so
22 I'll --

23 MR. WALPOLE: Ayah.

24 (Laughter)

25 MR. KELLEHER: First let me say I'm very

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1 happy to see Project SHARE highlighted here today.
2 They do an outstanding job in Downeast Maine. They're
3 doing a tremendous job within the distinct population
4 area where Atlantic salmon are listed. They are a
5 very good go-between, if you will, between both the
6 state and federal agencies and the private landowner.
7 We need to continue to support this effort down east.
8 They really do a tremendous job.

9 Let me begin by saying the state is committed to
10 DOI's cooperative conservation approach. This
11 approach through cooperation, collaboration,
12 communication is without a doubt the best way to
13 facilitate conservation in the state of Maine in
14 recovery of key species.

15 Your dedicated staff at the Washington level
16 through the Region 5 office, as well as the Northeast
17 region of NOAA and many of the field offices are a
18 true asset to the cooperative effort.

19 While we admit we do not always agree, we do work

20 through our differences and keep the end goal in mind.
21 However, your staff in many cases has limits on their
22 ability to be flexible and creative, two key
23 components that are essential to cooperative
24 conservation. I'll elaborate on this point more as I
25 go forward.

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1 But first let me highlight just two key areas or
2 two key projects that we see as great collaboration.

3 One was the removal of the Edwards Dam which
4 opened up 17 miles of spawning habitat on the Kennebec
5 River. It was a tremendous success, not only to the
6 river itself and the people who enjoy that river, but
7 also to the Gulf of Maine ecosystem.

8 And secondly is the Machias River Conservation
9 Project where the third phase has just been finalized.
10 Nearly all of the riparian land has been protected on
11 this very key river that is part of the distinct
12 population segment which salmon are listed.

13 The Salmon Commission holds about an 18,000-acre
14 easement, and Bureau of Parks and Lands at the
15 Department of Conservation holds all the fee lands.
16 This is keeping this land open for traditional use
17 while at the same time protecting very sensitive
18 habitat, not only for Atlantic salmon but for other
19 cold-water species, as well.

20 The critical repair of the Atlantic salmon is
21 another example of the U.S. Fish & Wildlife Service
22 working in close cooperation with the state of Maine,
23 as well as the National Marine Fisheries Service or
24 NOAA Fisheries, whatever name we're going to use.

25 The response to the 2004 National Academy of

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1 Science report exemplifies this cooperation. The NAS
2 report recommended an independent peer review of the
3 extinct population segment, as well as the Penobscot
4 River Federal Atlantic Salmon hatcheries. Both
5 agencies, federal agencies as well as the state of
6 Maine have been doing a great job cooperating on this,
7 and I'm very happy to say both the state and the two
8 agencies have come up with the needed funding to do
9 this review. The state is taking the lead on the RFP,
10 and we hope to have this completed, this review
11 completed sometime next year.

12 Another important office is the office of
13 Ecological Services for the Fish & Wildlife. This
14 office must have experienced staff in place to work
15 within the state and work with the private landowners
16 especially in dealing with species that have
17 controversy surrounding it like the Canadian lynx and
18 Atlantic salmon.

19 There's also a key component -- another key
20 component within the Fish & Wildlife Service which is
21 their fish passage team which provides very critical
22 engineering services that deal with fish passage
23 design.

24 Mr. Secretary, I can't tell you enough how

25 important this team is. This is an area that the

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1 state relies heavily on. This is a very specialty
2 area. There are very few people in the country that
3 can provide fish passage expertise like the group that
4 works out of the region. They do a tremendous job,
5 and the same goes for the folks that work on the same
6 side with them. They do a tremendous job.

7 I want to quickly shift gears to a public safety
8 issue. DOI has played a key role in aiding the
9 cooperative working relationship between Interior,
10 USDA and Health and Human Services providing
11 leadership and guidance to the state departments
12 responsible for implementing the surveillance and
13 control of zoonotic diseases.

14 The leadership from the three secretaries and the
15 unified voice for Avian Influenza surveillance,
16 education and outreach has truly been outstanding. We
17 know this is carried by birds. We're not sure if it's
18 carried by flies, but it's -- it is or could be a very
19 severe threat to public safety and we thank you for
20 your leadership in that area.

21 While cooperative conservation has done much to
22 further the conservation of land, fish and wildlife,
23 there is much more the federal government can do in
24 the interest of the people of Maine. Flexibility,
25 creativity and on occasion some good old-fashioned

0030

1 common sense is sometimes in short supply. This is
2 when it comes to the implementation of statutes,
3 regulation and policies that are put in place by the
4 federal government. This is especially true when it
5 comes to the Endangered Species Act.

6 The state is interested in working through ESA
7 issues in a cooperative manner. We can still be more
8 flexible -- we can all be more flexible -- excuse
9 me -- and the resources better served when the federal
10 government and the states are able to think outside
11 the box and be flexible and creative. Timely and
12 effective solutions are possible when the staff is
13 permitted, even encouraged, to look at the issues in
14 this way.

15 All too often the state and natural resource
16 agencies -- all too often the state and Natural
17 Resource Agency staff run into what can only be
18 described as a rigid and inflexible approach to the
19 Endangered Species Act, which often results in delay.
20 The burdensome reviews placed on individual activities
21 around water or other habitat as it relates to the
22 endangered or threatened species is an example of a
23 need to change.

24 There is a great and urgent need for the federal
25 services to move away from site specific or individual

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1 permitting and to move towards a programmatic approach
2 covering multiple activities. We believe that this
3 approach will free up limited staff resources for all

4 involved, take pressure off dwindling budgets and
5 still protect our natural resources.

6 Site specific permitting is seen as a hardship by
7 landowners and partners who want to work with the
8 state and natural resource agencies but the
9 bureaucratic layer continues to lessen their
10 cooperation.

11 Mr. Secretary, you have -- you have my comments
12 there. There are a lot of priorities listed. I just
13 want to quickly, quickly go over a few of the
14 priorities that we had sent to your office at the
15 request of one of your senior staff members.

16 Increased funding and technical assistance in
17 regarding invasive fish introductions are needed. We
18 currently receive an annual grant for non-indigenous
19 aquatic nuisance prevention, but more assistance and
20 funding continues to be needed. We are truly
21 overwhelmed in this state with the illegal
22 introduction of non-native species, and we need to
23 make sure again that we're working cooperatively to
24 try to solve this problem.

25 Funding continues to be in decline for the state

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1 component of the Land Water Conservation Program used
2 for state parks and municipalities and from FY 02 to
3 06 the funding given to the state dropped from 1.3
4 million to just over -- excuse me -- to just under
5 \$300,000. Given this constant need to improve and
6 maintain, we need to find a way to reestablish these
7 funds.

8 Federal government must articulate a coherent and
9 comprehensive national policy that promotes the
10 sustainable management of the economical viability of
11 our public and private forests. We believe the state
12 forest agencies should be a delivery point for all of
13 these federally funded forest programs.

14 Again, I've already hit on the need for
15 cooperative communication when it comes to all of the
16 ESA issues. Again lynx and Atlantic salmon are two
17 that are in the forefront right now. And as you heard
18 from the Governor today, he's very committed to
19 working with both Interior and Commerce to move
20 forward in a joint effort to try to come up with joint
21 solutions.

22 The USGS Maine Water Science Center, I can't talk
23 enough about this particular one, as well. There is a
24 great need for water in this state, but we also know
25 that fish need water, as well. Irrigation continually

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1 comes into play when it comes to also the need for
2 water for salmon and other critical cold-water
3 species, and continued funding of the Maine Water
4 Science Center is truly needed, as well as funding for
5 the farmers who need to create alternative sources of
6 water within the state so we can get them out of
7 direct withdrawals within the rivers.

8 And lastly, Mr. Secretary, I did have the

9 pleasure of briefing you at your office about the
10 Penobscot River Project. It is without a doubt the
11 best example of cooperative conservation in Maine and
12 the nation, as far as we're concerned. This project
13 has the best chance to recover Atlantic salmon, the
14 last remaining salmon in the country. We believe this
15 is a, what we like to refer to as a smart hydro
16 project. This is a project that balances the need of
17 energy for the state while at the same time balancing
18 the need for conservation of Atlantic salmon, as well
19 as eight other indigenous species.

20 As a signatory to this agreement, we really need
21 you to champion this project. Our request has always
22 been '08 and '09 budgets trying to find a way to get
23 into the budget. We're trying to find money in this
24 state. We all know that things are tough, but we're
25 committed to helping with this project, and we hope

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1 you will commit to it, as well.

2 Your agency has a vested interest. Other
3 agencies need to also be involved, Commerce and Ag.
4 It needs to be a joint cooperative effort, and we're
5 here to hopefully have you hear that loud and clear,
6 and I think you will before the end of the evening.

7 So, Mr. Secretary, Mr. Walpole, Mr. Moriarty, I
8 want to thank you for the opportunity to speak to you
9 tonight on behalf of Governor Baldacci.

10 There are other people here from the state
11 agencies, as well, so if questions come up and you'd
12 like to direct questions to the agencies, we can make
13 sure we can answer them tonight or get you that
14 information.

15 Thank you very much.

16 MR. KEMPTHORNE: Thank you, sir. Thank you.

17 (Applause)

18 MR. WITTER: Thank you, Mr. Kelleher.

19 As we continue the listening session, I'm pleased
20 to acknowledge others who have joined us in the
21 audience to listen. These include Tim Trafford,
22 Constituent Service Representative of Michael Michaud,
23 a member of the U.S. Congress, Second District Maine.

24 Thank you, sir. Thank you.

25 We have Representative Arthur Handy, District 18,

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1 the House of Representatives state of Rhode Island.

2 Thank you, sir, for joining us.

3 We have Kenneth Elowe, Director Maine Department
4 of Inland Fisheries & Wildlife.

5 Thank you, sir. Thank you.

6 We have with us Wayne Laroche, state of Vermont
7 Fish & Wildlife Department.

8 Thank you. The commissioner. Thank you, sir.

9 We have Gail Kelly, the state director.

10 I should have let you introduce her, sir.

11 Forgive me.

12 Thank you. Thank you. For Senator Olympia
13 Snowe. Thank you so much for being here.

14 William Hubbard, the chief evaluation branch,
15 U.S. Army Corps of Engineers, New England District.
16 Thank you. Thank you for being here.
17 David Russ with USGS. That's the U.S. Department
18 of Interior, and it's the United States Geological
19 Survey.
20 Thank you for being here.
21 Janice Cooper with Congressman Tom Allen. She is
22 director of Outreach and Special Projects.
23 Thank you very much.
24 And Michael Nedd, state director -- you can all
25 bring your cards up, by the way.

0036

1 (Laughter)
2 MR. WITTER: It's state director Eastern
3 States Bureau of Land Management. That is BLM.
4 And thank you.
5 Carol Woodcock, U.S. Senator Susan Collins.
6 Thank you.
7 And importantly thank you, each and every one of
8 you for being at this listening session. Thank you
9 very much.
10 And now indeed it is your turn. Here's the
11 process again. I'll call in order of number. You're
12 welcome to approach the microphone at that point.
13 Please make yourself comfortable with the microphone.
14 We've discovered -- we don't mean to keep anyone at
15 discomfort around the microphone, or if you're unable
16 to stand for a period of time, make yourself
17 comfortable.
18 Give us your name, spell it if appropriate, city,
19 state, organization if you're representing one.
20 Please limit your verbal comments to about
21 two-and-a-half minutes. I'll show you a yellow card
22 at two minutes, and that will give you 30 seconds to
23 wrap up, at which point I will reclaim the microphone.
24 Thank you very much, though it will pain me.
25 I now invite commenter No. 1 to the microphone.

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1 Please, sir, and thank you.
2 MR. CROWE: Thank you, Mr. Secretary, General
3 Counsel, momentarily gone, and Mr. Director.
4 I am David Crowe, C R O W E. I am with the
5 National Association of Home Builders. I'm here with
6 other home builders from the state of Maine and from
7 the Northeast. I'm here to speak in general about the
8 home builders' issues.
9 We have many comments, many too technical to
10 bring to you today. We will do those in writing. I'd
11 simply like to bring to you one word today similar to
12 the movie The Graduate and Plastics. This isn't
13 Plastics; this is uncertainty. This is an enemy of
14 the builders, and it's an enemy of the consumers that
15 the builders sell to and rent to. It's an enemy
16 because, first of all, it drives some people away from
17 doing business because there's so much uncertainty in
18 building homes and developing land.

19 Secondly, it raises the cost of doing that
20 business, both because of the length of time and the
21 amount of money necessary to pay for extended loans,
22 but also the built-in uncertainties that happen as
23 builders deal with the many regulations, both federal
24 and state.

25 Uncertainties are wrath throughout our industry
0038

1 and material costs and consumer demand, but the one
2 thing that shouldn't be there is the uncertainty of
3 federal regulation, and that is the case in many of
4 the situations we deal with every day. I'll give you
5 a couple of quick examples.

6 There are uncertainties in definitions of
7 endangered species. In enabling the Act, the Interior
8 Department has used words like jeopardy and adverse
9 modification, which do carry uncertainty. They carry
10 difficult interpretations leading to court cases and
11 to other extended and time-consuming operations.

12 There is uncertainties and misapplications of
13 science in designating endangered species to begin
14 with, and there is confusing and overlapping rules in
15 dealing with storm water.

16 Thank you, Mr. Secretary.

17 MR. WITTER: Thank you, sir.

18 Number 2, please, approach the microphone.

19 Thank you. Thank you, sir.

20 MR. FIANO: Hello. My name is Larry Fiano,
21 F as in Frank, I A N O. I'm a home builder from
22 Bolton, Connecticut, and I have something in common
23 with the gentleman who spoke that went before me. I
24 don't have a four-year-old son, but I have a
25 four-year-old grandson.

0039

1 I appreciate the opportunity to comment on
2 cooperative conservation. My comments center around
3 the Clean Water Act, MPDES Storm Water Permit Program.

4 EPA's current storm water regulations are
5 complex, excessive, costly and oftentimes duplicate
6 the efforts of state and local governments. Home
7 builders believe there should be storm water
8 regulations, but they also believe those regulations
9 should be reasonable, thoughtful and fair.

10 We also believe that more effective environmental
11 protection should come from the simple consistent
12 rules that encourage compliance.

13 To further the ideals of cooperative
14 conservation, there are a number of steps that can be
15 taken to improve water quality by simplifying and
16 facilitating compliance.

17 First, the permitting program should be
18 simplified by eliminating duplicate permit
19 requirements. One way to accomplish this is by
20 improving coordination with the states and
21 facilitating the recognition and adoption of
22 qualifying local programs. The program should be
23 streamlined by adopting a single-lot permit or other

24 similar methods.
25 Second, EPA and the state should collaborate to
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1 develop consistent enforcement policies that focus on
2 environmental protection. For example, updating an
3 expedited settlement program, improving inspection
4 measures and deferring to the state enforcement to
5 further demonstrate the agency's commitment for water

6 quality.
7 Third, watershed partnership programs should be
8 developed to facilitate innovation, incentivised
9 long-term compliance. One example of this is the
10 Builders For The Bay Program that is currently being
11 implemented around the Chesapeake Bay where builders,
12 local governments are working together to remove
13 impediments to environmentally sensitive site design.

14 Finally, collaborative compliance assistance
15 efforts must be implemented to ensure widespread
16 awareness of the program and to improve overall
17 compliance.

18 In summary, clearly storm water regulation, well
19 coordinated simple and fair, will encourage compliance
20 in the end and will do more to protect rivers and
21 streams than the current system.

22 Thank you for the opportunity to comment in
23 various ways the federal government can improve storm
24 water permitting programs through cooperation
25 conservation.

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1 MR. WITTER: Thank you, sir, very much.
2 Appreciate it. Thank you, sir.

3 I invite commenters three through five to queue
4 up at the microphone, three through five. Again do
5 not be in discomfort. I won't skip you if you can't
6 queue up or line up or form a column.

7 Thank you, sir. Number 3.

8 MR. DANBURY: Great. Thank you. My is Bob
9 Danbury. I'm a professional remodeler from
10 Connecticut, and I'm a member of the National
11 Association of Home Builders and Remodelers Council,
12 and I'm here today to speak specifically to an
13 environmental concern that involves our industry as
14 EPA is ready to regulating renovation and remodeling
15 and the rule.

16 As written the proposed EPA rule will not be
17 effective and potentially devastating for our industry
18 and homeowners of older homes, especially areas such
19 as New England where there's a preponderance of older
20 homes and where lead based paint is prevalent.

21 The proposed rule will miss out on its intended
22 goal of protecting children by arbitrarily only
23 actively being involved with remodelers or those who
24 do work for compensation and ignoring all those who
25 are do it yourselfers, weekend warriors or whatever

0042
1 the trade might be. But those not trained in the

2 business will not have any regulations or training or
3 ability to learn how to work safely with lead based
4 paints.

5 What that does is it creates an increased cost
6 for compliance for the professional, and if the
7 remodeling industry has higher costs, it's going to
8 have to charge more, and that's going to end up
9 driving fewer homeowners -- fewer owners to be able to
10 afford our services. They'll be going to their own
11 underground potential services or just people who
12 haven't gone through the training and education that
13 is so important if we're going to deal with a
14 hazardous material.

15 As a result, we think that remodelers have to
16 be -- do no harm. They should take the philosophy
17 that our work should not create more dust than it had
18 prior to the building, and our concern is that this
19 rule creates remodelers and turns them into abatement
20 contractors since they're responsible for achieving a
21 level of clearance that wasn't related to their work
22 process. It deals with existing conditions, and that
23 we feel is inappropriate that a remodeler should have
24 to clean up the sins of the past and the dust that was
25 created previously from whatever source.

0043

1 We really have to be careful that we don't become
2 abatement contractors. The distinction between a
3 renovation, remodeling contractor and abatement
4 contractor should be very clear. The proposed rule
5 will blur that line and create remodelers that are
6 going to in turn become abatement contractors because
7 of the cleanup requirements.

8 We currently clean up to the no visible dust
9 standard. We've kept customers happy over the years.
10 That's a sufficient standard for our remodeling
11 activities, that we need more information to make sure
12 that our activities aren't hazardous. We have some
13 research that may show us that, but we encourage the
14 EPA to get the research to show what renovation,
15 remodeling activities are dangerous, what work
16 practices will result in safe levels.

17 MR. WITTER: Thank you, sir. Appreciate it
18 very much. Thank you.

19 Please, sir.

20 MR. BRASH: Thank you. In advance I
21 apologize to Mr. Walpole and Mr. Moriarty.

22 Mr. Secretary, as the regional director of the
23 National Parks Conservation Association, I would like
24 to -- we're pleased you're here today, and I'd like to
25 thank you very much for coming and listening.

0044

1 On behalf of NPCA's 320,000 members, most of all
2 we would like to thank you for the excellent job I'm
3 sure it has done with their leadership in finalizing
4 new management policies.

5 Further, and particularly from those of us in the
6 Northeast, we wanted to thank you very much for Mary

7 Bomar, who is the new director -- is your choice as
8 the new director of the National Parks Service. I
9 personally have had the pleasure to work with her and
10 have found her not only a solid park professional, but
11 in our interactions she has shown herself to be
12 straightforward, honest and a great park steward.

13 With respect to cooperative conservation, if the
14 national parks were not suffering from annual
15 shortfall of \$800 million, the communities bordering
16 and depending upon the parks would be better off, our
17 citizens would appreciate them more, and the very
18 icons they protect, both natural and cultural,
19 historic, would be assured for our children's future.

20 We also believe that cooperative conservation
21 should mean that the Park Service not only listens to
22 and interacts thoughtfully with those around each
23 park, but that also the surrounding industries, towns
24 and communities and other good neighbors would
25 reciprocally conduct their actions with respect to the

0045

1 parks.

2 New roads, homes, infrastructures for energy,
3 zoning decisions and all other park projects -- all
4 the projects affecting parks should be developed by
5 state and local governments have enormous as impact on
6 the parks.

7 As you know parks are no longer independent with
8 the landscapes. Parks are increasingly isolated
9 fragments, and NPCA recognizes the importance of
10 strong federal, state, local and county cooperation of
11 the landscape in and around the parks.

12 The Barrier Islands do need their sand
13 replenished, farmers need water and timber must be
14 harvested, for without newspapers how would we know
15 what you're doing?

16 However, we do believe that strong environmental
17 laws such as the National Environmental Policy Act,
18 the Endangered Species Act, the Clean Air Act are
19 critical to our parks, and park managers must be less
20 fettered in their efforts to properly uphold these
21 laws.

22 There are two parks I'll briefly talk about in
23 the Northeast. First is Gateway National Park down in
24 New York City created in 1972. It essentially is a
25 conglomeration of public land put together, and while

0046

1 Gateway has great potential, it is not -- it has been
2 captioned the quagmire of the nation for three
3 decades. NPCA, Columbia University and others are
4 getting together to undertake the landscape design
5 competition, such as --

6 MR. WITTER: Excuse me, sir. Thank you very
7 much. Thank you. Please.

8 MR. BRASH: And I would like you to join.

9 MR. WITTER: Thank you, sir. Appreciate it.

10 Yes, ma'am, please.

11 MS. DEMPSEY: Secretary Kempthorne, Mr.

12 Walpole, Director Moriarty, thanks for the opportunity
13 to speak. My name is Kate Dempsey, and I'm here with
14 the Nature Conservancy here in Maine.

15 Cooperative conservation partnerships are the
16 cornerstone of the Nature Conservancy's work here in
17 Maine and around the world. The most successful
18 partnerships include diverse stakeholders who work
19 together to achieve conservation success in a truly
20 landscape scale.

21 We have examples in Maine that range into the
22 hundreds of millions of acres and hundreds of miles of
23 river runs.

24 Thanks for mentioning Machias River.
25 Finding common ground with communities,

0047

1 landowners, government agencies, farmers, fishermen
2 and other business interests is essential to finding
3 creative and practical solutions to balance human
4 needs with conservation goals.

5 You're seeking such examples, and you've come to
6 the right place. Today we're near the lower Penobscot
7 Forest Project and the Penobscot River Restoration
8 Project. Each is founded on local, state, federal and
9 private partnerships and each have grown out of
10 private industries' interests.

11 Well-funded federal land acquisition programs are
12 a vitally important tool if the federal government is
13 to fully exercise its role as a conservation partner.
14 Programs like Kelp, Land and Water Conservation Fund,
15 Forest Legacy and NOFCA have provided great
16 investments here in Maine.

17 The Penobscot River Restoration Project is as
18 good of an example of cooperation by industry, the
19 tribes and lots of partners here in the state as
20 you'll find anywhere in the nation. It is the most
21 important river restoration work in the country today,
22 and it's in great need of \$10 million in the federal
23 FY 08 budget.

24 We applaud the administration's cooperative
25 conservation grant programs and the opportunities to

0048

1 work with private landowners. We also see cooperative
2 conservation here at work in Maine, as you mentioned
3 the Gulf of Maine Program under Stu Feffer's
4 leadership, but we need their expertise, and we also
5 need some continued funding from the federal
6 government so that the state and private partners can
7 work together.

8 Thank you.

9 MR. WITTER: Thank you, ma'am.

10 Thank you to commenters 1 through 5 showing good
11 form all.

12 I would invite commenters 6 through 10 to
13 approach the microphone, and again make yourself --
14 commenters 6 through 10.

15 And we'll take No. 6, No. 6.

16 MEMBER OF AUDIENCE: I don't want to talk.

17 MR. WITTER: Thank you. Thank you very
18 much.

19 Number 7?

20 Thank you, sir.

21 MR. BROOK: Secretary Kempthorne, Counsel
22 Walpole and Director Moriarty, my name is Steve Brook.
23 I've come up from Farmingdale, which is about an hour
24 and a half south of here today. Since I see my boss
25 in the audience, I've got to mention that I'm taking

0049

1 vacation time to be with you here today.

2 I'm really here today wearing my former hat, and
3 that is the project coordinator for the Kennebec
4 Coalition. I really wanted to thank Secretary
5 Kempthorne for your agency's support for what was a
6 monumental project of cooperative conservation that we
7 completed here in Maine on the Kennebec River back in
8 1999.

9 The removal of the Edwards Dam at the Head of
10 Tide and the restoration of the rivering habitat is
11 really a remarkable model for cooperative
12 conservation. It was cooperative conservation that
13 involved local, regional and national non-government
14 conservation groups.

15 Our coalition, the Kennebec Coalition partnered
16 with state and federal agencies with business and
17 industry interests to really set the standard of river
18 conservation here in the United States.

19 But, Secretary, I really wanted to thank you
20 personally for some support that came from the
21 individuals of the Fish & Wildlife Service on the
22 ground. Particularly I wanted to thank you for Gordon
23 Russell's support. Gordon is the team leader in our
24 local office.

25 My understanding is that he's going to be

0050

1 retiring this year. My hope is that you'll find a way
2 to replace that position sooner rather than later
3 because we need people like him on the ground.

4 People like Judy Stolfo from the Regional
5 Solicitor's Office was pivotal in our efforts. Alex
6 Hoar who works with Director Moriarty at the regional
7 office. Stu Feffer and his team at the Gulf of Maine
8 Program. All very important partners in collaborative
9 conservation here in Maine.

10 And, Counsel Walpole, so you're not left out, I
11 really want to mention Jonathan Kurlow who was in the
12 Gloucester office at the time and partnered with us
13 who's now out on the West Coast. All critical people.

14 My point is that cooperative conservation here on
15 the ground, doesn't work unless we have capable
16 professionals from the field and your agencies to
17 support us, and as we move forward from the Kennebec
18 to the Penobscot River there are two things that we
19 need. We need the professionals on the ground, and we
20 need your guidance, support and help funding the

21 funding -- finding the funding to make that work.
22 Again, I'd be happy to ask -- answer any
23 questions that you have and stand ready to help you.
24 MR. WITTER: Thank you very much, sir.
25 Appreciate it. Thank you, sir.

0051

1 Number 8?
2 Thank you. Please, sir.
3 MR. GOODE: Thank you. I want to welcome
4 the panel to Maine. Appreciate your time in coming.
5 And, Secretary Kempthorne, as much as I like
6 fishing in Maine, if truth be told, that my favorite
7 river to fish is the Henry's Fork where, until I got
8 married a few years ago, I could be found every fall.
9 My name is Andrew Goode, and I'm here
10 representing -- I'm from Freeport, Maine, and I'm here
11 representing the Atlantic Salmon Federation, an
12 organization of 8,000 dedicated salmon anglers and
13 conservationists.
14 There are many cooperative conservation projects
15 that have benefitted Maine's Atlantic Salmon, but my
16 comments will focus on a project that I believe is a
17 test case for figuring out how large scale cooperative
18 conservation projects get implemented on the ground.
19 But first a little context. Over time commercial
20 fishing, industry pollution and dams have severely
21 depleted salmon and another migratory fish populations
22 in New England.
23 Today, despite significant progress in cleaning
24 up our rivers, I think it is still fair to say that
25 for Atlantic salmon over 95 percent of their habitat

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1 remains inaccessible due to multiple dams. So it was
2 no surprise when the National Academy of Sciences told
3 us in 2004 that to restore salmon in Maine, dams must
4 be removed.
5 And that brings me to the importance of the
6 Penobscot River Restoration Project. Successfully
7 implemented this project will restore a major river in
8 the southern range of Atlantic salmon which is sorely
9 lacking today. The project fulfills all the
10 cornerstones of what we believe cooperative
11 conservation should be including, number one, broad
12 stakeholder inclusion. There are more than 14 public
13 and private partners with more coming on board all the
14 time.
15 Innovation, the Penobscot project is not about
16 ripping out dams, but rather reconfiguring hydro power
17 production to maintain basically the same level of
18 energy production but with three fewer dams.
19 Tangible results, beyond restoring eleven species
20 of searun fish, the ecological benefits extend to all
21 wildlife along the river corridor and potentially even
22 to struggling groundfish populations in the Gulf of
23 Maine. At the same time the power company will gain
24 economic certainty for its future operations.

25 Accountability, successfully implemented the

0053

1 Penobscot project will restore self-sustaining
2 populations of fish so we don't have to continue
3 directing millions into long-failed mitigation
4 strategies.

5 We sincerely appreciate the help Marvin Moriarty
6 and his staff are giving to the project at the
7 regional level. However, given the national scale of
8 the project, we need your leadership in Washington to
9 make sure the Penobscot project succeeds.

10 In addition to supporting cooperative
11 conservation projects through agency budgets,
12 increased funding and greater flexibility in grant
13 programs will help get money on the ground.

14 Thank you.

15 MR. WITTER: Thank you, sir. Thank you.
16 Thank you very much. Appreciate it. Thank you.

17 I'm reminded by the Secretary and I missed it.
18 Of course, hand your comments in, submit them in full
19 length. I'm getting the high sign from the back that
20 Marcie's got a stack that looks like the phone book
21 from -- it's a big phone book. Wonderful.

22 Thank you all, and again very good form on all of
23 your parts. Thank you very much.

24 We have No. 10 remaining in that group, if I'm
25 not mistaken.

0054

1 MR. HEDRICK: Number 9.

2 MR. WITTER: Number 9? Thank you, sir.
3 And this should then have covered numbers 1
4 through 10.

5 Please, sir. Thank you.

6 MR. HEDRICK: Mr. Secretary, gentlemen, I'm
7 David Hedrick from Waterville, Maine. I'm the
8 director of the Kennebec Valley Chapter of Trout
9 Unlimited, and to my wife's great consternation I own
10 11 fly rods, one for each of the species now swimming
11 free in the impoundment that I used to live on in the
12 Kennebec River.

13 I moved to Maine in 1988 adjacent to a 17-mile
14 impoundment that was good or growing nothing but
15 smallmouth bass and algae, and you've heard about the
16 Edwards Dam.

17 I'd like to tell you about my personal experience
18 with what's happened to the Kennebec River since that
19 came out, because I believe it's a model for what will
20 happen in the Penobscot River with the Penobscot
21 project that I came to advocate today.

22 In 1999 the interest of a diverse group of
23 individuals, non-governmental organizations, private
24 industry, state and federal resource agencies came
25 together to cause the removal of a hydro dam at Tide

0055

1 Water whose purpose and economic benefit were long
2 past.

3 You might think, as I do, that only divine

4 province could bring together such persons as former
5 Interior Secretary Bruce Babbitt, two republican
6 senators and two democratic congressman from Maine, a
7 complete delegation, General Dynamics Corporation,
8 Edwards Manufacturing Company and four other hydro dam
9 owners on the Kennebec and Sebasticook Rivers, Trout
10 Unlimited American Rivers, Natural Resource Council of
11 Maine, the Atlantic Salmon Federation, National Marine
12 Fisheries Service, NOAA, U.S. Fish & Wildlife Service.

13 This summer in Waterville, seven years after the
14 dam was removed, a friend of mine caught 150 American
15 shad which represents a significant part of the
16 restoration of the shad run in the Kennebec.

17 Citizens gather in the town park to watch 8-foot
18 sturgeon jump. Eagles are a commonplace now, and fish
19 are so abundant we have a harbor seal who swims
20 50 miles upstream to secure fish at the base of the
21 next dam.

22 As I said, the Penobscot project has similar
23 attributes, only on a much grander scale. What I fear
24 is that continuation may be threatened by the lack of
25 federal funding. I know that this federal government

0056

1 at this time is faced with enormous expenses with the
2 war on terrorism and you may have to look at your
3 staffing in the Maine area and you may have to
4 limit your budget.

5 MR. WITTER: Thank you, sir.

6 MR. HEDRICK: And I encourage you to bear in
7 mind the importance the Penobscot project does.

8 MR. WITTER: Thank you very much. Thank
9 you.

10 That should -- last call, 1 through 10. One
11 through 10? Please, sir.

12 MR. BOWIE: I am No. 10. I'm David Bowie.
13 I live in Westbrook, Maine. I'm a lifelong Mainer,
14 graduate of UMO, and I've worked my entire life in the
15 state of Maine. There's no way I was going to leave
16 it and work elsewhere with the trout and salmon
17 fishing that we had even back in the '60s when I
18 graduated.

19 I'm here to express my wholehearted support for
20 the Penobscot Restoration Project that you've heard
21 others mention about. It is a true jewel, and we need
22 to work more with it. It's a project that can only
23 succeed if all levels cooperate.

24 I love the name you've come up with, cooperative
25 conservation. It really says it all. I feel it is

0057

1 the best way. I saw it up close and personal when I
2 worked with Trout Unlimited, for which I've been
3 associated for 27 years now, when the Kennebec
4 Coalition worked for over ten years to get the dam out
5 of the Edwards site on the Kennebec.

6 But Maine, as you may know, still has some dairy
7 farmers, and as dairy farmers know, the cream rises to
8 the top. I can tell you from where I stand that the

9 Penobscot project has cream written all over it.
10 Atlantic salmon restoration efforts still needs
11 our help. The salmon runs are down, but it's not out.
12 Just like the Red Sox, you got to believe.

13 And we Mainers are patient. We appreciate all
14 levels of support, and seeing you all come here is
15 very heartwarming, but it does take a lot of support,
16 and we welcome it as long as it makes sense.

17 And in my 27 years of volunteering for fisheries
18 conservation, they have taught me plenty but nothing
19 more so than the real successes in conservation come
20 only when there are high levels of two things,
21 cooperation and determination. It takes money and
22 ideas, efforts and work, and I think we're prepared to
23 do all of those.

24 Mr. Kelleher, speaking for the Governor, used the
25 term smart hydro. I think that sums it up very well,

0058

1 but here in Maine we like to drag it out a little. I
2 think it's real smaaht.

3 (Laughter)

4 MR. BOWIE: Please help fund it.

5 Thanks for coming and thanks for listening.

6 MR. WITTER: Thank you, sir.

7 By the way, that still counts for three seconds.

8 One word is three seconds.

9 (Laughter)

10 MR. WITTER: Thank you very much. Good
11 form.

12 One through 10, 1 through 10. Last call, 1
13 through 10.

14 I would invite No. 11 to move to the microphone
15 and 12 to 15, if you're comfortable doing so, locating
16 yourself in proximity of the microphone.

17 But No. 11, please.

18 Thank you, sir.

19 MR. ARSENAULT: My name is Gary Arsenault.

20 That's spelled A R S E N A U L T, pronounced

21 Arsenault, French region.

22 Welcome, Mr. Secretary. It's a real pleasure to
23 have you here and esteemed gentlemen.

24 I live in Winterport, Maine, which is on the
25 river just south of here. Grew up in Hampden, Maine,

0059

1 which is five minutes from here on the river, as well.

2 Growing up on the river as a child, and I'll date
3 myself, in the '50s and '60s, my parents warned me not
4 to play near the river. I don't think -- it must have
5 been partially for my safety; but number two, the
6 river was an open sewer, and just rampant filth.

7 Because of the Clean Water Act that somebody
8 mentioned here earlier, the river has been
9 dramatically changed, dramatically cleaned up. We
10 have an opportunity now to finish the project, and I
11 speak in favor of the removal of the main dams on the
12 Penobscot in favor, of course, of the Penobscot
13 project.

14 We have just absolutely wonderful partners.
15 Usually conservationists are used to butting heads and
16 going up against dam owners. In this case it's
17 exactly the opposite. We're all partners and many of
18 the partners that are represented here today. Gale
19 Norton saw the wisdom of the project; we have the
20 Penobscot Nation; NOAA Fisheries; U.S. Fish &
21 Wildlife. Many more partners. It's just an absolute
22 win-win for the state.

23 The Penobscot River drainage covers nearly a
24 third of the entire state. It impacts a vast number
25 of our population, and although my specific interest

0060

1 is in Atlantic salmon, really the larger picture is
2 the anadromous fish that return to the river.

3 I'm not generally a nervous speaker. I'm just
4 nervous that I might not say the right thing to plant
5 the right seed that will impress upon you the
6 importance of this project, because so many wonderful
7 partners in the affiliate organizations, it's just a
8 very large, wonderful partnership. And I urge you,
9 please, to see what you could do to help find the
10 funding to initiate this project.

11 Thank you very much.

12 MR. WITTER: Thank you very much, sir.

13 Number 12?

14 Please, sir.

15 MR. PONTE: Good afternoon. My name is
16 Gregory Ponte. I live in West Gardiner, Maine, and
17 I'm a volunteer with Trout Unlimited here in Maine,
18 and I'm representing the Maine Council of Trout
19 Unlimited.

20 Secretary Kempthorne, welcome to Maine. Mr.
21 Walpole, Mr. Moriarty, the same.

22 And I thank you for this opportunity to address
23 you. Again, my name is Greg Ponte. I am representing the
24 Maine Council of Trout Unlimited. Trout Unlimited's
25 mission is conserve, project, restore North America's

0061

1 cold water fisheries.

2 Nationwide Trout Unlimited has 135,000 members
3 with approximately 1,800 members here in Maine. A few
4 members across the United States are looking upon the
5 Penobscot River Restoration Project with great
6 anticipation for the restoration of the ten anadromous
7 species, especially the endangered species Atlantic
8 salmon to be able to free swim to their historical
9 waters within the Penobscot River. This dream will
10 only be accomplished with the removal of the Veazie
11 Great Works Dam and a bypass around the Howland dam.

12 Presently \$5 million from the private sector has
13 been raised, and in addition 3.5 million has also been
14 appropriated from congress by the efforts, strong
15 efforts of our Maine congressional delegation.

16 In our opinion the only way the Penobscot River
17 Restoration Project will be fully accomplished and

18 successful is with the full cooperation of the federal
19 government in a collaborative cooperative effort with
20 the state of Maine agencies, Penobscot Indian Nation,
21 the cities and towns that abut the river, all the NGOs
22 who are currently involved in the project and others
23 to come, no doubt.

24 To put all this in perspective, Trout Unlimited
25 members believe this is the last and best chance for

0062

1 the Atlantic salmon restoration in the United States.
2 Successfully implementing the Penobscot River
3 Restoration Project will balance our needs for hydro
4 power production and the renewal of native fisheries
5 that have been blocked by dams for nearly the past
6 200 years.

7 July 1st, 1999, I watched the removal of Edwards
8 dam in Augusta, Maine. The month before that I had
9 brain surgery and I had a tumor taken out, so it was
10 quite a feat to be standing there watching, but I
11 scheduled it so I could be there. I'm not joking.

12 I went to sea for 23 years. It was no picnic the
13 last year with a brain tumor going to sea, I'll tell
14 you.

15 MR. WITTER: Sir, forgive me. I'm sorry to
16 interrupt you. Thank you. That is your time, sir.
17 Thank you very much. I appreciate your comments.
18 Thank you, sir. We do. Thank you very much.

19 Please, sir.

20 MR. DEMOS: Mr. Secretary, Mr. Walpole and
21 Mr. Moriarty, thank you very much for coming to Maine
22 to talk to us.

23 John Demos, D E M O S. I live in South Berwick,
24 Maine, and I've only been here for 25 years or so in
25 Maine. I represent the Alaska Coalition in Maine, and

0063

1 I've got something you can do immediately to protect
2 wildlife habitat when you go back to Washington.

3 I'm talking about Alaska's Teshekpuk Lake, which
4 probably nobody in this room has heard of before.
5 Teshekpuk Lake is in the National Petroleum Reserve in
6 Alaska, which is about 23 million acres up there that
7 is open to oil exploration presently. But this lake
8 is, and the surrounding wetlands are, considered one
9 of the most important wetland habitats above the
10 Arctic Circle in the entire world.

11 Previous administrations have stayed away from
12 oil and gas leasing there, but recently the Bureau of
13 Land Management announced they were opening it up for
14 oil and gas exploration around the lake. Fortunately,
15 a judge has stopped that temporarily, but we were
16 hoping you would go back to Washington and take this
17 off the block because it's such a key wetland, and
18 it's very much like the Arctic National Wildlife
19 Refuge, which I also work to protect.

20 I want to say people in Maine care about these
21 special places in Alaska. And I'm the guy that
22 brought all the postcards and I have about 2,500

23 postcards from around the country. These are some
24 from some of the folks from Maine who are concerned
25 about it, and we just hope that you can protect this

0064

1 area.

2 Thank you.

3 MR. WITTER: Thank you, sir, very much.

4 Appreciate it.

5 Friends in the audience queue me if you have
6 difficulty hearing. Some of us are soft spoken, and
7 it's important that I know that -- appreciate that the
8 listeners can hear up here, but I know you want to
9 hear, as well.

10 Fourteen, please? Fourteen is not coming to the
11 microphone. Fourteen called.

12 Fifteen? Please, sir.

13 MR. OWEN: Mr. Secretary, Director Moriarty,
14 thank you very much for coming to Maine and listening
15 to us. It's very important for us to see you here.

16 My name is Ray Owen. I reside in Orono, a small
17 town just up the river. I'm professor emeritus of
18 wildlife ecology at the University of Maine, former
19 Commissioner of the Maine Department of Inland
20 Fisheries & Wildlife, member and past chair of the
21 Trustees of Maine Nature Conservancy, as well as part
22 of other organizations.

23 Maine has a rich history of collaborative
24 conservation projects of regional, national and
25 international importance. Projects have involved

0065

1 federal and state agencies, foundations, national and
2 state agencies, foundations, national or state
3 conservation organizations, as well as literally
4 thousands of Maine citizens.

5 In today's environment only through such
6 collaboration can we truly achieve conservation
7 successes, which brings me to our greatest
8 conservation need at this time, and you've heard about
9 it, the Penobscot River Restoration Project.

10 This project is truly unique, one of a kind for
11 the nation. Noted marine and fresh water biologists
12 have described it as the most important river
13 restoration project on the North Atlantic coast, and
14 that includes all of Europe.

15 These opportunities only surface once in several
16 lifetimes, and our window of opportunity is brief. At
17 stake is the restoration of a suite of indigenous
18 fish, several of which are federally and state listed.
19 Also involved are rare mussels, dragonflies, bald
20 eagles and other species.

21 As you know, habitat protection and restoration
22 is the key factor in stabilizing and then recovering
23 species in peril.

24 The National Academy of Science report indicated
25 the removal of several lower river dams on the

0066

1 Penobscot River was the only real chance of recovering

2 Atlantic salmon, never mind all of the other rare
3 species.

4 Mr. Secretary, we are asking you to personally
5 join our extensive partnership to make this project a
6 reality. In particular we need an appropriation in
7 the president's budget to help acquire the dams. We
8 are willing to raise many millions of private dollars,
9 but we need additional help.

10 Will you please work with the secretaries of
11 Commerce, Agriculture, Treasury, former chair of the
12 Maine -- of the National TNC, as well as heads of the
13 Corps of Engineers to make this a reality. We can
14 maintain our renewable energy while restoring one of
15 the East Coast's great rivers, a worthy goal of any
16 administration.

17 Thank you.

18 MR. WITTER: Thank you, sir. Thank you.

19 Folks, I've been reminded that it would be a good
20 opportunity to take a 12-minute-and-32-second comfort
21 break. So if you would make it -- stretch. Restrooms
22 are to the back of the room here. Start to reconvene
23 at 5:30 please, 5:30, please. Thank you.

24 (A recess was taken from 4:23 p.m. to 5:41 p.m.)

25 MR. WITTER: Thank you all very much.

0067

1 If I may, Becky and I were standing here, as you
2 were taking a break, listening to the crowd and the
3 din of the crowd, just how loud it was and observing
4 how shy you all seem to be. When you can conquer that
5 shyness, I think we'll be able to get into some great
6 collaboration conservation efforts. Of course, your
7 smiles, your handshakes, the laughter and the way you
8 greet each, are examples of collaborative
9 conservation, the community conservation, foundation
10 of it in action, and it was a joy to watch you take a
11 break.

12 That was commenters 1 through 15. Commenters 1
13 through 15, last call.

14 We'll start at 16. I'll invite commenter 16 to
15 the mike and 17 through 20 are welcome to locate
16 yourself in proximity to the microphone.

17 Please, sir.

18 MR. DEJOY: Welcome, gentlemen, to Maine.
19 Nice to see you here.

20 I am Darrell DeJoy. I'm the executive director
21 of the Wildlife Alliance of Maine, and we've heard
22 some great things that are going on here with
23 cooperative conservation.

24 I have some concerns, and they deal with things
25 on the state level, as much as on the national level.

0068

1 First, I was going to read each and every one of
2 these, but because I have two-and-a-half minutes, I'll
3 spare everyone. They're pretty repetitive.

4 But what they are is the definition of refuge.
5 And I'm concerned at the state of our wildlife
6 refuges, reason being that just to quote one simple

7 Merriam Webster Dictionary, a shelter is defined as a
8 shelter or protection from danger or distress, a place
9 that provides shelter or protection or something to
10 which one has recourse in difficulty.

11 And there is very little in our current wildlife
12 refuge system that meets the definition of refuge for
13 wildlife.

14 I found another interesting definition that does
15 meet the requirements of what is currently passing for
16 a wildlife refuge system, and that is a game reserve.
17 A game reserve is an area of land set aside for
18 maintenance of wildlife, for tourism or hunting
19 purposes.

20 And it does concern me. I would like to see our
21 state work with the federal government to get back to
22 a true wildlife refuge system.

23 My second concern, and it does go along with the
24 wildlife refuge system, is the current Endangered
25 Species Act, which is wonderful. If I could make one

0069

1 change to it, it would be that fully fund it, and I
2 think that we're really suffering here in our state
3 and in other states from a lack of full funding of the
4 Endangered Species Act.

5 To that end recently in the newspaper I saw that
6 Sunkhaze National Wildlife Refuge is going to be
7 underfunded, and they're actually going to be losing
8 staff people. I don't want to call it Sunkhaze
9 Wildlife -- or Sunkhaze National Game Preserve, so
10 we'll stick with wildlife refuge.

11 And I hope -- in opening you talked about your --
12 that you like working with people and your love of
13 nature and wildlife, and I'm hoping that you can work
14 with people to help the nature and wildlife that you
15 love.

16 Thank you.

17 MR. WITTER: Thank you, sir.

18 No. 17, please.

19 MR. HANDY: Good evening. My name is Arthur
20 Handy. I'm a state representative from the state of
21 Rhode Island. I'm here in Brewer because it is the
22 closest listening session for me. I do understand
23 obviously you can only have so many of these across
24 the country, and I do appreciate the opportunity to
25 speak.

0070

1 Rhode Island, like Maine and a lot of other New
2 England states, has a proud tradition of working to
3 protect our wildlife and our natural areas, and while
4 Rhode Island is a small state, we do know how hard it
5 is to save the species that are on the brink of
6 extinction, and we also know that we can't really do
7 it alone.

8 I know as a former governor, you know how
9 important it is, Mr. Secretary, that at the state
10 government level how much we rely rather on the work
11 of the federal government, on the funding obviously,

12 but also on the rules and regulations that go across
13 state boundaries and uniform application of those
14 because it's -- really what I want to do is to
15 emphasis the importance I place on a fully funded
16 Endangered Species Act and a fully implemented one.

17 The conservation -- the cooperative conservation
18 efforts we're hearing about I think are really
19 exciting opportunities to save species and to move
20 them back from the brink of extinction, but I just
21 want to make sure that it's made clear that I think
22 for state governments to really be able to be
23 effective and do the work in their states, we also
24 need that fully funded Endangered Species Act. We
25 can't rely just on voluntary options alone.

0071

1 So I do want to urge everyone here -- the whole
2 panel here today to do all that you have in your power
3 to ensure that you fully fund the Endangered Species
4 Act for myself and my constituents, my two-year-old
5 son. I know folks were talking about their kids along
6 the way.

7 And I do have a joint resolution from the state
8 of Rhode Island Legislature in support of a strong
9 Endangered Species Act, as well, that I'll be entering
10 into the record, as well.

11 Thank you very much.

12 MR. WITTER: Thank you, sir.

13 No. 18?

14 Seeing no 18, 18?

15 Nineteen? Please, sir.

16 MR. WELLS: Hello. Thank you for giving me
17 the opportunity to talk with you. My name is Brian
18 Wells, and I'm the Friends of Sunkhaze president.

19 And you've heard a couple of times about Sunkhaze
20 Meadows National Wildlife Refuge. It's about
21 ten miles from here so you're close by to it. It's
22 quite a spectacular place.

23 My wife and I live in Old Town, Maine, which is
24 adjacent to Milford, which, of course, Sunkhaze is
25 located.

0072

1 I wanted to ask you about funding for the Region
2 5 which includes Sunkhaze Meadow National Wildlife
3 Refuge. There's been a reduction in funding.
4 Sunkhaze Meadows is one of the refuges that's been
5 cited to have the manager position be eliminated, and
6 we would be folded into the parent refuge of Petit
7 Manan.

8 It's my thought that besides the immediate effect
9 of losing the refuge manager and the consequences of
10 that, one of the other things at reducing the funding
11 to the Region 5 area is that the teams that are formed
12 by all of the different friends groups become
13 competitive.

14 I feel like that what we're seeing the friends
15 groups suddenly have to compete with each other to
16 receive funding that they otherwise wouldn't have to

17 do. So the combination of the reduced funding because
18 of the competitiveness and also the refuges are left
19 feeling like they're competing against each other for
20 funding.

21 So I'd just like to ask you to try to restore
22 funding to Region 5 and probably other refuge regions,
23 as well, and it would go a long way towards
24 reproducing the teamwork that existed before.

25 Thank you.

0073

1 MR. WITTER: Thank you, sir.

2 Please, sir, No. 20. Yes. Thank you.

3 MR. SCHLEY: Good afternoon, Mr. Secretary,
4 gentlemen.

5 My name is Steve Schley. I'm a resident of
6 Bangor. The spelling is S C H L E Y. And I represent
7 one of Maine's large family ownerships of timberland,
8 the Pingree ownership. We date back to the 1840s and
9 manage about a million acres of forest land all here
10 in the state of Maine.

11 And one of the -- our land has been certified as
12 being truly sustainably managed by both FFC and FSI,
13 and last year at the President's conference on
14 cooperative conservation, we and our partners were
15 awarded one of the cooperative conservation awards.
16 And I offer that just as justification, we believe in
17 what you're doing, but today I'm here to ask you not
18 to do anything.

19 Today I'm here to talk about the Canada lynx. A
20 change of subject from everybody else. Maine is host
21 to the most robust population of Canada lynx in the
22 lower 48 states, and that is largely and almost solely
23 a function of our forest management practices and the
24 fact that our forest management practices, as they
25 have been conducted for the last 30 years and are

0074

1 projected to continue, facilitate and incorporate good
2 habitat availability for snowshoe hare, which the
3 Canada lynx live off of.

4 That ever shifting mosaic of forest management is
5 what has made the population healthy and what will

6 keep it healthy going forward.

7 Quite frankly we have a terrific existing
8 cooperative conservation relationship between the
9 large forest landowners, the Cooperative Forest
10 Research Unit at the University of Maine and Maine's
11 Department of Inland Fisheries & Wildlife. We don't
12 need critical habitat designation by the federal
13 government or the involvement of the Department of the
14 Interior as a result.

15 Our concern is that that interaction just
16 introduces a new layer of interference, of
17 involvement, potential for lawsuits, which we don't
18 currently suffer from, and will do nothing additional
19 for the conservation of the cat. It will only

20 introduce that level of uncertainty that you heard
21 about earlier.

22 Good things are happening here. We've got a
23 terrific successful program in place, and I'd urge you
24 to just let it continue to work.

25 Thank you.

0075

1 MR. WITTER: Thank you, sir. Those
2 commenters 1 through 20, 1 through 20. Thank you very
3 much. One through 20 last call.

4 Twenty-one through 23 have already indicated
5 they're not coming to the microphone, so I would
6 invite 24 to come to the microphone. By the way, they
7 came up and told me.

8 Twenty-one through 23.

9 Twenty-four, you're welcome to come to the
10 microphone. Twenty-four?

11 Yes, sir.

12 MR. LAROCHE: Twenty-five.

13 MR. WITTER: Twenty-five, please. Yes, sir.
14 Thank you very much, and you're very gracious to take
15 the long route there, but by golly, you're in the
16 batter's box. Thank you.

17 MR. LAROCHE: My name is Wayne Laroche. I'm
18 the director of the Department of Fish & Wildlife in
19 the state of Vermont, and I'm here today to represent
20 the New England Atlantic Salmon Committee.

21 This committee is formed of all the New England
22 directors like myself, as well as the directors of the
23 federal agencies in this area.

24 We were formed to facilitate inner agency
25 cooperation towards restoration of salmon and related

0076

1 anadromous species to New England rivers.

2 I'm here to present the committee thoughts and
3 try to encourage partnership building, and we hope
4 that we'll be able to stimulate enhanced cooperation
5 in our conservation efforts.

6 We encourage regional projects with multiple
7 partners. We encourage the consideration of
8 priorities established in the comprehensive wildlife
9 conservation strategies that we hope will help align
10 both state and federal priorities.

11 Of course, restoration of Atlantic salmon is a
12 high priority. Still we're suffering from funding
13 limitations that hinder the advancement of important
14 research, as well as removal of fish passage barriers
15 and the sustaining of necessary hatchery efforts. We
16 feel that additional federal resources devoted to
17 these efforts would both advance restoration and help
18 avoid future listing of additional anadromous species
19 as endangered or threatened. We suggest that maybe
20 the greater use of Section 319 funds in Region 1 to
21 help restore fish passage might be a helpful point.

22 The New England Atlantic Salmon Committee is
23 currently building and prioritizing a list of barriers
24 on anadromous streams around New England, and we're

25 going to try to use that to better prioritize our

0077

1 recommendations for removal efforts.

2 We encourage federal agencies to enhance efforts
3 to work with state's academia and other organizations
4 and better coordinate and prioritize research
5 activities so that the available funds will be used
6 most effectively.

7 We feel that public education is critical. We
8 really need to have the public involved and try to
9 keep us on the front page so that they know what we're
10 doing.

11 And lastly, we feel that the federal agencies
12 could promote the use of penalties from the
13 settlements of enforcement cases as a way of
14 supporting regional and state conservation projects.

15 Thank you very much.

16 MR. WITTER: Thank you, sir.

17 Numbers 1 through 25 have finished. One through
18 25 last call.

19 Twenty-six?

20 Please, sir.

21 MR. GROWE: Secretary Kempthorne and gentlemen,
22 my name is John Growe, I live in South China, Maine.

23 Thank you for this opportunity to speak to you on
24 behalf of wolf recovery in the Northeast.

25 In 1994 I founded the Maine Wolf Coalition. I

0078

1 presently serve on the board of that organization, and
2 I'm speaking here today on my own behalf.

3 The wolf issue is very real here in the
4 northeast. Wolves were killed here in Maine in 1993
5 and 1996. The latter animal just 30 miles or so from
6 where we're sitting.

7 In recent years wolves have been killed in New
8 York state and in Quebec a few miles north of the U.S.
9 border.

10 I'm an advocate for wolf recovery in Maine
11 through research, education and protection. Wolf
12 populations exist in Canada just 75 miles from Maine
13 and 60 miles from New York. If given the chance, I
14 believe wolves will disperse from Canada and naturally
15 recolonize. Much of the tens of thousands of square
16 miles of excellent potential wolf habitat exists in
17 the Northeast U.S. and eastern Canada.

18 It is no secret that the Bush administration has
19 been working for years to get out of the wolf business
20 in the Northeast. I have no expectations that the
21 Bush administration will change its anti-wolf policies
22 based on anything I or others say today, but it would
23 be wrong if I do not or someone did not at least speak
24 up for wolves and for the majority of Mainers who
25 support their natural return to the state.

0079

1 I can think of no better opportunity for creating
2 partnerships than the one I'm presenting here today.

3 For more than ten years wolf advocates like

4 myself and others have been urging the creation of a
5 binational wolf recovery program. Quebec and Ontario
6 have virtually no limits to the killing of wolves. If
7 wolf range is to expand south, a sufficient number of
8 wolves must be allowed to survive in Canada and the
9 U.S.

10 It is time for the U.S. Fish & Wildlife Service
11 to work with Canada, the states and tribes and other
12 stakeholders to properly implement the Endangered
13 Species Act and the recovery plan of the Eastern
14 timber wolf by recovering the wolves in the Northeast
15 U.S.

16 In spite of laws protecting wolves in the U.S.,
17 the state and federal governments need to do more to
18 see that wolves are not killed. In Maine until
19 recently coyote snaring was not only legal, it was
20 encouraged. This indiscriminate practice has been
21 stopped at least temporarily because of legal action.
22 The state is still trying to reinstate it.

23 How many more wolves will have to be killed here
24 before the Northeast states are forced to take
25 appropriate measures to protect them?

0080

1 MR. WITTER: Sir, thank you very much.

2 MR. GROWE: Thank you very much.

3 MR. WITTER: Thank you, sir.

4 No. 27, please, 27.

5 Thank you, sir.

6 MR. TOWNSEND: Secretary Kempthorne, Mr.
7 Walpole, Director Moriarty, good afternoon and welcome
8 to Maine.

9 My name is Clinton Townsend. I live in Canaan,
10 Maine, about an hour drive from here. I'm a member of
11 the board of directors of the Atlantic Salmon
12 Federation. I'm past president of the Maine Council
13 of Atlantic Salmon Federation. I'm a former United
14 States commissioner of the North Atlantic Salmon
15 Conservation Organization appointed by No. 41,
16 President George H. W. Bush. And I'm glad to say that
17 my two successors have been in this room this
18 afternoon, Dr. Owen, who has already testified, and
19 George Lapoint, the Commissioner of Marine Resources
20 for the state of Maine. And I'm going to touch
21 specifically on the Penobscot Restoration Project.

22 I was in from the very beginning on the battle to
23 stop the construction of the Basin Mills Dam which
24 started back in 1986, and I won't go into the details
25 of that, except to say that that was very much a

0081

1 homegrown Penobscot River Valley battle. It was the
2 support of the Penobscot Indian Nation, the support of
3 the angling community that really engaged the
4 non-governmental organizations in this state. We were
5 able to work cooperatively with U.S. Fish & Wildlife
6 Service, NOAA Fisheries, what's now NOAA Fisheries
7 was -- whatever it was. I've forgotten. And we -- it
8 was a very long 15 years and very expensive battle.

9 When the dams were sold by Bangor Hydro-Electric
10 to Pennsylvania Power & Light, the whole scenario
11 changed because Pennsylvania Power & Light engaged in
12 dialogue with people who wanted to protect the river,
13 and that's why we have this -- have a very ambitious
14 project today.

15 That project needs to be funded. It needs to be
16 funded by the federal government. There are many
17 people in the private sector contributing money,
18 myself included, to that project, but the federal
19 government has to take a lead role in funding that
20 very, very costly project.

21 And I certainly hope that you will do so.

22 MR. WITTER: Thank you, sir.

23 Thank you. Thank you very much. Thank you.

24 Twenty-eight? Please, No. 28.

25 MR. STRAUCH: Secretary Kempthorne, Counsel

0082

1 Walpole and Director Moriarty, my name is Patrick
2 Strauch, S T R A U C H. I live in Exeter, Maine, and
3 I'm the executive director of the Maine Forest
4 Products Council. We're a statewide organization
5 representing the broad spectrum of the forest industry
6 from loggers to paper companies to saw mills to
7 landowners, and we have over 8 million acres of large
8 landowners in our membership.

9 We're opposed to the proposed Canada lynx
10 critical habitat designation for over 6 million acres
11 of predominantly private lands in Maine. In Maine
12 members of the Maine Forest Products Council believe
13 no special management consideration as defined in the
14 Endangered Species Act is required for the species as
15 evidenced by a healthy breeding population and
16 established suitable habitat condition.

17 We have testified and submitted comments to the
18 record about our concerns, and at the same time we
19 proposed a Maine lynx conservation strategy that we
20 think would be much more beneficial to the species.

21 We know more about Maine/Canada lynx when it was
22 originally listed in large part through the research
23 provided through the University of Maine and
24 Cooperative Forestry Research Unit, landowners, the
25 U.S. Fish & Wildlife Service and others have

0083

1 contributed support to this research. We still need
2 to know more, but we have a much better confidence
3 level about the lynx habitat requirements.

4 One thing is very clear. The species requires
5 early successional species that are created by the
6 working forest. We've only recently returned from
7 Washington, D.C., where we were discussing the merits
8 of our cooperative conservation proposal. Briefly
9 this proposal would seek to continue support of lynx
10 research and continued monitoring and reporting on
11 habitat conditions for the species.

12 This type of cooperative conservation approach
13 between the Maine Forest Products Council on behalf of

14 the landowners and the Maine Department of Inland
15 Fisheries & Wildlife and the U.S. Fish & Wildlife
16 Service exemplifies your purpose today in seeking
17 cooperative conservation opportunities.

18 We see this proposal as voluntary. It's in
19 cooperation with state and private sectors through
20 support of scientific research and in a manner that
21 respects private ownership.

22 I appreciate the opportunity to provide you with
23 these comments, and we are hopeful, Secretary
24 Kempthorne, that you'll carefully consider our
25 project.

0084

1 MR. WITTER: Thank you, sir.

2 Number 29, 29? And 30 is welcome in proximity,
3 but No. 29, please.

4 Thank you. Please, sir.

5 MR. ELowe: Mr. Secretary, Mr. Walpole, Mr.
6 Moriarty, I appreciate your coming to the state of
7 Maine. I want to change the subject a little bit to
8 more of a family discussion.

9 You have several questions on the back of your
10 card that I'd like to address.

11 I'm department director of the Fish & Wildlife
12 Management for the Maine Department of Inland
13 Fisheries & Wildlife in the state of Maine. I'd like
14 to follow up a little bit on a comment that Pat
15 Kelleher offered earlier.

16 I was invited and participated in the cooperative
17 conservation conference a year ago, and one of the
18 major topics that came up during discussions there was
19 how the federal government can provide incentives to
20 their staff to be innovative and cooperative in their
21 approaches as opposed to only regulatory. That has
22 been an issue here in the state of Maine, and Mr.
23 Moriarty has been in many discussions with me over
24 time.

25 I'm a passionate advocate of cooperative

0085

1 conservation, and yet it seems at times that the --
2 both the federal and the state agencies, which both
3 have mandated, publicly mandated authorizations to
4 conserve species, are sometimes caught in a conundrum
5 of conflicting opinions and which could be resolved if
6 we worked together on joint proposals.

7 One example of this, you heard a little bit about
8 lynx. It has both a success and, in my estimation,
9 something that I wouldn't call a failure, but it could
10 use improvement, and that's in the research end of it.
11 We have collaborated for six years and now have more
12 information than anyone in the lower 48 on lynx
13 population status.

14 When it came to developing a proposal for
15 critical habitat and recovery plans, we were not only
16 excluded, but purposefully excluded from those
17 conversations and were forced to react as another
18 stakeholder as opposed to a conservation partner. For

19 me managing species for the state, that's a problem,
20 and I think that we should work to collaborate as much
21 as possible before we go out to the public, and we can
22 come out with a unified voice.

23 Thank you very much, and I'd like to work with
24 you in the future.

25 MR. WITTER: Thank you, sir.

0086

1 Number 30? Yes, please, sir.

2 MR. DAIGLE: Good evening, my name is Peter
3 Daigle. I'm chief operating officer for Lafayette
4 Hotels. We own and operate 18 hotels here in Maine.
5 I also chair the legislative committee of the Maine
6 Innkeepers Association.

7 My comments here are concerning Acadia National
8 Park. Attendance at America's National Parks and
9 Acadia in particular are down considerably. Acadia is
10 down about 500,000 visitors between year 2000 and
11 2005, and explanations for this range from our
12 population aging, kids spending time on the Internet,
13 watching television, playing video games, high gas
14 prices, competition from cruise lines, a variety of
15 other amusement parks in this country.

16 But the fact remains that a half a million fewer
17 people per year are enjoying Acadia National Park than
18 did a few years ago.

19 And commensurately the region's economy was very
20 negatively impacted, we feel, by the sharp decline in
21 park attendance because one non-native species that we
22 welcome to Maine are the millions of visitors that
23 contribute to our tourism industry, and it's affected
24 us, believe me.

25 So my request here today is that, number one, you

0087

1 continue to fund our national parks adequately; number
2 two, that you consider a campaign to promote
3 attendance to America's National Parks because people
4 who attend our parks, I think will support
5 conservation and preserving of those parks; and
6 thirdly, that you consider eliminating admission fees
7 at America's national parks so more Americans can
8 enjoy them.

9 Thank you.

10 MR. WITTER: Thank you, sir.

11 That should complete numbers 1 through 30. One
12 through 30 just to be sure, 1 through 30.

13 I'd invite 31 to the microphone, and 32 through
14 35 may gather in proximity, if you choose to do so.

15 Thirty-one to the microphone. I don't see anyone
16 advancing.

17 Thirty-two to the microphone.

18 Thank you, sir.

19 MR. HOSMER: Welcome to Maine.

20 I'm Joe Hosmer, H O S M E R. I represent Safari
21 Club International Foundation. We're based in
22 Washington, D.C., and Tucson, Arizona. I reside in
23 Durham, Maine.

24 I want to thank you for the opportunity for
25 having the cooperative -- the cooperative

0088

1 conservation -- there we go. Excuse me.

2 We specifically believe the Endangered Species
3 Act needs to be reformed to improve protection and
4 recovery of threatened and endangered species. We'll
5 provide a document that addresses a number of the
6 science and politics behind it, but critical habitat
7 designation we feel needs to be addressed, the role of
8 science, cooperative and collaborative process to
9 improve the science used by federal agencies and EAS
10 compliance -- ESA compliance, interaction with states.

11 As Ken just said, the ESA funding should support
12 the state comprehensive wildlife conservation plans
13 and address landscape conservation issues related to
14 Canada or listed species.

15 Reform of foreign aspects of the ESA should
16 provide incentives and encouragement to foreign
17 nations to protect threatened and endangered species,
18 and finally private land incentives for endangered
19 species conservation.

20 Thank you.

21 MR. WITTER: Thank you, sir.

22 Number 33?

23 Please, sir. Thank you.

24 MR. PRINDIVILLE: Good evening, Secretary
25 Kempthorne. My name is Matt Prindiville, and I'm here

0089

1 both in my personal capacity as an outdoorsman, father
2 and lover of Maine's natural resources and also in my
3 professional capacity as the federal issues policy
4 advocate for the Natural Resources Council of Maine.

5 The Natural Resources Council is the state's
6 leading membership supported environmental advocacy
7 organization. We are over 10,000 members strong, and
8 we're dedicated to protecting the nature of Maine now
9 and for future generations.

10 Mr. Secretary, I'm here tonight because I have
11 never loved any other landscape more than the rivers,
12 mountains, islands and estuaries of the great state of
13 Maine. In the heart of Maine natural heritage is the
14 Penobscot River, the state's most significant and
15 largest watershed.

16 Sir, what the Penobscot River means to me is
17 really beyond words. I can remember white water
18 rafting in the river when I was a child, being tossed
19 back and forth in its mighty waves, soaking wet and
20 just ecstatic with joy.

21 My wife and son and I now frequently picnic along
22 its banks, especially at Fort Knox in Bucksport, one
23 of my favorite places.

24 My grandfather used to spend countless hours fly
25 fishing along the banks of the Penobscot River, and I

0090

1 have now followed in his footsteps and spend a couple
2 of days every summer throwing a line out and waiting

3 patiently for that big strike. And I really look to
4 the day when my six-year-old son, who just learned how
5 to fish this summer, will be able to fish for wild
6 Atlantic salmon in a restored fishery.

7 Sir, these kinds of stories are the reasons why I
8 and many people are here today in this room, because
9 we love the Penobscot River, and we understand its
10 importance to our great state.

11 Sir, as you know, the Penobscot River Restoration
12 Project is one of the most ecologically significant
13 and innovative river restoration projects in the
14 county. It represents the last best chance to save
15 wild Atlantic salmon from extinction in the United
16 States, as well as restoring historic habitat for
17 short nose sturgeon, Atlantic sturgeon and eight other
18 species of anadromous migratory fish.

19 Sir, if ever there was a model for cooperative
20 conservation, this is it, but without the financial
21 assistance from the federal government, this project
22 won't happen.

23 Mr. Secretary, if you and the President are
24 serious about cooperative conservation, then I implore
25 you, please secure the necessary funding for this

0091

1 historically significant project, and we, the people
2 of Maine, the keepers of this river, will thank you
3 because we're committed to seeing this project through
4 to its completion so our children and grandchildren --

5 MR. WITTER: Thank you, sir. Thank you.

6 MR. PRINDIVILLE: -- will be able to enjoy
7 the resources that we have.

8 Thank you very much for being here.

9 MR. WITTER: Thank you.

10 Number 34, please, 34?

11 No 34 advancing to the microphone.

12 Thirty-five? No 35 advancing.

13 Thirty-six, sir? Please. Thank you.

14 MR. MANSIUS: Welcome to Maine. I'm Donald
15 Mansius, M A N S I U S, director of Forest Policy and
16 Management for the Department of Conservation Maine
17 Forest Service.

18 Maine is blessed with abundant natural resources
19 that support a vibrant, diverse and resilient business
20 sector, and they also contribute greatly to our
21 quality of life.

22 Sustainable forest resources critical to Maine
23 and the nation's future through the important role our
24 forest lands play in providing clean air and water,
25 wildlife habitat and other ecosystem services,

0092

1 economic benefits both locally and nationally and
2 social values including recreation and aesthetics.

3 With over 95 percent of Maine's forest land in
4 private ownership, a small and narrow tax base, we
5 can't accomplish much in the way of conservation and
6 stewardship without the active, willing participation
7 and cooperation of private landowners. And we can't

8 achieve the state's conservation goals without
9 building broader diverse partnerships.

10 I would like to profile one example of how we do
11 cooperative conservation at the Maine Forest Service.

12 In the last decade we've placed considerable
13 emphasis on modeling for best management practices or
14 BMP's for protecting water quality during timber
15 harvesting operations. BMP's were commissioned in the
16 federal Clean Water Act as practical voluntary
17 guidelines developed by individual states to ensure
18 the protection of water quality. We've been working
19 with all the major stakeholders, including landowners,
20 loggers, conservation groups, state and federal
21 agencies and the university. And through multiple
22 cooperative efforts we've achieved numerous shared
23 successes, including a substantial revision of our BMP
24 manual, which has been widely recognized as a model
25 for other states and agencies, working with our

0093

1 industry partners to enhance our collective efforts to
2 educate loggers and foresters about the importance of
3 protecting water quality and commonsense techniques
4 for achieving that goal and the development of
5 implementation of a regular program of BMP monitoring
6 implementation across the state. It serves the
7 prototype for Region 1 monitoring protocol that's now
8 in use across the 20 states in the northeastern area.
9 The key to success of all these efforts have been the
10 strong, federal financial support and technical
11 assistance, active participation of private landowners
12 and businesses, involvement of conservation interests
13 and a commitment to working together on issues of
14 common interest and concern.

15 If I could leave you with one point, we need a
16 national forest policy that elevates sustainable
17 forest management as a priority in this country.

18 MR. WITTER: Thank you, sir.

19 Number 37? Thirty-seven approach the microphone.

20 Number 38?

21 MS. ZYDLEWSKI: Thirty-nine.

22 MR. WITTER: Thirty-nine, please, ma'am.

23 Thank you.

24 MS. ZYDLEWSKI: Secretary Kempthorne and
25 Director Moriarty, my name is Gail Zydlewski. That's

0094

1 Z Y D L E W S K I. I'm a citizen of Hampden, Maine.
2 I'm also a faculty member in the School of Marine
3 Sciences at the University of Maine, and I am also
4 president of the Cove Brook Water Shed Council which
5 is a community-based organization working to conserve
6 an important lower Penobscot watershed. Finally, I'm
7 a concerned citizen of Maine. I would like to make
8 several points concerning the proposed legislation as
9 I interpret it.

10 There are many on-the-ground projects that will
11 benefit from cooperative conservation in the state of
12 Maine, not the least of which is the Penobscot River

13 Restoration Project of which I have been an advocate
14 and am intimately involved as a scientist to emphasize
15 the importance of uncovering the natural resources and
16 community base that will benefit from this project.

17 While there are many other worthwhile projects we
18 could discuss, I would like to discuss the mechanics
19 of the proposed legislation. Cooperative conservation
20 as defined relies on people on the ground. While the
21 concept encourages citizens to work with government
22 agencies to conserve our environment, I would like to
23 point out that government agencies have fewer and
24 fewer people on the ground. Their presence is vital
25 for implementing sound science based management.

0095

1 Without their guidance cooperative conservation is
2 doomed to fail.

3 My concern is that the executive order underlying
4 this legislation provides an extra layer of reporting
5 and funding restrictions that would require more upper
6 level management activities and take more of the
7 on-the-ground employees off the ground.

8 Please be sure to safeguard these vital
9 on-the-ground employees.

10 The further concern I have with the executive
11 order and how it will be translated into legislation
12 is that the secretaries are being required to provide
13 funding to the Office of Environmental Quality. This
14 does not provide flexibility to the secretaries but
15 further ties their hands while trying to sustain
16 programs in their departments. While there is
17 incredible value to funding cooperative conservation,
18 I would hate to see it occur at the cost to everyday
19 operations in the department.

20 For example, Maine citizens and senators have
21 worked hard over many years to sustain and restore
22 Atlantic salmon to our rivers. I would hate to see
23 any new programs under cooperative conservation take
24 away from the achievements and goals of the salmon
25 program.

0096

1 Please be sure the legislation is enacted to not
2 steal from Peter to pay Paul.

3 Thank you.

4 MR. WITTER: Thank you, ma'am.

5 Number 41? Number 41 welcome to approach the
6 microphone. Forty-one.

7 We should have been 1 through 40. Forty-one is
8 welcome.

9 Forty-two?

10 MS. HOGAN: Forty-two.

11 MR. WITTER: Please, ma'am.

12 MS. HOGAN: My name is Jane Hogan, and my
13 husband and I are retired sawmill owners,
14 nonindustrial private forestry and live in Brunswick.
15 And we're keenly aware of the need to work with
16 private landowners cooperatively to conserve species.

17 That said I'd like to ask the question what is

18 wrong with the Canada lynx habitat here in northern
19 Maine?

20 There's more lynx habitat than there ever was.
21 What's wrong?

22 Landowners are harvesting mature softwood,
23 they're replanting. There's greater regeneration in
24 stands of 10 to 30 years of age than there was 30 or
25 40 years ago. This is prime snowshoe hare habitat.

0097

1 And you can call it Rab Hab. And it is also prime
2 lynx feasting habitat, and since it's increasing, why
3 fix something that isn't broken.

4 Critical habitat designation in this case is an
5 exercise in futility and will cripple private
6 landowners instead of encouraging the cooperation
7 which you've already heard about from Seven Islands
8 and Pingree.

9 It reminds me of a story your friend Greg
10 Shieldproctor told a group of property owners in the
11 house -- Longley Office Building a couple of years ago
12 when Chairman Trumble was beginning to work on his ESA
13 Reform Act.

14 And Greg said, well, a farmer and I were walking
15 around in Idaho, and I was checking out his irrigation
16 system. And there wasn't enough water coming through
17 the sluice gates, and I told the farmer he'd have to
18 fix it because he was endangering the trout habitat.

19 And the farmer said, that's no problem; I'll get
20 my drill.

21 So he went to his pickup truck and came back with
22 his Colt .45 and put some holes in the sluice gate.

23 Cooperative conservation worked. The hares and
24 the lynx need more growing stands of young softwood.

25 Critical habitat designation eventually will kill

0098

1 roads, kill timber harvesting and kill the lynx.
2 Please do not designate critical habitat for the lynx.

3 Thank you.

4 MR. WITTER: Thank you, ma'am.

5 To be sure 41 and 42, 41 and 42 covered?

6 Forty-two? Forty, 41 and 42. Thank you.

7 Forty-three? Moving on. Forty-three?

8 Forty-four advance.

9 Thank you, sir. Number 44. Thank you, sir,
10 please.

11 MR. LUCAS: Welcome to our wonderful state,
12 gentlemen.

13 My name is Tim Lucas. I'm a natural resource
14 planner for the town of Brunswick, Maine, coastal
15 Maine, located about 20 miles north of Portland.

16 Perhaps by way of getting Senator Kempthorne's
17 attention and curiosity Coeur d'Alene Lake is very
18 nice but Lake Ponderay is truly the jewel of the
19 Pacific Northwest. And only you and I probably know
20 what we're talking about but that's okay.

21 The reason I'm here to talk to you today is about
22 something a little bit different than anything I've

23 heard discussed to date.

24 We, in the town of Brunswick, are faced with a
25 unique challenge and a unique conservation

0099

1 opportunity. That is associated with the closure of
2 the Brunswick Naval Air Station.

3 The Brunswick Naval Air Station occupies about
4 3,200 acres of land in the town of Brunswick, borders
5 on coastal shoreline and represents an astounding
6 large block of land closely associated with the
7 in-town areas of Brunswick, as you can see from the
8 graphic I presented here.

9 It has some very interesting habitat features
10 associated with it. Interestingly enough, while about
11 1,600 acres of the base are intensively developed as
12 clearly depicted there in runways, tarmac and
13 associated facilities and structures, there are also
14 some 12 to 1,500 acres of base that are relatively
15 lightly developed, or surprising enough, as a very
16 result of the airstrip being there have been
17 maintained in a relatively undisturbed habitat. Two
18 of those most significant habitats are Sandplain
19 Grassland habitat and pitch pine community.

20 These are among the rarest habitats in the state
21 of Maine and are classified by the state as S1
22 habitats, meaning a four or fewer occurrences
23 throughout the entire state.

24 Given the habitat rarity it's not surprising they
25 also tend to support some very rare and in some cases

0100

1 state listed species, two which I've noted the
2 Grasshopper Sparrow, which is listed as a state
3 endangered species; and Upland Sandpiper, which the
4 state listed as a threatened species.

5 Also on the southern portion of the base there's
6 clearly noticeable a large 5 to 600-acre unfragmented
7 block of coastal habitat with coastal shoreline on two
8 sides of the block with an intervening unfragmented
9 habitat block.

10 The reason I point this out is if there was ever
11 an opportunity for federal government, state and local
12 government and other party cooperative conservation
13 efforts, it lies here with the Brunswick Naval Air
14 Station.

15 We hope to have your attention in the very near
16 future, as the closing process is proceeding rapidly.

17 Thank you very much.

18 MR. WITTER: Thank you very much, sir.

19 MR. LUCAS: You can have this, if you'd like
20 it.

21 MR. WITTER: A good reminder. Please, sir,
22 you might leave a hard copy for us and any hard copy
23 that you've brought along in association with your
24 comments, remember -- that is a little bit larger than
25 the box we have in the back, but please --

0101

1 MR. LUCAS: I will leave one that I've left

2 there and there are several for folks back here. I
3 apologize if you don't get to see this.

4 MR. WITTER: Thank you, sir, and good
5 reminder for all of you as it relates to the hard
6 copy.

7 Thank, sir.

8 Number 45?

9 UNIDENTIFIED SPEAKER: Pass.

10 MR. WITTER: Pass. Thank you, sir.

11 Forty-six advance to the microphone, please, 46?
12 I see no movement.

13 Forty-seven advance to the mike.

14 Thank you, sir. Please.

15 MR. HUTCHINSON: Hello, Mr. Secretary,
16 Director Moriarty, welcome to Maine.

17 My name is Alan Hutchinson. I'm the executive
18 director of the Forest Society of Maine. We're a
19 Bangor based land trust created to serve as Maine's
20 land trust for the north woods, a 14 million-acre
21 stretch of wonderful forest land that starts in Maine
22 and goes across New Hampshire, Vermont and New York.

23 We have about 14 to 15 million acres here in
24 Maine that represents an ecosystem and habitat type
25 found nowhere else east of the Rocky Mountains, and it

0102

1 contributes to forest projects, it contributes to Fish
2 & Wildlife habitat, the lynx, Peregrine falcons,
3 eagles, migratory waterfowl, other trust species of
4 the Department of Interior like no place else you've
5 seen and no place else left in the Eastern U.S. today.

6 My organization works -- we're created to work
7 with the private landowners who are the majority of
8 the landowners in that -- in this great swath of
9 property. We're created to help find conservation
10 options to assist them in keeping these lands open,
11 productive and valuable fish and wildlife habitat.

12 After two centuries, after more than two
13 centuries of relatively and unremarkable stable
14 ownership and management on these lands, great changes
15 are occurring right now. These landowners are up
16 against incredibly new and challenging economic
17 pressures, development, other sources that are
18 threatening and causing concern about future of the
19 these lands, whether they can stay as they are.

20 A remarkable story is happening here in Maine
21 through cooperative conservation where these private
22 landowners work with nonprofits like us, working with
23 state agencies, working with your federal, federal
24 agencies and federal people. We're putting together
25 some remarkable success stories here.

0103

1 We put together about 2 million acres of
2 conserved lands over the past eight years working
3 cooperatively with these private landowners. Most of
4 this comes through conservation easements that hold
5 things together, but it has only occurred because of
6 the strong commitment of all parties, private

7 individuals, private groups like the forest Society of
8 Maine, other nonprofits, state programs and federal
9 funding programs, as well.

10 You have fantastic people and programs here in
11 Region 5. The U.S. Fish & Wildlife we're most
12 familiar with. They do wonderful work. They think
13 creatively. They help us.

14 But we're all strapped for funds, and they are
15 pleased to carry the message and thought back that we
16 need your support of federal funding programs for land
17 conservation.

18 MR. WITTER: Thank you, sir. Thank you very
19 much. Thank you.

20 Number 48, sir? Thank you.

21 MR. CSENGE: I respectfully greet the panel
22 and wish to address two of the five cooperative
23 conservation questions.

24 My name is Rich Csenge. I'm a volunteer
25 coordinator for Mainers For Utah Wilderness. It's a

0104
1 little bit different.

2 My name is spelled C S E N G E.

3 I'm also a member of the Topsham Conservation
4 Committee, a town which I've lived for the past 30
5 years.

6 Mainers For Utah Wilderness believe that the best
7 way for the federal government to enhance wildlife
8 habitat, species protection and other conservation
9 outcome is by supporting the designation of wilderness
10 on qualifying public lands. The American's Red Rock
11 Wilderness Act is just such a measure.

12 I have come to express the compassionate concern
13 and support of more than 625 members of Mainers For
14 Utah Wilderness for the America's Red Rock Wilderness
15 Act, which, if passed by congress, would include all
16 the remaining wilderness land administered by the
17 Bureau of Land Management in Utah under the National
18 Wilderness Preservation System.

19 High desert is a wonderful complement to our
20 Maine climate. We strongly urge you also, Secretary
21 Kempthorne, to make it clear to businesses seeking to
22 extract mineral resources from Utah public lands, that
23 the land in Utah identified and included in America's
24 Red Rock Wilderness will not be available for lease
25 until after congress has taken a vote on this bill.

0105
1 It's also important to our membership that the
2 sale of public land held in trust for all Americans is
3 not allowed without a full public participation
4 process.

5 The current case in point is the Washington
6 County Growth and Conservation Act. I know you're
7 very familiar with it. 24,000 acres may be made
8 available for disposition to developers. Recent
9 editorials in many national newspapers have stated
10 strong opposition to putting public lands, our
11 nation's birth right, on the auction block in exchange

12 for agreements to protect more wilderness.
13 We have joined 124 local and national
14 conservation and outdoor recreation groups in
15 expressing our opposition to the bill. As displayed
16 clearly on the front cover of National Geographic --
17 MR. WITTER: Please, sir, if I may, you can
18 submit your longer comment. Thank you very much, sir.
19 Thank you for your comments.
20 MR. CSENGE: Okay. Thank you very much.
21 MR. WITTER: Thank you, sir.
22 Number 49, 49?
23 Please, sir.
24 MR. FOSTER: Mr. Secretary, Director
25 Moriarty, my name is Don Foster. I'm president of the
0106
1 Penobscot Salmon Club and vice chair of the Maine
2 Salmon Council. We welcome you to Maine.
3 It's been a long afternoon. You've heard all the
4 good reasons why you should support the Penobscot
5 River Restoration Project, but I'd like to have a few
6 more words added to this discussion.
7 It's the right thing to do in legacy, and when
8 you're thinking about funding and all the priorities
9 you have, and I know there's not enough to go around,
10 you've got a million priorities through all the
11 states, I'd like you to put on this hat. It's under
12 \$10 and make a donation --
13 (Laughter)
14 MR. FOSTER: Thank you very much for coming.
15 MR. WITTER: Thank you, sir.
16 Number -- you caught me off guard, sir. I lost
17 track. You were 49, sir?
18 MR. FOSTER: Forty-nine
19 MR. WITTER: Thank you, sir. The hat threw
20 me off.
21 (Mr. Witter conferring with Secretary
22 Kempthorne.)
23 MR. WITTER: You understand Senator
24 Kempthorne -- Senator Kempthorne -- Secretary
25 Kempthorne -- well, you were a senator, and a governor
0107
1 and a secretary, by golly, but he's also a bit of a
2 comedian here, and he's whispering these things in my
3 ear, and I'm keeping a straight face.
4 He said a hat is your business card so when the
5 Senate Ethics Committee gets on him for it, then he
6 can respond and tell them exactly where he got it.
7 MR. FOSTER: Not to worry, it's under \$10.
8 (Laughter)
9 MR. WITTER: Again sir, the -- thank you.
10 Thank you very much all, and good humor, good humor.
11 Thank you.
12 That should cover 1 through 50. We'll continue
13 with 51. One through 50? I just want to be sure.
14 Fifty-one, please, may approach the microphone,
15 51?
16 Or 52, ma'am?

17 MS. MARKOWSKY: No, I'm 50.
18 MR. WITTER: Oh, 50, wonderful. Please,
19 please, ma'am.
20 MS. MARKOWSKY: Thank you. My name is Judy
21 Markowsky, and it's M A R K O W S K Y.
22 And I'm here representing the 10,000 households
23 in Maine that belong to Maine Audubon. And I'm going
24 to ask you for your support for the Penobscot River
25 Restoration Project. It's a wonderful project. It's

0108

1 going to produce 500 miles of river habitat for a
2 number of wonderful fish species, but it's not just
3 about fish. It's also about a wonderful set of
4 insects, Caddisflies, Stoneflies, others like them,
5 Mayflies, and those are going to in turn benefit the
6 birds that are there and not just Great Blue Herons,
7 but also orioles, phoebes and swallows. You can see
8 great swarms of swallows sometimes over the river,
9 getting hatches of those.

10 And we really need federal funding for this
11 program. It's also not just for wildlife, but also
12 for people. It's going to revive our cultural, social
13 and economic traditions.

14 Another thing I'm asking of you is the support of
15 a strong Endangered Species Act. It's a safety net
16 for wildlife on the brink of extinction. It's a
17 conservation success story that works.

18 One example, we see it every day right here in
19 Brewer and Bangor. It's the bald eagles that you can
20 see along the river. Thirty years ago they were a
21 rare site, and now they're a common site along our
22 beloved river.

23 And also cooperative conservation, though
24 important, only works because of the endangered
25 species -- the act is strong and it has strong

0109

1 regulatory requirements. The Act gives the public
2 assurance that species will not become extinct.

3 I'm also going to put in a word for the Sunhaze
4 and other federal programs that need to be staffed.
5 We love them. They're wonderful members of our
6 community, and their knowledge is highly prized in
7 this area.

8 Thank you.

9 MR. WITTER: Thank you, ma'am.

10 And indeed that should now have carried us
11 through 1 through 50. One through 50? Thank you.

12 Number 51, No. 51?

13 Approaching the microphone 52 perhaps?
14 Fifty-two, sir?

15 MR. HARDING: Fifty-one.

16 MR. WITTER: Fifty-one, thank you.

17 MR. HARDING: Good evening, Secretary
18 Kempthorne, Counselor Walpole and Director Moriarty.
19 Thank you for being here today.

20 My name is Jacob Harding, H A R D I N G. I
21 recently graduated from the University of Maine. I

22 came here today because I think the whole idea of
23 cooperative conservation is very important for the
24 future of the country, and perhaps the world in
25 general. And as possibly the youngest speaker here, I

0110

1 think it's going to affect my generation more so than
2 a lot of the other people present today. I think
3 that -- not to knock anybody. Thank you for all the
4 work you've done so far. We're just going to pick up
5 where you leave off.

6 As the Farmingdale gentleman mentioned earlier,
7 there's a need for competent leaders in the future,
8 and I think a lot of those leaders are going to be
9 ones that are educated in public universities and
10 institutions. The reason I was able to go to school
11 was because of financial aid and in turn federal
12 funding, loans, grants, etc.

13 One of the things that helped me out a lot was
14 grants through the AmeriCorps Program which I got
15 because of my work with the Maine Conservation
16 Coalition for its Volunteer Trail Program.

17 At some point soon after I left MCC -- I did it
18 for two years -- AmeriCorps lost a lot of federal
19 funding for, I guess, various international reasons,
20 and if I wouldn't have been able to get that, I
21 probably wouldn't have been able to finish school.
22 And I'd just like to encourage people in Washington
23 and senators, congressmen, general throughout the
24 nation to support these volunteer programs and to take
25 serious consideration when looking at bills and

0111

1 proposing acts as far as funding for universities, for
2 schools, for public schools, elementary schools, so on
3 and so forth.

4 That's just about it.

5 Thank you all again.

6 MR. WITTER: Thank you, sir.

7 Fifty-two, please, 52?

8 Fifty-three is welcome to locate themselves.

9 Fifty-two is here.

10 Thank you, ma'am, please.

11 MS. GILBERT: Good evening. My name is
12 Sally Gilbert. I'm a resident of Eddington and a
13 Maine native. I'm another one of those people who
14 would like to speak up for the Penobscot River
15 Restoration Project.

16 For thousands of years sea-run fish migration
17 have defined the Penobscot River, which once provided
18 a connection between the Gulf of Maine and terrestrial
19 and aquatic ecosystems inland.

20 For many years the two lower most dams in the
21 river, Veazie and Great Works, have impeded access to
22 spawning and rearing habitats to fish. The Penobscot
23 River Restoration Project, which focuses on removal of
24 these two dams while maintaining hydro power
25 production, will have a wide range of benefits to fish

0112

1 and wildlife population, water quality and communities
2 along the river.

3 To remain competitive in attracting and retaining
4 businesses and residents in this region, the Penobscot
5 watershed must offer a high quality of life to its
6 people. By improving water quality and through
7 restoring the natural flow of the Penobscot River, the
8 project will provide healthy natural areas that in
9 turn will add to the benefits of living in a restored
10 region.

11 A healthy watershed with restored populations of
12 sea-run fish will offer new economic opportunities and
13 will bolster the health of the Gulf of Maine.

14 Redistributing the technology of these two dams
15 on the Penobscot will change our understanding of what
16 Maine needs in the future. Increased runs of fish, an
17 increase in wildlife that relies on the rivering
18 ecosystem, an increase in economic opportunities that
19 rely on nature-based activities and the maintaining of
20 hydro power.

21 The needs of humans and the needs of nature are
22 intertwined and the success of this project will
23 demonstrate that the two could be balanced.

24 Our greatest need for the project is to succeed
25 is strong federal financing support and would really

0113
1 appreciate your attention on this matter.

2 Thank you.

3 MR. WITTER: Thank you, ma'am.

4 Number 53, please?

5 Thank you, thank you, sir.

6 MR. CLINE: Good evening, Mr. Secretary. My
7 name is Ken Cline. I live in Bar Harbor, and I'm
8 testifying on behalf of the Maine Sierra Club.

9 On behalf of the 4,000 members of the Sierra Club
10 in Maine, I want to welcome the panel to our beautiful
11 state.

12 This is a good place to come to learn about
13 cooperative conservation because as a general matter,
14 the citizens in this state do work together to solve
15 environmental problems, and cooperation isn't a new
16 concept for us.

17 The Sierra Club is committed to cooperative
18 approach to conservation to provide safe and healthy
19 communities to protect wilderness and wildlife. We
20 welcome genuine efforts to enlist the passion and
21 knowledge of landowners, volunteers, businesses, towns
22 and citizen groups in the momentous tasks before us.
23 Creative and flexible approaches to problems are often
24 the result of this kind of collaboration.

25 Too often, however, this administration has

0114
1 pursued cooperative efforts instead of rather than in
2 addition to the basic environmental protections like
3 Endangered Species Act and the Clean Water Act that
4 serve as a safety net for all of us.

5 We've seen the vital importance of these laws

6 across the country, but nothing that I've read or have
7 seen really drove the point home as dramatically as
8 the sort of recent history of Atlantic salmon in
9 Maine. We watched in dismay as the population of wild
10 salmon plummeted, and the state did little or nothing
11 to stop that from happening. Local salmon clubs and
12 watershed groups worked really hard with understaffed
13 state biologists to try to address the threats, but
14 they weren't able to.

15 Once the federal ESA came into play, some of
16 those threats were addressed quickly, such as use of
17 European genes and offshore aquaculture pens. But
18 more importantly local watershed groups got support.
19 The on-the-ground work that needed to be done both by
20 the state, federal agencies and citizens took place
21 and scientists could do the research necessary to
22 understand the threats that were facing the fish and
23 gave us a frame work to move forward together.

24 Contrary to what some might suggest, the listing
25 of the Atlantic salmon under the Endangered Species

0115

1 Act had been a catalyst for positive change.

2 Prior to ESA we tried to form a cooperation
3 conservation in the state of Maine, without the law,
4 without the teeth, if you will, and it failed. And as
5 a result, we lost valuable years of work.

6 To finish up, I'll just get to the four bullets
7 that I was going to say. The lessons that the Sierra
8 Club has learned is that America needs to have
9 cooperative conservation. We also need our strong
10 environmental laws --

11 MR. WITTER: Excuse me. Forgive me, please.
12 Thank you. Please submit your longer comment, if I
13 may encourage you, please.

14 MR. CLINE: I will do that. Thank you very
15 much for coming here tonight.

16 MR. WITTER: Thank you, sir.

17 Number 54.

18 Thank you, ma'am. Please.

19 MS. CLEMENT: Good afternoon, Secretary
20 Kempthorne, Counselor Walpole and Director Moriarty.
21 Thank you very much for joining us here in Maine.

22 And, Mr. Secretary, thank you especially for
23 coming to Acadia National Park today.

24 My name is Stephanie Clement, and I'm
25 Conservation Director for Friends of Acadia, which is

0116

1 an independent nonprofit organization located in Bar
2 Harbor.

3 Our mission is to preserve and protect the
4 natural beauty, ecological vitality and cultural
5 distinctiveness of Acadia National Park and its
6 surrounding communities.

7 We're a partner to Acadia National Park in
8 conservation by three main ways. We raise private
9 funding and donate grants to Acadia National Park and
10 the communities, and since 1995 we've given 5.48

11 million to the park and the communities, and we
12 maintain 17.4 million in endowments to the park.

13 Secondly, run cooperative programs for the Park
14 Service, such as the Island Tour Bus System,
15 volunteers in the park, internships and so on; and
16 third, we advocate on behalf of Acadia National Park,
17 which is why I'm here today.

18 Friends is pleased to be a partner to the
19 National Park Service, and we happily dedicate
20 ourselves to our mission. Our donators support us
21 because of this varied mission.

22 However, we'd like to caution the partnership,
23 which is what we're here today about, should never
24 replace what is ultimately congress's and the
25 administration's responsibility to fully fund and

0117

1 maintain the public resource of Acadia and other
2 federal lands.

3 We like to think that Friends can contribute a
4 margin of excellence to those management programs and
5 to add value to the visitor experience. We try very
6 hard not to cover the basics such as restroom
7 cleaning, interpretative programs or air and water
8 quality monitoring. If agencies become dependent on
9 partners for those specific programs, it becomes a
10 detriment to donors. They choose not to donate to us
11 because they are replacing what they feel they should
12 already be doing through their taxes.

13 Recently the Park Service has been characterized
14 as receiving more funding per visitor, per employee
15 and per acre, and this may literally be true, but it's
16 not coming to the local parks. Because of federally
17 mandated pay increases for our federal employees,
18 because of operating cuts due to Hurricane Katrina and
19 the war in Iraq, we need to -- the Park Service is
20 not -- having to reduce services and other things at
21 Acadia. We don't like to see that happen.

22 Secondly, I'd just like to put in a plug again
23 for the Land and Water Conservation Fund. Acadia is
24 unique that it has a lot of inholdings that we need to
25 make sure we complete the boundary.

0118

1 Finally, I'll just say again, thank you. We're
2 proud to be a partner, and the best thing that you can
3 convey is to keep federal funding strong for our
4 parks.

5 Thank you.

6 MR. WITTER: Thank you, ma'am.

7 Number 55.

8 Thank you, sir.

9 MR. WAGNER: Thank you for the opportunity
10 to speak this evening.

11 My name is Robert Wagner. I'm a professor of
12 Forestry at the University of Maine. I also am

13 Director of the Cooperative Forestry Research Unit or
14 CFRU at the university.

15 CFRU is a 30-year collaboration between Maine
16 forest landowners and the university and serves as a
17 model of cooperative conservation.

18 Landowners managing more than 8 million acres of
19 Maine forests voluntarily contribute research funds to
20 the university based on the size of their ownership to
21 conduct research on key natural resource issues.

22 Our cooperators have long recognized the need to
23 develop leading information about the sustainable
24 management of important wildlife species inhabiting
25 Maine forests.

0119

1 Over the past decade, the CFRU, with funds and
2 collaboration from Maine landowners and university
3 researchers, has identified the key habitat need of
4 the American marten, a forest species of concern. As
5 a result we were able to avoid a potential spotted owl
6 like controversy in Maine.

7 About five years ago these same landowners saw
8 the need to develop more information about the habitat
9 needs and impacts of forest management for the Canada
10 lynx. Five years later this landowner-initiated and
11 sponsored research has provided the state-of-the-art
12 understanding about the impacts of forest management
13 on the Canada lynx. This information was recently
14 used as the basis for the proposed conservation
15 strategy for the Canada lynx by Northern Maine
16 landowners, which you've heard about today.

17 The university's three decades of experience in
18 working collaboratively with the private sector is
19 clearly a model that can be used in the search for
20 improved methods of cooperative conservation.

21 Thank you.

22 MR. WITTER: Thank you, sir.

23 Number 55. Fifty-five, please?

24 No one is advancing the microphone.

25 Fifty-six? Fifty-six is the call.

0120

1 Fifty-seven? Advance to the microphone. No
2 social desirability here. Come on to the microphone.

3 Fifty-eight? Fifty-eight, sir?

4 MR. RUSSELL: Yes.

5 MR. WITTER: Thank you.

6 MR. RUSSELL: Secretary Kempthorne,
7 gentlemen. My name is Jack Russell, just like the
8 dog. I'm a resident of Mount Desert, and I was born
9 and grew up in Bar Harbor the first 15 years of life,
10 then I got confused and moved away. But I have come
11 home, and I must say listening to the voices in this
12 room I've never been prouder to be a Mainer than I am
13 today.

14 Stephanie Clement from Friends of Acadia, of
15 which I'm a member, has articulated our primary
16 concern which is the 150 inholdings in the park which
17 do need to be acquired to protect its integrity.

18 I need help, Secretary Kempthorne, with my

19 granddaughter. She's two years old. She has one of
20 those T-shirts that says, I'm two years old and
21 there's nothing you can do about it. It's the truth.
22 She lives unfortunately in Arizona, but she has
23 learned to love coming to the park and visit Grandpa
24 and Grandma.

25 McKenna, which is her name, has learned to listen
0121

1 to the wind in white pines, and she knows what the cry
2 of a loon is. She can't quite say the L, but she
3 understands what that is. She's been in the Gulf of
4 Maine and still loves Grandpa.

5 And I'm concerned that when the time comes for
6 her to understand a little more clearly what a
7 national park is that I can say to her that the
8 richest country in the history of human kind can
9 afford to take care properly of the profound asset and
10 heritage which the National Park Service is. With
11 sustaining fiscal policies and political will, all of
12 that and all of the good causes articulated today are
13 possible. This nation can afford them.

14 You will have an opportunity in the coming weeks
15 as the Interior Department bears its FY 08 budget and
16 the pushback and dialogue with OMB begins to stand up
17 and be counted. I think you're the kind of man who
18 can do that.

19 Please give us the opportunity to say the right
20 things to our grandchildren in the future.

21 MR. WITTER: Thank you, sir.

22 (Applause)

23 MR. WITTER: Number 60, please. Number 60
24 welcome to advance to the microphone. That would
25 cover one through 60.

0122

1 Fifty-nine, 59? Forgive me. Fifty-nine?

2 Sixty welcome to advance. Sixty-one is welcome
3 to advance to the microphone.

4 Now comes the time in the meeting when a pattern
5 emerges.

6 Sixty-one is welcome to advance. Don't let me
7 pass you by.

8 Sixty-two is welcome to advance.

9 Thank, you ma'am.

10 MS. GIROUARD: Good afternoon. My name is
11 Maria Girouard. It's spelled G I R O U A R D. And I
12 reside in Orono, and I'm here to talk about a very
13 popular topic here tonight, the Penobscot River
14 Restoration Project.

15 The river restoration project is an excellent
16 model for cooperative conservation and participatory
17 civic environmentalism. The project involves
18 participation from the state of Maine, the Penobscot
19 Indian Nation, the federal government and
20 non-government conservation organizations.

21 We all recognize the value in liberating the
22 river through dam removal.

23 As a member of the Penobscot Indian Nation,

24 director of the Penobscot Nation's Cultural and
25 Historic Preservation Department, and an ambassador

0123

1 for the Penobscot River Restoration Project, I would
2 like to speak briefly about the cultural benefits of
3 the Penobscot River Restoration Project.

4 The Penobscot River is central to the cultural
5 identity of the Penobscot people. The Penobscot, or
6 Panawahpskek in our language, is where we get our name
7 as Penobscot people. The Penobscot River watershed is
8 our ancestral homeland.

9 For tens of thousands of years the Penobscots
10 have lived on or relied on the river to sustain them,
11 particularly relying on the once abundant population
12 of salmon and other fish.

13 The installation of dams during the late 19th and
14 early 20th centuries between the Penobscot Indian
15 Reservation and the ocean have prevented the
16 Penobscots from exercising their inherent right to
17 fish and has hindered the ability for migratory fish
18 to reach their spawning grounds. The inherent right
19 to fish includes the right to have fish to catch.
20 Otherwise the right to fish is reduced to mere words
21 on paper.

22 It is my hope and the hope of the Penobscot
23 Indian Nation that you do all in your power to fund
24 the Penobscot River Restoration Project, a project
25 that holds environmental, economic, recreational and

0124

1 cultural benefits now and for seven generations to
2 come.

3 Thank you.

4 MR. WITTER: Thank you, ma'am.

5 Number 62?

6 Sixty-three. Forgive me. Sixty-three?

7 MR. BANKS: No, I'm not going to attempt to
8 call a moose here.

9 (Laughter)

10 MR. WITTER: Please, sir, 63.

11 MR. BANKS: John Banks. I'm the Natural
12 Resources Director for Penobscot Nation, and I want
13 to, on behalf of the tribal chief and council, like to
14 thank you, Secretary, again for coming to Maine. I'd
15 like to especially thank you for coming up to Indian
16 Island yesterday to meet with our tribal leaders. And
17 it's good to see you safe and sound and dry today. I
18 understand your security people had some issues when
19 we took you for a boat ride yesterday on the Penobscot
20 River.

21 MR. KEMPTHORNE: No comment.

22 (Laughter)

23 MR. BANKS: Chief Sappier did promise that
24 he would get you a hand-carved birch bark moose caller
25 made by one of our tribal members, so I want to

0125

1 present that to you today.

2 But first of all, I just wanted to again mention

3 briefly the importance of the Penobscot River
4 Restoration Project. As you've heard here today, that
5 project is the model for cooperative conservation, and
6 in reading the five questions on the back of the card,
7 the answer to every one of them is fully fund the
8 Penobscot River Restoration Project.

9 Thank you very much.

10 MR. WITTER: Thank you, sir.

11 (Applause)

12 MR. KEMPTHORNE: What's the call sound like?

13 MR. BANKS: Moosey, moosey, moosey.

14 (Laughter)

15 MR. KEMPTHORNE: You've just given security
16 another problem.

17 MR. WITTER: Thank you, sir.

18 Sixty-four. Number 64, please. Sixty-four
19 approaching the microphone?

20 Sixty-five?

21 Thank you, ma'am. Please ma'am.

22 MS. ROSE-DAY: Good evening, Secretary
23 Kempthorne, council Walpole, Director Moriarty. Thank
24 you very much for being here.

25 My name is Laura Rose-Day. I'm the Executive

0126

1 Director of the Penobscot River Restoration Trust.
2 We're a 501(c)(3) organization charged with
3 implementing a very important part of the Penobscot
4 River Restoration Project.

5 Thankfully you've heard a lot about the benefits
6 of the project over the course of the night; I won't
7 repeat them. But I want to focus really on, you know,
8 we like to see the project see more federal funding,
9 and I know that you understand that. We think that
10 this is a challenge, but it's a challenge that should
11 be overcome.

12 There are several agencies that will benefit and
13 whose responsibilities will be met through this
14 project. It's a multi-year project, multi-agency
15 project, and the bottom line is this investment is
16 well worth it.

17 We think there's a question that in time will be
18 added to this card at future listening sessions, and
19 that is what are the results of cooperative
20 conservation?

21 What's happened when people have locked
22 themselves into rooms for years, as we did, people who
23 had serious disagreements over the law, over resource
24 allocation?

25 What happened when they put blood, sweat and

0127

1 tears in finding a solution like this one?

2 And we want the answer to be that it succeeded.

3 We want that for the federal government. We want that
4 for the tribe. We want that for the tens of thousands
5 of members of the conservation organizations that are
6 part of this. We want it for our children.

7 Secretary Kempthorne, I have read testimony that

8 you gave as governor in Idaho where you were marveling
9 at the journey of salmon inland, and I was marveling
10 in a very different context several hundred miles
11 inland.

12 The Atlantic salmon that return to these rivers
13 are the last Atlantic salmon that we have in this
14 country, and as you do, we take that responsibility
15 very, very seriously. And we want our children and
16 our grandchildren to see the same thing. And when we
17 look back on this task, challenging, yes, but if
18 cooperative conservation means setting aside your
19 differences, taking chances, being entrepreneurial,
20 replacing all the energy while also increasing habitat
21 more than 500 miles, if we can't find a way to make
22 this happen, I think the answer will be cooperative
23 conservation didn't work, and none of us want that
24 answer, so we commit to continue to help make this
25 happen.

0128

1 We thank the Department of Commerce, all the
2 other agency partners, and we have at this point
3 raised a significant amount of private money, and we
4 hope that that will influence where the budgetary
5 consideration goes in the future.

6 Thank you.

7 MR. WITTER: Thank you, ma'am. Thank you
8 very much.

9 Number 66?

10 Number 67?

11 Yes, sir. Take your time.

12 I welcome 68 through 70 to advance to the
13 microphone, as well, 68 through 70.

14 As a matter of fact, let's carry that through 72,
15 73, all you folks are welcome to advance to the
16 microphone.

17 And please, sir, your number is?

18 MR. JOHNSON: Sixty-seven.

19 MR. WITTER: Thank you. Please.

20 MR. JOHNSON: Thank you, gentlemen for all
21 being here and a chance to speaking to you.

22 I'm here on behalf of a little article in the
23 paper about Sunkhaze Wildlife Refuge. All these
24 things are great that the government is doing to have
25 this land for everybody, but I live -- excuse me --

0129

1 I'm John Johnson.

2 I live at the mouth of Sunkhaze Stream and on the
3 Penobscot River. I've lived there since 1959, and now
4 I'm not allowed to go on the Sunkhaze Wildlife Refuge
5 because the barricades, the boards, the planking and
6 everything they've got stacked up so we can't get
7 there. Now, I'm handicapped. Well, they drive out
8 there. They have their own little picnic ground,
9 their own little campground, and they drive out in
10 trucks.

11 Now, how come, if this is going to be
12 conservation and everything, they take it away from

13 us. Our land goes in and out of all theirs. There's
14 gates barricaded. I have pictures of piled up boards
15 and stakes in them. Women and children can't go walk
16 the dogs no more. It's crazy.

17 So why are we wasting some more money on a place
18 like this that we can't get onto now? I got it taken
19 away from me. I can only go on a snowmobile, and I've
20 been in the paper that I was destroying government
21 property. And I think it's a big joke.

22 Well, we've tried working with Mr. Commish up
23 there, and as far as I'm concerned, I just soon see
24 them fold. They are the only people that's destroyed
25 Sunkhaze Wildlife.

0130

1 Up at the Sunkhaze at the head of it, up the
2 river, they dumped gravel over the bank, made their
3 own canoe launch so that they would have a place to go
4 in or whoever else wanted to. Well, I can't do that.

5 But anyway, out in the meadow they have a
6 pressure-treated deck in a flood zone 10 feet below
7 the water level at my house which freezes in the
8 winter. They have pressure-treated lumber which is
9 against the laws of the state of Maine because it
10 contains arsenic.

11 And they put a gate up to go out and visit their
12 camps. They got special people -- if you work for the
13 government, you can get out to that camp and use it, I
14 guess, but not the taxpayers. But they drive out. I
15 can't go out there because the gate is locked.

16 It's just endless. I don't know. I can't see
17 funding anymore of these projects like Sunkhaze if you
18 take it away from us. That place has not been
19 bothered. I've been out there all my life and never
20 left a footprint since 1959. I've slept out there and
21 loved it, but now we can't even enjoy it.

22 Thank you for your time.

23 And also we go out on a snowmobile, do not cross
24 any of their signs and been told we were going to get
25 a \$2,000 fine, take your snowmobile. Now, that's

0131

1 pretty good to tell people for our land.

2 I can leave these pictures and some of the
3 letters for Mr. Commish from Inland Fisheries &
4 Wildlife and see which people -- I'd love to take you
5 up there and show you the real truth, and it's not
6 destroyed by the people who don't go out there, don't
7 belong to the club.

8 Thank you.

9 MR. WITTER: Thank you, sir.

10 Number 68, 68?

11 Sixty-nine can approach the microphone.

12 Please, ma'am. Thank you.

13 MS. DAIGLE: Hi, my name is Cheryl Daigle,
14 and I'm a resident of Old Town.

15 I work for the Penobscot River Restoration Trust,
16 but I'm speaking tonight on behalf of my family.

17 My husband grew up in Old Town and has spent

18 countless hours hunting and fishing along the river
19 with his father and great grandfather and paddling
20 around the island north of Indian Island with me and
21 my daughter -- our daughter.

22 We have chosen to raise our daughter in Old Town
23 in large part due to the special connection we have to
24 the Penobscot River and our belief in the future of
25 this region as a place to live and work where people

0132

1 have a strong sense of community and deep ties to the
2 natural landscape and history.

3 Our daughter is three years old, and we can
4 already see the river is easing its way into her heart
5 as she leans over the edge of our boat looking for
6 fish or watching the sky for eagles and ducks.

7 Like many of the people speaking tonight, I
8 expect she will one day be a defender of the river and

9 its many values.

10 My vision for her future includes walks to the
11 riverfront park in Old Town where we will watch short
12 nose and Atlantic sturgeon leap out of the water, and
13 join fishermen casting for Atlantic salmon or striped
14 bass. She will not only learn about the life cycles
15 of the 11 species as sea-run fish that will return,
16 but will be able to witness the cycle of life right
17 here on our shores.

18 With millions of alewives returning to spawn in
19 the spring, I will be able to tell my daughter about
20 the lobsterman along the shore downstream who will
21 gather these fish in support of the lucrative lobster
22 history which will once again have a local source of
23 bait.

24 American shad will join striped bass as an
25 exciting and profitable recreational fishery. The

0133

1 local economies here will draw people from across the
2 state and country to paddle from Old Town to the sea
3 to watch the migrating fish pass through the new fish
4 bypass in Howland or to enjoy wildlife watching
5 excursions.

6 And because these towns are committed to
7 developing their waterfronts in ways that highlight
8 the many values of the river rather than simply
9 exploit them, there will be diverse and numerous job
10 opportunities within the watershed. Young people will
11 not have to move out of state to find work in
12 sustainable communities.

13 For all this and much more to happen, we need to
14 fully implement the Penobscot River Restoration
15 Project. You've heard again and again the need for
16 strong financial federal support.

17 This project is about restoring decimated
18 populations of sea-run fish that once helped fill the
19 economy here and can once again be central to the
20 economic health of the region with an anticipated
21 value at least in the hundreds of million of dollars.

22 This project is about restoring vital ties to the
23 river through work, play and a deep respect for the
24 cultural history that binds us all. This project is
25 about celebrating the river, celebrating our

0134

1 collective heritage and building a sustainable future
2 for our children.

3 Let's make this restoration effort a shining
4 light in the legacy of the Bush administration.

5 Thank you.

6 MR. WITTER: Thank you, ma'am. Thank you.

7 Number 70?

8 Seventy-one?

9 Seventy-two?

10 Seventy-three through 80? Seventy-three through

11 80? How many would that entail perhaps?

12 You may approach the microphone, 73 through 80.

13 MR. DIEFFENBACHER-KRALL: Seventy-six.

14 MR. WITTER: Please, sir, let's -- we're
15 approaching a pivotal time, folks, where the number --
16 I'm curious, would you raise your hand if you have yet
17 to comment tonight? How many commenters do we have
18 yet? So we're looking at one, two, three, four, five,
19 about six, seven or thereabouts.

20 And I need the will of the group. We have
21 actually a dinner break set at 11 o'clock, but if you
22 would prefer --

23 (Laughter)

24 MR. WITTER: I'm from the Midwest, you
25 understand. I'm sorry. Good grief.

0135

1 And if it's the will of the group, we can break
2 or we can continue with the presenters and bring the
3 evening to a close. And I see heads nodding in that
4 regard, let the presenters continue.

5 Okay. We'll go. Thank you for that, that
6 affirmation. We'll move forward.

7 Please, sir.

8 MR. DIEFFENBACHER-KRALL: Secretary Kempthorne,
9 members of the panel, my name is John
10 Dieffenbacher-Krall. The court reporter will probably
11 have a little trouble with this name,
12 D I E F F E N B A C H E R, hyphen, K R A L L. I'm the
13 Executive Director of the Maine Indian Tribal State
14 Commission.

15 You've heard a lot of eloquent pleas tonight
16 about the importance of the Penobscot River
17 Restoration Project, and I want to especially talk to
18 you, Secretary Kempthorne, about a special
19 responsibility that the federal government has.
20 That's your trust responsibility to the Indian tribes
21 here in the state of Maine.

22 I have a job because of the Maine Indian Claims
23 Settlement Act that was negotiated and passed by the
24 United States congress in 1980 and signed by President
25 Carter and the companion act that codified that

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1 agreement in state law, the Maine Implementing Act.
2 Section 6207 subsection 3 paragraph C of the
3 Maine Implementing Act states, charges in part to,
4 quote, consider and balance the needs to preserve and
5 protect the needs or desires of the tribes to
6 establish fishery practices for the sustenance of the
7 tribe or to contribute to the economic independence of
8 the tribes.

9 Section 6207 subsection 4 of the Maine
10 Implementing Act states, notwithstanding any rule or
11 regulation promulgated by the commission or any other
12 law of the state, the members of the Passamaquoddy
13 Tribe and the Penobscot Indians may take fish within
14 the boundaries of their respective Indian reservation
15 for their individual sustenance subject to the
16 limitations of subsection 6.

17 In part due to the five mainstem dams on the
18 Penobscot River, the Penobscot Nation cannot utilize
19 the fishing rights which belong to it. The successful
20 completion of the Penobscot River Restoration Project
21 would remove two mainstem dams and would provide a
22 bypass of the Howland dam creating conditions for the
23 return of thousands of sea-run fish now blocked from
24 reaching Penobscot Nation Waters. Restoration of
25 these fisheries would signify the federal and state

0137

1 government faithfully adhering to the responsibilities
2 to protect and preserve these fishery resources.

3 We commend the spirit of cooperation and
4 exclusive acknowledgment of each parties' interest
5 that led to the Penobscot River Restoration Project.
6 I hope you can take a message back to President Bush
7 and all 535 members of congress that we need funding
8 for the Penobscot River Restoration Project.

9 Thank you.

10 MR. WITTER: Thank you, sir. Thank you very
11 much.

12 Next to the microphone, please, next nearest to
13 the microphone. Anyone may advance to the microphone
14 at this point.

15 MR. McGRANE: Good afternoon. My name is
16 Gary McGrane. I'm a Penobscot native, and I'm also an
17 elected official in Franklin County. I'm one of three
18 commissioners that's represent over 20,000 people in
19 my county. And recently we had gotten word that there
20 was some scuttlebutt, if you will, about the
21 Endangered Species Act and what it might imply to us
22 as residents of Franklin County.

23 So as a commissioner, I proposed to the other two
24 commissioners a resolution that I'll read in brief and
25 be able to share with you at a later date because I

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1 believe there are going to be other counties that are
2 going to be implementing -- excuse me -- passing this
3 resolution in their counties, as well.

4 Whereas the state of Maine and the United States

5 has a long, proud tradition of respect of the earth's
6 wildlife and natural resources.

7 And whereas we have responsibility to our
8 children and future generations as good stewards of
9 our environment and to leave behind a legacy of
10 protecting endangered species and the special places
11 they call home.

12 And whereas the strength and the vitality of a
13 clean environment is inextricably linked with the
14 health of all species and the places they live.

15 And whereas species extinction and habitation
16 destruction are a serious threat to our environment,
17 our own environment.

18 And whereas we have a responsibility to use the
19 best available science and to ensure we protect our
20 legacy for future generations.

21 And whereas for over 30 years, the Endangered
22 Species Act has served our nation well as a safety net
23 for wildlife and saving hundreds of plants and animals
24 from extinction, putting hundreds or more on the path
25 to recovery and safeguarding the habitats on which

0139

1 they all depend.

2 We, the undersigned, pledge to uphold the
3 Endangered Species Act so it may continue to protect
4 our plants and animals and the special places they
5 live from the finality of extinction. Therefore their
6 resolve that Maine's Franklin County Commissioners
7 uphold the Endangered Species Act so it may continue
8 to protect or plants and animals in the special places
9 they live from the finality of extinction.

10 Thank you.

11 MR. WITTER: Thank you, sir. Thank you.

12 Next, sir, please.

13 MR. ANDREWS: Ahoy, Mateys. I didn't get a
14 chance to say -- talk like a pirate yesterday. I did
15 a solo trip on the mountain and didn't see anybody so
16 ahoy and arrgh. Okay. Welcome.

17 Thanks for coming to Maine to listen. My name is
18 Paul Andrews. I'm a retired psychologist. I knew all
19 about actively listening. It's not easy. Active
20 listening is work and requires strong kidneys. You
21 seem to have both. So keep it up. Okay?

22 I'm lucky enough to have a summer home down in
23 Gouldsboro on the coast near Petit Manan Refuge. I'm
24 also a resident of Sanibel Island in Florida, home of
25 Ding Darling Refuge, sometimes referred to as Acadia

0140

1 South. I serve as a paid naturalistic guide for Ding
2 Darling, and I also serve as the president of Sanibel
3 and Captiva Audubon, Audubon of Florida.

4 So if you'll all bear with me, I won't see you
5 when I get to Florida, so I'm talking to you now.
6 Okay?

7 I'm here today to support the struggling refuge
8 systems Downeast. Fortunately Ding Darling has over a
9 hundred volunteers, and a fine friends program

10 initiated by a good personal friend of mine, Dr. Molly
11 Cribble. I hope you meet her when you get to Florida.
12 In fact, she was honored by Gale Norton for her skills
13 in organizing the friends co-op programs for all the
14 refuges around the country. She's the main person.

15 We also need a model of community conservation
16 and cooperation. Please also become familiar with the
17 Sanibel plan where two-thirds of an island has been
18 preserved and 6,000 residents try to live in harmony
19 with nature. It's not perfect, but it's a good model.
20 In fact, now that Porter Goss is retired, we may see
21 more of him now that he's the former mayor of Sanibel,
22 the one responsible for the plan back in 1974.

23 The front page headline yesterday in the Bangor
24 paper caught my attention as did the article
25 announcing this event. On the one hand, the front

0141

1 page headline Refuge In Danger With Possible Loss of
2 Staff is then contrasted with the article about the
3 Edmunds man out randomly slaying animals. Fortunately
4 there were hardworking law enforcement officers to
5 bring this person to justice for killing seals, bears,
6 moose, deer and even the neighbor's pets.
7 Unfortunately, the refuge manager at Sunkhaze Meadows
8 may no longer be protecting the 11,000-acre refuge.

9 Living in Southwest Florida I know quite well how
10 important it is to have a legal force. ATV's in
11 panther preserves, everglade destruction, even
12 Corkscrew Swamp Sanctuary being invaded. The bottom

13 line, wildlife can no longer be sustainable without
14 enlightened supervision and stewardship.

15 And I'd like to remind you the American Birding
16 Association chose to host their national conference in
17 Sunkhaze in Bangor this year with Sunkhaze as the
18 important field trip.

19 MR. WITTER: Thank you very much.
20 Appreciate it a lot.

21 MR. ANDREWS: For these reasons, I'm from
22 away, but I'm vocal and hopeful that you'll hear and
23 be a leader in a world that needs leadership.

24 Thank you.

25 MR. WITTER: Thank you, sir.

0142

1 Please, sir.

2 MR. FAEGRE: Thank you. Good evening, and
3 thanks for listening. It's a great time when persons
4 of your stature take the time to hear from the people.
5 It's reassuring and appropriate.

6 But Mr. Kempthorne, you're causing me some
7 problems. My name is also Dirk, and every time I hear
8 Dirk, I'm inclined to respond. A great name, sir.

9 MR. KEMPTHORNE: Thank you.

10 MR. FAEGRE: I am Dirk Faegre from
11 Gouldsboro, Maine, No. 93 to your court reporter, a
12 town directly north of Bar Harbor 6 miles across
13 Frenchman Bay. I'm here as a citizen of Maine and the

14 United States.

15 We have staring us in the face a challenge that
16 dwarfs our previous cooperative processes. I speak,
17 of course, of global climate change. Here we face an
18 impact that will directly and immediately affect ever
19 single person on our planet. It could make the
20 impacts of 9/11, Hurricane Katrina and the war in the
21 Middle East seem like child's play. You don't need me
22 to describe all the issues, possibilities and the
23 impacts that we face. Rather I'd like to point out
24 the example of requirement of cooperative interaction
25 of all concerned.

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1 It was a shock to me recently to learn of a new
2 problem, courtesy of public television's NOVA series,
3 that being global dimming. Here's the problem. A USA
4 researcher in the fall of 2001 noticed a substantial
5 spike upward in the strength of the sun's rays
6 reaching his instruments at ground level. It took a
7 while, but he finally discovered why.

8 This peak in solar power was directly related to
9 the ground stop of all the airline traffic across the
10 USA for three days.

11 After restart of air traffic, solar energy was
12 reduced, global dimming.

13 It's interesting to note that these findings were
14 independently corroborated in other scientists' daily
15 observations, including some in Israel where they most
16 closely monitor water evaporation rates. It's worth
17 noting that most in the scientific community rejected
18 the idea of global dimming very strongly and most
19 especially because we're all so aware of global
20 warming, and dimming clearly implies cooling.

21 Suffice it to say that over time the scientific
22 community came to understand something amazing. In
23 fact, it is causing global cooling. Without it global
24 warming would be substantially advanced over what it
25 is today. It appears that correcting the causes of

0144

1 global dimming without parallel changes to warming
2 would be disastrous. Estimates indicate one
3 additional degree of temperature without global
4 dimming.

5 With that in mind, it becomes obvious that
6 cooperation among governmental agencies is paramount.

7 MR. WITTER: Sir, if I may, sorry. It
8 grieves me to interrupt you. Please leave the longer
9 statement. Thank you very much. Thank you for your
10 comment.

11 Please, ma'am.

12 MS. QUIMBY: Hello, I'm Ruth Quimby. I'm
13 president of the Bangor Land Trust, and I'm right
14 across the river, and I got No. 92 because I was
15 actually working on a cooperative conservation
16 project, and the meeting didn't get over in time.

17 We believe in our land trust that conservation
18 needs to be science based, and as a psychologist, I'm

19 used to bringing up things that nobody else has been
20 mentioning. Two people before me, the gentleman did
21 mention the problem of -- the person just before me
22 mentioned the problem of global warming and the role
23 of human activities in creating it. And I do want to
24 very seriously urge that you do everything in your
25 power to get this administration to take some positive

0145

1 leadership in reversing global warming.

2 I happen to be an avid reader of science
3 magazines, the American Association For The
4 Advancement of Science, and there is controversy in
5 this about exactly the mechanisms of causing it, but
6 the fact that human beings are somehow causing it
7 everybody seems to agree on. The fact that it is
8 happening, everybody seems to agree on, and at least
9 once a month there's an article or an editorial by
10 somebody who is very upset that yet another branch of
11 our administration is finding that politics is taking
12 precedence over science. And it's very, very
13 disheartening to read this, and so we really need to
14 clean up our act here as a nation or we're going to be
15 in big trouble.

16 And as I'm sitting here listening to everything
17 that people have been saying, I'm thinking are we
18 doing anything more than rearranging the deck chairs
19 on the Titanic if we don't deal with this more
20 pressing problem?

21 I echo -- part of being last is you get to echo a
22 lot of things. I want to echo the pleas not to cut
23 back programs. I was appalled to read about what was
24 happening to Sunkhaze. I have a wonderful memory of
25 Ron Joseph calling in Barred owls, and he was here but

0146

1 he isn't now, so I'll spare you listening to him doing
2 his Barred owl call.

3 Our best friends in doing conservation have been
4 NOAA through the Maine Coastal Protection Initiative,
5 U.S. Fish & Wildlife, the Army Corps, NERSA, the EPA
6 and the ESA, all of these hard-edged regulators and
7 the people who provide the funds, we couldn't get
8 anywhere without them, so please don't make them go
9 away.

10 MR. WITTER: Ma'am, thank you very MUCH.

11 MS. QUIMBY: Yeah. I have one more word,
12 which is Vinalhaven, and I'm going to e-mail you a
13 very sad story about Vinalhaven because it could be
14 fixed, and that's something you could do.

15 Thank you.

16 MR. WITTER: Thank you, ma'am. Thank you
17 very much.

18 Indeed was that the last commenter? Are there
19 others yet to come? Yes. We'll not miss anyone.
20 We'll not stop until everyone has had their turn.

21 DR. LIEBOW: I'm going to sit because I'm
22 feeling a little faint.

23 Thank you very much for coming to Maine. My name

24 is Paul Liebow. I'm an ER doc from Bangor. I'm a
25 Penobscot River ambassador, and I'd like to persuade

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1 the Secretary to tell the President, my old rugby
2 teammate, that the Penobscot River initiative is an
3 incredible project and get his support for it. It
4 would return the famed Atlantic salmon run to the
5 Penobscot, just down the hill.

6 This is a truly superb river in America's
7 history, and it's now in recovery and appreciated by
8 millions of people who come to Acadia through
9 Bucksport, my hometown. Restoring the salmon would be
10 a real environmental feather in his cap.

11 When I first moved to the banks of the Penobscot
12 30 years ago, I realized the reference to salmon and
13 weir rights on the Penobscot and RD was a quaint
14 acronymism, but I appreciated the historical
15 perspective.

16 I remember the lower Penobscot as visually
17 stunning ever since I first looked upriver from the
18 great bridge as a little child, but no one had looked
19 under her surface for beauty for generations.

20 In the olden days the river was so filled with
21 pollution that at times it stirs visions of coral reef
22 abundance and diversity. The vast fish migrations of
23 that era mirrored the plaintive honking of ducks and
24 geese overhead. A hundred thousand salmon returned
25 from Greenland from the Iceland seas and could be seen

0148

1 spawning in the silence and privacy of streams that
2 stretch from Blue Hill Bay and Sunkhaze Meadow to
3 shady brooks near the Canadian border. A billion or
4 more tiny alewives that have miraculously found their
5 way back to Maine from the sea where their parents had
6 set them loose.

7 Enormous 10-foot sturgeon cruise the depths of
8 the lower channel on red October days so powerful that
9 some of the less enlightened riparian inhabitants had
10 them tow their skiffs around. Huge strippers covered
11 upriver well beyond Bangor. Two million shad laid in
12 the great waters of Maine.

13 The removal of the Edwards dam in Augusta has
14 shown that natural systems can return from the brink
15 of extinction if given half a chance. The entire
16 pyramid of life is regenerating even faster than
17 expected. If the Atlantic salmon can be brought back
18 to pure health, it would be the crowning glory of a
19 glorious national treasurer.

20 Give my regards to your president.

21 MR. KEMPTHORNE: And yours.

22 MR. WITTER: Thank you, sir. Sir, you may
23 stay there. If you feel better simply sitting there,
24 you're allowed to.

25 DR. LIEBOW: I'm all right.

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1 MR. WITTER: All right, sir.

2

Indeed, other commenters?

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Yes, ma'am, absolutely and as important as the first comment, it is. It looks like it may be the last.

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wildlife and plant life.

Sadly some of native species are at risk of extinction. There are a lot of private landowners who want to steward their lands for the benefit of Maine's fish and wildlife but they lack the funding and technical expertise.

If the Bush administration wants to promote cooperative conservation, one of the best ways, and I think you've heard it again loud and clear at this meeting, is to increase funding for partnerships and conservation programs.

American's conservation laws such as the Endangered Species Act and the Clean Water Act have paved the way for cooperative conservation by setting goals for recovering wildlife while protecting the interest of diverse stakeholders. These laws can work effectively to promote wildlife, our rivers, our waterways and our economic interest, but only if they get adequate funding.

With regard to the endangered species conservation, this administration has listed far fewer species than any other prior administration slowing recovery by adding to the backlog of imperiled wildlife species.

Furthermore, the president's funding requests for the endangered species programs have been significantly less than what the U.S. Fish & Wildlife Service says it needs to get the job done. Unfortunately, a lot of the cooperative conservation programs, while we agree they're wonderful programs

6 and there are some great examples like the Penobscot
7 River. Down on the coast of Maine we have a lot of
8 landowners that are working to preserve the Piping
9 Clover, which is a great shorebird down there, but
10 these programs are competing with the core budget of
11 the U.S. Fish & Wildlife Service.

12 The wildlife Service is doing a fantastic job,
13 but they're losing, as we heard, a lot of staff people
14 and that sort of thing on the refuge. So I just want
15 to say support the fund.

16 MR. WITTER: Thank you very much.

17 MS. THORNTON: And also we oppose the
18 exemptions for Plumb Creek and the Maine Forest
19 Council for critical habitat for the lynx.

20 MR. WITTER: Thank you. Thank you, ma'am.

21 We have at least a couple other presenters, and I
22 don't mean to spray pattern through that group.

23 Yes, welcome, ma'am. Please.

24 MS. VENNO: Thank you, Secretary Kempthorne,
25 council Walpole, Director Moriarty. I bring regrets

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1 from Chief Commander who I'm sort of representing
2 today. She meant to here, but at the last minute
3 couldn't fly back from New York where she is busy
4 right now.

5 My name is Shari Venno. That's S H A R I
6 V E N N O. I work as an environmental planner for
7 the Houlton band of the Maliseet Indians. I have
8 comments from both Chief Commander and follow-up
9 comments from myself which I will submit at a later
10 date.

11 Instead I'd like to take this opportunity to add
12 my voice to the support for the Penobscot River
13 Restoration Project in solidarity with our sister
14 tribe the Penobscot Indian Nation.

15 I would like to also acknowledge the U.S.
16 Geological Survey, who is here today, who has worked
17 very hard with us on own river, the Meduxenkeag, which
18 feeds into the St. John.

19 I would also like to acknowledge the work we do
20 with U.S. Fish & Wildlife Service through the Tribal
21 Wildlife Grant.

22 It's nice to see you back in the state, Director
23 Moriarty.

24 DIRECTOR MORIARTY: Thank you.

25 MS. VENNO: We've worked very hard to

0153

1 improve the conditions in our watershed. The Maliseet
2 call themselves the Wolastoqiyik, the people of the
3 beautiful flowing river, the Wolastokuk, which is the
4 other -- the name we call the St. John.

5 We're very happy to hear that some folks in the
6 past have talked about international cooperation. We
7 have a goal of restoring Atlantic salmon to our river,
8 but the dam that intervenes between us and that goal
9 is in New Brunswick. It's a very large dam, and there
10 are no fish or fish passage. So we would like to

11 learn the lessons and enjoy some of the benefits from
12 the Penobscot River Restoration Project and apply them
13 to the St. John.

14 Thank you.

15 MR. WITTER: Thank you very much, ma'am.

16 Yes, sir. Please, sir.

17 MR. MacDONALD: Good evening. My name is
18 Bill MacDonald. That's M A C D O N A L D. I'm the
19 executive director of Maine Rivers. It's a statewide
20 membership, a nonprofit organization.

21 You've heard from at least half a dozen of my
22 current board members or former board members today
23 including Shari with the Houlton band, Penobscot
24 Nation and a number of others. We are a statewide
25 cooperative watershed group.

0154

1 I'm also a former commercial fisherman. I've
2 caught a lot of lobsters. I hope you've had a chance
3 to enjoy some while you've been here.

4 And what I'd really like to see is this ecosystem
5 that you have. You are representing everything from
6 the Gulf of Maine to the headwaters, and that's one of
7 the themes I'd like you to carry away from here
8 tonight.

9 I also -- I'm a native Mainer, but I had some
10 cousins who wandered west. One cousin and her husband
11 farm outside of Moscow, Idaho; and another cousin and
12 her husband are ranchers and farmers in Horseshoe
13 Bend, so I had a chance to explore your watershed, as
14 well, and I'm really glad that you came East.

15 Three points I'd ask if you could take tonight.
16 Really carry this ecosystem approach, especially
17 representing the anadromous and catadromous species
18 and the lesser popular ones, the alewives, the eels in
19 particular.

20 Secondly, please protect our headwaters and
21 wetlands, and by that I ask if you would, please,
22 carry on full enforcement of the Clean Water Act to
23 make sure we don't sacrifice several thousand miles of
24 non-perennial streams in Maine and wetlands that are
25 very critical to the entire watershed right down to

0155

1 the Gulf of Maine.

2 And third, I would ask you to please budget for
3 the Penobscot project. You've heard it tonight. It's
4 extremely important and very critical.

5 And finally, I would just offer a gift to you.
6 It's well under the \$10 value. With apologies to Pat,
7 it's a joke that my young nieces and nephews really
8 enjoy and as you're working on drafting up the budget,
9 I would just ask, remember what the fish says when he
10 runs into the concrete wall. Dam.

11 MR. WITTER: Thank you, sir.

12 MR. MacDONALD: Thank you, gentlemen, for
13 coming here tonight.

14 MR. WITTER: Thank you, sir.

15 Are there any others who would like to advance to

16 the microphone based on the cards given out. Any
17 others to the microphone?

18 It looks like it's our opportunity to -- last
19 call, last call -- our opportunity then to allow our
20 listeners to summarize their thoughts of the evening,
21 and I'll invite Mr. Walpole to the podium.

22 MR. WALPOLE: Thank you. This has been most
23 gratifying and worthwhile spending the time today to
24 exchange some ideas. You presented them, but in the
25 sense there was a real exchange, at least on my part,
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1 because I was picking -- I was learning a lot.

2 But imagine if you have a very large and
3 difficult and complex responsibility and you have a
4 group of folks that you're talking to about it, and
5 then imagine that you have that same responsibility
6 and you have hundreds of other people that are
7 knowledgeable and interested in it who are -- who are
8 willing to take the time and the effort to help you
9 with it?

10 Well, that's the way I feel today. The -- this
11 has been extremely productive, and I would just thank
12 you very much for inviting me and also for allowing me
13 to be here and also for the time and effort that
14 you've taken to help me, us. And I can assure you
15 I've taken some careful notes.

16 I'm glad we have a stenographer here, but again
17 I'm most appreciative of being able to be here today.

18 MR. WITTER: Thank you, sir.

19 (Applause)

20 MR. WITTER: And now Secretary Kempthorne.
21 Please, sir.

22 MR. KEMPTHORNE: Let me -- let me thank
23 these signers that were here tonight. That's been a
24 very important task.

25 (Applause)

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1 MR. KEMPTHORNE: And I want to thank our
2 court reporter who's worked diligently. Every word
3 has been captured. And Dan has done a great job in
4 affirming the dignity by this meeting tonight.

5 So, Dan, thank you.

6 MR. WITTER: You're welcome.

7 (Applause)

8 MR. KEMPTHORNE: In fairness start the
9 clock, and I'll abide by the rule.

10 (Laughter)

11 MR. KEMPTHORNE: It was mentioned by someone
12 that they've never been more proud to be from Maine.
13 You all ought to be very proud. Great comments
14 tonight. I'm very proud to be here with you. You've
15 made very impressive statements about the Penobscot
16 River project. I appreciate that.

17 From Idaho, when I was governor, we were able to
18 achieve what was the Nez Perce Agreement, a lot of
19 similarities. So anyway, I take away with me the very
20 positive impression which you've made.

21 Most every issue funds were attached to it, if
22 you just had more money. I know you appreciate that.

23 I was asked by the editorial board at the New
24 York Times, will we see you just pounding away that we
25 must have more money for this, this, this, this and

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1 this?

2 And I said, no, you won't.

3 They were kind of surprised.

4 I said, that's not how the process works. I
5 would do that but with OMB and others I will do it in
6 those sessions, but once it is determined what the
7 President's budget is, that's what I must be the
8 spokesman for. That's how it works.

9 But many of the things that you have raised I
10 find a lot of simpatico.

11 (To the signer) Did you get simpatico? I don't
12 know where that came from.

13 And then you talked about the parks and Acadia.
14 Let me just say that the President, on August 25th,
15 the ninetieth anniversary of the National Park
16 Service, said that we will now have the centennial
17 challenge. He's directed Interior to establish this
18 so that when we do reach the 100th anniversary, it's
19 not just to unveil a new master plan, it's to
20 celebrate ten more years of significant progress,
21 which includes government investment. Government has
22 to step up, as well as partnerships and philanthropic
23 community.

24 Cooperative conservation, great examples. I
25 would encourage you to send us more examples of it so

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1 that we can tout this. But when you listen to the
2 success, when I hear people say that they remember
3 when particular rivers were filled with foam, with
4 different things, but now we've made great progress.
5 We're going to continue to make great progress.

6 You listen to a lot of the comments made tonight,
7 if you had not identified which group you were from,
8 which advocacy, sometimes we would not know. It's
9 because you are all working well. There's a good
10 spirit here.

11 I will just also say that we're all working very

12 hard, our generation. The young man named Jacob
13 touched on it. We're going to turn it over to him
14 pretty soon, but then it's all on behalf of the little
15 McKenna's, which were referenced, and a four-year old
16 son, a six-year-old son, grandchildren.

17 Wouldn't it be ironic that if we all finally
18 figured out how to cooperate and get more things done
19 on behalf of this wonderful environment and our nature
20 but to find the next generation didn't really care?

21 We've got to get the kids reconnected with
22 nature. It's very important. Do not overlook that.
23 It's going to be a real initiative.

24 So I think that perhaps wraps it up. You've

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given us great information. We take this with us to
the rest of the states of the United States, and
you've made us all very proud.

Thank you very much.
(Applause)

MR. WITTER: Please do remember the other
ways you can continue contributing to the process.
after this evening.

Thank you for the high privilege as having served
as your moderator. Safe travels.

This listening session is adjourned.

(The listening session adjourned at
7:32 p.m.)

CERTIFICATE

I, Rebecca M. Pearson, RPR, hereby certify that the
foregoing is a true and accurate transcript of the
above-captioned proceedings.

Rebecca M. Pearson, RPR
Notary Public

Date