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H. R. 910 – Sikes Act Reauthorization Act – Thursday, March 21, 2013

Mr. Chairman:

Thank you for the invitation to provide testimony concerning the implementation of the Disabled Sportsman Access Act of 1998. At Marine Corps Base Quantico (MCBQ), Virginia, I have witnessed a variety of projects intended to improve outdoor recreation accessibility for veterans and other citizens. The Sikes Act, Sec 670c, has been very important and beneficial with regard to providing better access for the persons described in paragraph (2). The most helpful part has been paragraph (c) that allows the Secretary of Defense to accept: (1) the “voluntary services of individuals and organizations; and (2) the donations of property, whether real or personal.” Per your request, I will describe some of the projects I have witnessed.

1. Hunting

a. Getting Started. My first experience concerning hunting access for paralyzed veterans occurred about 1995. Lieutenant Colonel Lew Deal, an active duty Marine at MCBQ, stopped by my office and asked if we had special provisions to take paralyzed veterans hunting. We did not but I realized that it was something we should do.

The MCBQ Natural Resources and Environmental Affairs (NREA) Branch office already had a well established volunteer program. We knew two retired Marines who used wheelchairs and they helped discuss and test ideas for improving access. LtCol Deal arranged for a local building supplier to donate lumber and hardware to the Base. The donation of supplies was reviewed by Base legal offices to ensure the Commander could accept the donation. Our volunteers constructed several ramp accessible hunting stands. The wooden platforms were designed with low railings and ADA approved ramp angles so that they were fully accessible by wheelchair. Making the access trails fully accessible was more challenging due to terrain features. That required some support from the facilities maintenance office for rock and heavy equipment work. The end product did provide suitable hunting stands that provided a somewhat elevated view of woodland areas with known deer trails. Wheelchair hunters were able to access the stands but we did find that some of the access trails were too steep or uneven and that some hunters would require an occasional push to navigate the trails by wheelchairs.

That was our first project. It was a first step and the hunting success from these stands was average for Quantico, which is only one deer per 10-12 hunting trips. Some of our patrons lost interest if they hunted a location several times without seeing game.

b. Step 2-Elevation. The next step was the purchase of a hydraulic lift stand that was wheelchair accessible. I used hunter fee collection funds to procure a Huntmaster lift that could elevate a wheelchair hunter above 15 feet. By placing this hunting stand overlooking planted fields in areas seldom hunted, we were able to increase the opportunity for these hunters to see game animals. We obtained permission to place the Huntmaster lift in areas normally off-limits to hunting due to the proximity of firing ranges or other sensitive areas. The ability to use more selective hunting locations improved hunting success. This micromanagement of military training areas was made possible by the

cooperative relationship between natural resources managers, conservation law enforcement officers, various Commanders, Range Management personnel, and volunteers. It required a teamwork approach to provide successful hunting experiences.

c. Dedicated Wheelchair Accessible Hunting Area. A former closed landfill on Base and the adjacent woodland was off-limits to public hunting access. We made arrangements with landfill managers so that hunting from the elevated lift stand could be implemented within the landfill area. This area was designated on the Base hunting map for wheelchair hunting access only.

d. Directives. Paragraphs have been incorporated into the MCBQ Integrated Natural Resources Management Plan and hunting directives concerning needs to support hunting and fishing by wounded warriors, paralyzed veterans, and other citizens who need assistance for outdoor recreation.

e. Support Equipment. MCBQ now owns four hydraulic lift stands and two tracked wheelchairs as specialized devices to support accessible hunting. We try to make access to at least some of these facilities available every day of the hunting season. We provide volunteers who can help track and recover wounded game and who can provide assistance to park the disabled hunter's vehicle away from the hunting location and return at the end of the day to pick up the hunter.

2. Shoreline Fishing Access. Volunteers built a wooden platform along the Chopawamsic Creek trout fishing area for wheelchair access to the stream. The terrain and stream banks in the area made it difficult for an individual to cast a lure into the stream otherwise. Volunteers also built two accessible fishing/boating piers at Smith Lake, bordering the installation. The platforms all provided good access to cast a lure or bait into fishable waters. In the case of the stocked trout waters, patrons complained that the trout were never located near the platform. Lesson learned: patrons need to have success if they are to continue to use these facilities. Trout were stocked by the platform but even hatchery trout will disperse. There was a need to develop shoreline access for fishing in an area guaranteed to have fish.

3. Work with Private Organizations

a. MCBQ and the Marine Corps Air Facility (at Quantico) met with the Paralyzed Veterans Association (PVA) to work on a plan to improve fishing access in the Chopawamsic Creek channel near the Potomac River. This area had historically been the most productive shoreline fishing location on the installation due to the migratory game fish moving in and out of the creek with the tides. This project would serve the need to give the wheelchair angler access to waters that would hold fish.

PVA provided some drawings and recommendations for improving access. They wanted a paralyzed veteran to be able to wheel down to the water's edge and fish alongside the able-bodied anglers. Suggestions were made to create platforms along the creek channel that were accessible along a paved or compacted gravel walkway. MCAF did implement a shoreline stabilization project to rip-rap the shoreline with large boulders. Incorporated into that project was a paved walkway and multiple fishing platforms along the channel. The bank in this area was about 8 feet above the water level. The project included handicapped parking and the fishing platforms were fully accessible by wheelchair. It was a significant attempt to provide a very special fishing area and was dedicated and named after a paralyzed Vietnam war veteran, Joe Foxx. The finished project was excellent but did not entirely meet the PVA objectives. The platforms were too high above the water line, the platforms were not made of a material comfortable to persons sitting in a wheelchair during hot weather, and the railings were too

high. I had spoken out about some of the design problems during design review meetings but engineering methods and building codes over-ruled what the PVA wanted.

b. Ducks Unlimited (DU). In 2008-2009, MCBQ worked with DU to construct wheelchair accessible waterfowl hunting blinds. At the outset of the project, MCBQ legal staff planned to prepare a Memorandum of Agreement for DU personnel to provide this service. I reminded the legal staff that the Sikes Act already allowed the Commander to accept the donation of property and voluntary services from organizations. Counsel soon realized they did not need to craft a custom agreement and a lot of time and effort was avoided. DU was allowed to donate building supplies to MCBQ and their members enrolled in the MCBQ Conservation Volunteer Program to work along with NREA staff members to construct the hunting blinds. DU personnel were covered for Tort Claims and workman's compensation per applicable volunteer regulations. Three ramp accessible hunting blinds were constructed.

c. Quantico Injured Military Sportsman Association (QIMSA). QIMSA was formed by retired and active duty Marines and MCBQ employees who were concerned about providing rehabilitation and therapy for military personnel returning from the conflicts in Iraq and Afghanistan. This group obtained funds and donations to support hunting and fishing events for wounded military veterans. MCBQ accepts donations of material items and volunteer services from QIMSA to support about 6 hunting and fishing events per year for wounded warriors. QIMSA is able to provide for the costs of licenses, clothing, outdoor gear, food and lodging costs. Not all of these participating hunters require accessible facilities.

d. Blue Star Mothers. This group was trying to obtain a grant from a building supply company to make the primary camping/boating area at MCBQ, Lunga Reservoir, more accessible. I met with the group to help prepare a proposal to make wheelchair accessible paths that would better connect handicapped parking areas to boat launch and rental sites. The project did not receive funding that year. I feel certain in the future this project will be completed. I mention this project to document that we know additional work is needed to make additional recreation areas accessible by wheelchair.

Conclusions and Recommendations:

The authority in the Sikes Act to utilize donations of property and the voluntary services of organizations and individuals has been extremely helpful at MCBQ.

The Disabled Sportsman Act provision within the Sikes Act has provided strong argument for seeking funding to improve access to outdoor recreation areas.

Those provisions have made it relatively easy for MCBQ natural resources managers to work with private organizations to achieve some access improvements.

Teamwork is required at the installation level among the range managers, natural resources managers, volunteers, and private organizations to optimize hunting and fishing access opportunities.

Sound strategy in the initial placement of special use facilities is needed to ensure users will have some opportunities for success and will continue to utilize the facilities.

Much of the hunting/fishing infrastructure work to sustain accessible hunting/fishing areas requires the use of Quantico Sikes Act hunting and fishing license fee receipts. For example, maintaining hydraulic

lift stands, planting wildlife fields, clearing trails, and setting up blinds all involves some maintenance expenses. Per Navy/Marine Corps guidelines, MCBQ deposits the funds into the U.S. Treasury. We have experienced some inconsistency receiving authorizations to spend the deposited funds and being able to carry unspent funds into the next fiscal year. In the current budget climate, those Sikes Act funds become essential for carrying out the hunting and fishing programs.

I do not recommend any changes to the Disabled Sportsman Act provisions of the Sikes Act. We may need service level changes, particularly to ensure that the fees collected from fishing and hunting license sales are available for use at the installation until the funds are exhausted, as already stated in the Sikes Act.