pleased that its future looks so bright. Continental is a major employer in Houston, and we are proud that our hometown airline is setting the pace in the highly competitive airline industry. I salute Gordon Bethune for his efforts to make that possible, and I salute the hard work and dedication of each and every Continental employee for a job very, very well done.

ALASKA STATE FOREST PRACTICES ACT PROTECTS FISH HABITAT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1996

Mr. YOUNG of Alaska. Mr. Speaker, I want to bring the attention of my colleagues to a new study. The study details the effect of modern logging techniques under the State of Alaska's Forest Practices Act on fish streams throughout Alaska.

This is a significant study. It shows that Alaska can handle forest management to protect fish and fish streams. It shows that logging under State standards does not have an adverse impact on fish habitat and stream conditions. It shows that logging on State and private land in Alaska is compatible with fisheries protection.

The study is one more reason why Alaskans should be given a chance to elect to own and manage the Tongass National Forest, which is what my bill, H.R. 2413, proposes. If Alaskan policies and rules are achieving these results, the State ownership of the Tongass will more than protect fish streams when timber harvesting is involved. And Washington, DC policies and programs can stay where they originate—inside the Washington, DC beltway.

The study was conducted by an Alaska Native corporation, Sealaska, on land managed under State law. Alaska State law requires 66-foot or 100-foot no timber harvest buffer zones around fish streams.

What distinguishes this study from many others is that it relies on actual stream surveys taken over a 3-year period, 1992–94, in timber harvest areas and unlogged areas. The group conducting the study actually went out and collected real data, something that our Federal researchers in the Forest Service should note.

Stream health was analyzed in 10 basins and the conclusion was that the changes comparing logged and unlogged basins was not discernible. Where disturbances have occurred, they have not resulted in fish stream productivity.

The article from this month's Resource Review that discusses the study follows my remarks. What this teaches is that States can effectively manage resources within their boarders. In my view Alaskans should be given the chance to manage the Tongass and other States or local governments should be given lands within their boarders.

Management decisions and policies made by the people and closest to the people—outside of the influence of Washington, DC—are the best management decisions and policies.

MULTI-YEAR STUDY CONCLUDES ALASKA'S FOREST PRACTICES ACT PROTECTS FISH, STREAM HABITAT

A recent multi-year study has concluded that modern logging operations adhering to the guidelines of the Alaska Forest Practices Act (FPA) do not have an adverse impact on fish habitat and stream channel conditions.

Prepared by Pentec Environmental for Sealaska Corporation and the Alaska Forest Association, the report evaluates the effectiveness of the FPA in protecting fish habitat and channel conditions. The report consolidates the findings of 1992, 1993 and 1994 monitoring studies and is part of a continuing investigation that will provide information on FPA effectiveness in both the short and long term.

The FPA specifies best management practices (BMP) for loggers to follow in preventing significant adverse effects from timber harvest activities on habitat and water quality. In 1992, Pentec was contracted to develop and implement a monitoring program to collect data on fish habitat and channel conditions from streams in forested lands of coastal Alaska. The objectives of the monitoring program were to determine whether fish habitat conditions have changed as a result of forest practices and whether habitat quality has been significantly affected by timber operations.

From 1992 and 1994, stream surveys were conducted in selected timber management areas of Southeast Alaska, the Kenai Peninsula and Afognak Island. Stream basins with varying levels of timber harvest were surveyed during each year, and annual surveys were repeated on several streams.

The results of the Pentec study are based on three years of data that was collected within one of seven years following initiation of timber harvest activities. The data was collected from over 27 miles of streams in 10 different basins.

The report finds the only change that is certain is the increase in large woody debris (LWD) from the riparian buffer in some logged streams as a result of blowdown. The increased LWD is not expected to have a negative effect on fish habitat because the channel changes are local and the amount of stream length affected in small.

The study found that other habitat conditions have changed in stream reaches of both logged and unlogged basins, but the magnitude and direction of these changes are not discernible at this time. The monitoring results suggest no large habitat disturbances have occurred to date and that any disturbances that may have occurred are relatively subtle. None of the changes have occurred at a level large enough to affect fish productivity.

MIGRATORY BIRD BAITING

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 1996

Mr. YOUNG of Alaska. Mr. Speaker, on May 15, 1996 the House Resources Committee held an oversight hearing on the U.S. Fish and Wildlife Service's baiting regulations under the Migratory Bird Treaty Act. One of our witnesses was George Reiger of Locustville, VA who is the conservation editor of Field and Stream. An avid reader of his monthly column, I was honored to hear this man with outstanding conservation and private property rights credentials give one of the more blunt and informative statements ever made before a congressional committee.

George Reiger and I both remember the day when Federal wildlife law enforcement agents and policies were more practical and less confrontational. Mr. Reiger's testimony stated, "I've seen Federal law enforcement agents increasingly pursue policies that have done little or nothing to increase the flocks, but which have succeeded in driving many ordinarily law-abiding hunters from the field, including landowners who once invested considerable assets in migratory bird management, but who are now no longer willing for fear of violating a law no one understands."

I urge my colleagues to read Mr. Reiger's testimony to learn about problems associated with the current baiting regulations and possible ways to improve this situation.

TESTIMONY BY GEORGE REIGER, CONSERVATION EDITOR OF FIELD & STREAM, AT THE CONGRESSIONAL HEARING ON MIGRATORY BIRD BAITING REGULATIONS, MAY 15, 1996

My name is George Reiger. I've been conservation editor of Field & Stream for 22 years. During that time, I've watched languid leadership in the U.S. Fish and Wildlife Service improvise management policies that brought most migratory birds, and ducks in particular, to historic population lows. At the same time, I've seen Federal law enforcement agents increasingly pursue policies that have done little or nothing to increase the flocks, but which have succeeded in driving many ordinarily law-abiding hunters from the field, including landowners who once invested considerable assets in migratory bird management, but who are now no longer willing for fear of violating a law no one understands.

The Migratory Bird Treaty Act gives the Federal Government the right to tell sportsmen when they can hunt migratory birds and how many per day or season they can shoot, but not the time of day, gauge of shotgun or other, what are normally considered, ethical options. Such matters should be for sportsmen's clubs and personal conscience to determine.

Unfortunately, we live in a legalistic society, and lawyers have little faith in the power of personal conscience. As a result, and beginning in the 1920s, we've created a spectrum of moralistic rules to regulate migratory bird hunters which have little, if any, value for scientific management of the birds. The most arbitrary and capricious of these rules concern baiting. Incredibly, the Fish and Wildlife Service is now considering expanding these rules to include [quote] "the manipulation of native vegetation in wetland habitats" [end quote]. Thus, pasture owners in the Southeast who have been burning hydric soil areas for more than 130 years to attract snipe for hunting may shortly be prosecuted for doing so under federal law. Likewise, duck hunters in the West who cut cattails and bulrush in order to open up holes in the marsh and to provide themselves with material for making blinds could be charged with baiting.

Although career opportunism undoubtedly underlies some abuses by federal law enforcement agents, I'm willing to give most agents the benefit of the doubt by assuming their excessive zeal is a function of their having watched the Fish and Wildlife Service underwrite the collapse of continental duck populations in the 1980s and now claim that only partially recovered stocks are so fully recovered that we can shoot them at daily rates exceeding those we had even in the 1950s, when we really had ducks.

One result has been a no-warning law enforcement policy. Agents stake out allegedly