

# EXAMINING FUNDING NEEDS FOR WILDLIFE CONSERVATION, RECOVERY, AND MANAGEMENT

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## HEARING BEFORE THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS UNITED STATES SENATE ONE HUNDRED FIFTEENTH CONGRESS SECOND SESSION

NOVEMBER 15, 2018

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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED FIFTEENTH CONGRESS  
SECOND SESSION

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## **EXAMINING FUNDING NEEDS FOR WILDLIFE CONSERVATION, RECOVERY, AND MANAGE- MENT**

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**THURSDAY, November 15, 2018**

U.S. SENATE,  
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:07 a.m. in room 406, Dirksen Senate Office Building, Hon. John Barrasso (chairman of the committee) presiding.

Present: Senators Barrasso, Carper, Fischer, Rounds, Ernst, Sullivan, Cardin, Gillibrand, Booker, Markey, Duckworth, and Van Hollen.

### **OPENING STATEMENT OF HON. JOHN BARRASSO, U.S. SENATOR FROM THE STATE OF WYOMING**

Senator BARRASSO. Good morning. I call this hearing to order.

Today we are having a hearing to examine funding needs for wildlife, for conservation, for recovery, and for management.

During the 115th Congress, this Committee has focused on the important tools that wildlife experts use to conserve, to recover, and to manage wildlife populations. The Committee has held hearings; we have debated proposals; we have introduced legislation to improve the status of the regulations and programs that support wildlife conservation. Throughout these hearings we have heard a common refrain: that adequate funding for wildlife conservation tools deserves further attention.

In Wyoming, we understand that the various wildlife conservation tools, including funding, often work in tandem to create success stories on our public and our private lands. Wyoming is blessed with some of the most iconic wildlife in the world. We also have some of the most beautiful vistas, where the elk, the deer, the moose, the bears, sage grouse, antelope live alongside livestock and people.

Wyoming's State wildlife managers are second to none, and they work closely with local, with tribal, and with Federal managers across varied land management jurisdictions.

For Wyoming and other States, it is important to make sure that both Federal and State wildlife agencies have adequate resources, including funding, to perform these duties. A number of proposals in this Committee's jurisdiction address funding for State and Federal wildlife conservation.

The Recovering America's Wildlife Act is State wildlife funding legislation that provides assistance to State wildlife agencies. States, not Federal agencies, have primacy over wildlife management. States take this responsibility very seriously and already contribute and carry out more than \$5.6 billion in conservation efforts annually.

The Senate version of the Recovering America's Wildlife Act authorizes \$1.3 billion to be appropriated annually for State wildlife agencies to conduct fish and wildlife conservation activities. That is a lot of money.

I support robust funding for wildlife conservation at the State and Federal levels, but I believe we must be mindful of where the money is coming from and what other priorities exist for these same resources. I would also like to highlight that this Committee and the full Senate have already passed a reauthorization of the Partners for Fish and Wildlife Program as part of the Wildlife Innovation and Longevity Driver Act, known as the WILD Act.

Did you come up with that, WILD Act, Wildlife Innovation?

Senator CARPER. Wild thing.

Senator BARRASSO. Wild thing. That was a song.

Private landowners have as much, if not more, of a stake in effective conservation of their lands as anyone else. This legislation would authorize funding for the program for the first time since 2011 at \$100 million a year. It would allow the Secretary of Interior to continue to provide technical and financial assistance directly to landowners to restore, to enhance, to manage private land to improve fish and wildlife habitats. This program should be embraced as a critical tool for future conservation efforts.

The Hunting Heritage and Environmental Legacy Preservation for Wildlife Act, or the HELP for Wildlife Act, which passed this Committee with bipartisan support, also contains the North American Wetlands Conservation Act, which would reauthorize \$50 million for 5 years to fund grants for water fowl and migratory bird conservation.

I have also placed a priority on reauthorizing the Endangered Species Act, which has not been significantly updated since 1988, 30 years ago. My discussion draft bill modernizes the ESA to better prioritize resources and ensure that funds flow more efficiently and more effectively to species most in need.

During this hearing we have an opportunity to examine these and other innovative approaches to funding wildlife conservation, recovery, and management. It is my hope that we can come together in a bipartisan way to ensure that those tasked with wildlife conservation, recovery, and management have the tools necessary to preserve our Country's wildlife heritage.

I would now like to invite Ranking Member Carper to make an opening statement.

**OPENING STATEMENT OF HON. THOMAS R. CARPER,  
U.S. SENATOR FROM THE STATE OF DELAWARE**

Senator CARPER. Thank you for the invitation, Mr. Chairman.

To you, good morning to Ben, my wingman. The three of us ran for re-election this year and somehow, we all won, so this is going to be the lineup for a while.

We are delighted that you are in the lineup here today. We have seen some of you before and it is good to see you again. Thanks for joining us and for your own service and your respective roles, and for being here to help us do a better job in our respective roles. As the Chairman said, the Committee has held more than a few hearings this Congress on wildlife management issues, and our staffs have devoted a great deal of time to this issue.

I notice one major area of agreement, again, the Chairman has already mentioned it, and that is wildlife conservation is severely underfunded. States, Federal agencies and partners would be able to do, I think, a whole lot more to protect and recover species with some additional financial resources.

Accordingly, the title of today's hearing is an appropriate culmination of our Committee's consideration of wildlife matters in this Congress. As we have heard in our previous hearings, global wildlife populations have fallen by some 60 percent, I think, since 1970, when EPA was created. They have fallen by 60 percent for many reasons. Among them are pollution, deforestation, climate change.

The current rate of species extinction is up to 1,000 times the natural rate of extinction. Once species are gone, as we know, they are gone forever, and we do not even know the long-term effects that this biodiversity loss will have on our planet. We need to act sooner, rather than later, to address this extinction crisis by developing a comprehensive wildlife funding strategy and finding a legitimate way to pay for it.

I supported both the WILD Act and the HELP for Wildlife Act, each of which reauthorized valuable wildlife conservation programs. However, I believe that Congress may have to go beyond the status quo of simply reauthorizing programs. And while sportsmen and sportswomen have contributed a great deal to wildlife conservation, we can no longer rely solely on their contributions as the only source of dedicated wildlife conservation funding.

As our Committee wraps up this session of Congress and looks forward to the next, I hope we will consider a bolder wildlife funding strategy going forward that addresses funding needs for both State-managed and federally managed species. States and Federal agencies all have important roles and responsibilities in conserving and recovering species, and each must be more adequately resourced, I believe, to properly fulfill them.

We also have to ensure that States and agencies appropriately balance the needs of our Nation's endangered wildlife with preventing new Endangered Species Act listings. Both are important and warrant additional funding and attention.

States and the Federal Government cannot solve our wildlife funding problems alone, though. This has to be an all-hands-on-deck effort. Tribes, private landowners, nonprofit organizations, and other stakeholders have stepped up, and we need to make sure that they can continue to do so.

Some of our colleagues and witnesses have advocated for an expanded role for State and wildlife conservation and recovery. A meaningful funding solution could actually create an expanded role for States naturally, but without minimizing necessary Federal investments and backstops.

For example, Delaware's State wildlife action plan includes 692 species with conservation needs, including 18 that are federally threatened or endangered. Delaware has experienced remarkable success working with Federal agencies to conserve these imperiled species, and we have done so within the framework of the existing Endangered Species Act.

The Fish and Wildlife Service and the State of Delaware both helped restore habitat for endangered piping plovers and threatened red knots at Fowler's Beach and Mispillion Harbor just south-east of Dover. As a result of these restoration activities, Delaware was home to 36 piping plover chicks in 2018. I think that is maybe the highest number we have had in about 15 years.

These areas also provide habitat for numerous other species, such as red knots and diamondback terrapins and least terns.

Isn't that a great name, the least terns. That would be a good name for a band. He and I enjoy music a lot.

Senator BARRASSO. Well, you have the pipers piping. How many pipers did you have there piping?

Senator CARPER. A lot.

Senator BARRASSO. Thirty-six.

Senator CARPER. Additional marsh, forest, and beach restoration activities will benefit all types of species, including birds, reptiles, fish, and mammals.

The existing State-Federal partnerships work more often than not, as it has in Delaware's case. With additional reliable funding for States and Federal agencies, Delaware could do even more hand-in-hand with our Federal partners and other stakeholders. Habitat restoration activities in Delaware also support ecotourism and the commercial fishing industry. They prevent coastal floodings. Working to conserve and manage habitat benefits our wildlife, but also protects our communities, drives our economies, and preserves the way of life for a lot of folks who live in Delaware.

I do understand that each State and every species has different needs and challenges, so we look forward to hearing more from our panel today. I also stand prepared to work with our colleagues to tackle wildlife funding issues in the 116th Congress.

Before I close, I just want to say to the two men on either side of me how proud I am of this Committee and the way we work together on infrastructure legislation, the water infrastructure, WRDA legislation, something that was badly needed, not easily done, and I think it is maybe one of the chief accomplishments of the past year, maybe in this present Congress.

Yesterday, the Senate passed by, I think, a 94 to 6 vote the reauthorization of the Coast Guard. One of the provisions that held it up forever, as we know, was the issue of VIDA, also ballast water. It was a hard one to figure out and we did that, and I just wanted to commend particularly our staff, who worked on both of those issues. If we can actually help do a water resources bill, as we did, I think get a big assist on the play with respect to the Coast Guard reauthorization, that maybe encourages me that we can get a whole lot more done in the next Congress, and I look forward to doing that.

Thank you.

Senator BARRASSO. Thank you very much, Senator Carper.



Senator Cardin, I normally don't call on others, but you are here. If there is anything you would like to add. The Chesapeake Bay seems to be doing well.

**OPENING STATEMENT OF HON. BEN CARDIN,  
U.S. SENATOR FROM THE STATE OF MARYLAND**

Senator CARDIN. If you offer a Senator a chance to talk, he is going to say yes.

[Laughter.]

Senator CARDIN. First, let me congratulate Chairman Barrasso and Ranking Member Carper on a very successful Congress. This has been a Congress, of course, which has been noted for much of its partisan division, but on this Committee, I am proud of the incredible record that the two leaders have provided us.

I join Senator Carper in congratulating Senator Barrasso on his leadership on this Committee and your re-election in Wyoming and Senator Carper's re-election in Delaware. We are going to be together in the 116th Congress and continue this great record.

Senator Carper mentioned the WRDA bill, which, to me, was a great accomplishment of this Congress, but we are not finished yet. This may be our last hearing, I don't know, Mr. Chairman, but I appreciate the fact you are doing it on examining the funding needs for wildlife conservation, recovery, and management.

We have passed some really good bills out of this Committee that I hope we can still get to the finish line in this lame duck session. That includes your leadership on HELP for Wildlife Act. I very much appreciate your help in the Chesapeake Bay reauthorization, in the Chesapeake Bay Gateway, in the wetlands conservation, in the neotropical birds. There is a lot of really good important legislation we hope to get done yet this year, so I just want to acknowledge that.

Let me use the time, if I might, to introduce Eric Schwaab, if I might do that out of order, since you have recognized me, and save a little bit of time for the Committee.

He is a former Assistant Administrator for NOAA and the former Deputy Secretary for the Maryland Department of Natural Resources. Most recently, Mr. Schwaab served as Vice President of conservation programs for the National Fish and Wildlife Foundation. Prior to that, he was the Senior Vice President and Chief Conservation Officer with the National Aquarium.

Now, I need to sort of brag about that because the National Aquarium is located in Baltimore, Maryland, and it is the national aquarium because it provides national leadership on conservation.

Mr. Schwaab, I just want you to know your legacy lived on as Senator Van Hollen and I were recently joined at the National Aquarium to announce some of the watershed grants and had young children from our schools there learning about what is in the Bay. It just shows that if we are going to preserve our wildlife, we are going to preserve our environment, we need to deal with the education of young people, and you have been in the forefront of that.

You have also served in leadership positions at the Department of Commerce and directed the National Marine Fishery Service and

performed as acting capacity as the Assistant Secretary of Commerce for Conservation and Management.

It is a pleasure to have you here today.

Mr. Chairman, thank you for the courtesy.

Senator BARRASSO. Senator Carper.

Senator CARPER. Thanks, Mr. Chairman.

I want to talk about things that we accomplished in this Congress and how we worked well together. In the last Congress, one of the things that I think a bunch of us were maybe the proudest of was finding common ground on TSCA, Toxic Substance Control Act. The Administration nominated somebody who did not enjoy broad support in the Congress to head up the agency that has jurisdiction within EPA on toxic substances and chemicals.

As the Chairman and I have discussed here just in the last 24 hours, we have a nominee before us that we think could well move toward consideration on the floor and even do that this month. I think the full potential of our TSCA legislation has not been realized because of the absence of a confirmed leader, and we have the opportunity, I hope, to resolve that before we break for the holidays, and I hope we will do that. Thank you.

Senator BARRASSO. Well, that is the intention, and thanks so much for your cooperation on all of this. I think we may actually have another hearing; we are working on the finalization of one more hearing before the end of the year.

We will now hear from our witnesses.

We are delighted to have back John Kennedy, Deputy Director, Wyoming Game and Fish. I will more formally introduce him in a moment.

We also have Mr. Michael McShane, who is an At-Large Board Member of Ducks Unlimited. Thank you very much for being here.

And, Mr. Schwaab, we appreciate you returning, your coming here, and thank you for the wonderful introduce by Senator Carper.

I would like to now introduce John Kennedy. He serves as Deputy Director for Internal Operations at the Wyoming Game and Fish Department. Mr. Kennedy is kind enough to make a second trip from Wyoming to Washington, after previously testifying before us just a little over a month ago. He was here at our hearing to consider successful State conservation recovery, management, wildlife.

He began his career in 2004 at Wyoming Game and Fish Department as a Service Division Chief, and in that position his duties included coordinating the agency's management of wildlife habitat, as well as conservation education. Now, he is the Deputy Director of the whole program and he is responsible for the agency's oversight of fish, wildlife services and fiscal divisions. He also serves on a number of committees of the Association of Fish and Wildlife Agencies and the Western Association of Fish and Wildlife Agencies. Each of these positions has provided Mr. Kennedy with valuable wildlife conservation, recovery, and management experience.

It is a privilege to welcome you back to the Environment and Public Works Committee, and I would ask that you please proceed with your testimony.

**STATEMENT OF JOHN KENNEDY, DIRECTOR, WYOMING GAME  
AND FISH DEPARTMENT**

Mr. KENNEDY. Good morning, Chairman Barrasso, Ranking Member Carper, and members of the Committee. My name is John Kennedy, and I am the Deputy Director of the Wyoming Game and Fish Department. I appreciate the opportunity to testify today about funding for State wildlife conservation, management, and recovery. I provide this testimony based on 26 years of experience with State wildlife agencies.

States have specific authority for wildlife conservation and management within their borders, including most Federal land. In spite of limited funding, State agencies have garnered considerable expertise in response to the growing need to address all wildlife, including at-risk and imperiled species, and to carry out management and conservation responsibilities across the Country.

Since 1937, hunters and anglers have been the driving force for conservation funding in the Country. On average, 60 to 90 percent of State wildlife agency budgets are derived by hunters and anglers. This funding comes from excise taxes on hunting and fish equipment collected under the Federal authority of the Pittman-Robertson and Dingell-Johnson Acts, known as the Wildlife and Sport Fish Restoration Program, which have been a critical source of wildlife conservation funding in the United States for over 80 years. Clearly, in terms of current funding for State wildlife management and conservation, the Wildlife and Sport Fish Restoration Program is critical.

With respect to the need for additional funding for State-led wildlife conservation, North America's wildlife conservation model is unparalleled. To continue this work, State agencies will need to shore up the logistical and financial underpinnings of the wildlife conservation model. The State wildlife agencies need additional, permanent, and dedicated funding for wildlife conservation in North America.

As you know, last month, this Committee held a hearing and I testified before you on State conservation, recovery, and management of wildlife. The Wyoming Game and Fish Department and the other State wildlife agencies across the Country have many more success stories about reversing species population declines and bringing species back from the brink of extinction.

Every success story is directly related to the States' and their partners' long-term commitments, steady efforts, and stable funding. Inconsistent funding from year to year can compromise this work and lead to prolonged recovery times and even failure. I address several new funding opportunities in my written testimony.

Mr. Chairman, you mentioned some earlier in your introductory comments. On behalf of the State fish and wildlife agencies, we truly appreciate this Committee's leadership and support on those programs.

However, I would like to address two and highlight those this morning with you.

First, the Recovering America's Wildlife Act. While we know that enacting legislation that provides dedicated funding may be a challenging prospect, we also know it is truly the best solution for wildlife conservation. Recovering America's Wildlife Act should save

taxpayer dollars over time by precluding the need to list species under the Endangered Species Act.

Preventing species from listing under the Endangered Species Act will save millions of dollars for State and Federal agencies. And while species listed under the Act need these resources, it is more affordable to deploy proactive conservation actions that will preclude the need to list species and over the long term reduce Federal expenditures while increasing our ability to recover species.

For these reasons, I respectfully ask this Committee to help enact the Recovering America's Wildlife Act this Congress with permanent and dedicated funding.

Second, the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017. This Act proposes to modernize and update the Pittman-Robertson Wildlife Restoration Act of 1937 and will ensure continued funding for this important State wildlife conservation work. Without increasing taxes or existing user fees, this legislation will ensure user pay funding of wildlife conservation for future generations.

The bill clarifies that a purpose of the Fund is to extend assistance to the States for the promotion of hunting and recreational target shooting, and that State expenditures may include spending for outreach communication and promotion of hunting and recreational target shooting. This legislation would allow States to inform and educate hunters and recreational target shooters like our agencies currently do for fishing and boating.

We respectfully request the Committee move the House bill forward as soon as possible and enact this piece of legislation this Congress.

States have a proven track record of recovering species with dedicated funding, as evidenced by over 80 years of success through the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act. We can build upon the States' current efforts to conserve the full array of wildlife if afforded the opportunity to do so.

Wildlife conservation began more than a century ago, when hunters, anglers, and other conservationists came together to restore decimated game populations, but it has grown to encompass way more than that. The new and dedicated funding opportunities addressed in my testimony, such as Recovering America's Wildlife Act and Modernizing the P-R Fund for Tomorrow's Needs Act, are critical to supplement the revenue brought in by hunting and fishing to give States the resources they need to conserve, recover, and manage wildlife.

Thank you for the opportunity to provide this testimony and share some perspectives and work to conserve, recover, and manage wildlife. I would be happy to answer any questions that you might have.

[The prepared statement of Mr. Kennedy follows:]



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### TESTIMONY OF JOHN KENNEDY DEPUTY DIRECTOR WYOMING GAME AND FISH DEPARTMENT

#### BEFORE THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS *"Examining Funding Needs for Wildlife Conservation, Recovery, and Management"*

Good morning Chairman Barrasso, Ranking Member Carper, and members of the Committee. My name is John Kennedy, and I am the Deputy Director of the Wyoming Game and Fish Department. I appreciate the opportunity to testify today about funding for state wildlife conservation, recovery, and management. I provide this testimony based on 26 years of experience with state wildlife agencies.

I would like to begin by describing the jurisdictional authorities and current funding model for fish and wildlife management. The 50 states have the primary legal authority and management responsibility for a great deal of the country's fish and wildlife resources. States have specific authority for conservation and management within their borders, including most federal land. The tenth amendment to the United States Constitution, as well as the Public Trust Doctrine, direct that powers not specifically delegated by the Constitution to the Federal Government be delegated to state authority or to the people, including the responsibility to manage most of the nation's fish and wildlife resources. The United States Congress has the sole authority to preempt a state's authority for fish and wildlife management, and then only for certain federal actions. An example of this is the Endangered Species Act, which affirms the federal authority given to the federal agency that exists concurrently with the pre-existing authority of the state agency.

State fish and wildlife agencies own, manage, or administer nearly 465 million acres of land and 167 million acres of lakes, reservoirs, wetlands, and riparian corridors. State agencies have a stake in conserving and enhancing all wildlife habitats and, therefore, have also improved wildlife habitat not owned directly by the state agencies. An estimated 57 million additional acres have been improved for the benefit of wildlife through private landowner agreements. Further, state agencies own 192,000 water rights and foster 53,000 formal partnerships to carry out wildlife conservation in the country.

State fish and wildlife agencies employ nearly 50,000 highly-trained and highly-motivated individuals. Collectively, the agencies collectively have nearly 35,000 full-time employees and nearly 14,000 part-time employees. About one-fourth of agency employees are degreed biologists, almost 6,000 of whom have advanced degrees and 741 terminal degrees. In addition, 8,371 fully certified law enforcement officers and 1,752 law enforcement employees from other agencies are part of the conservation workforce.

To carry out the management charge granted by the Constitution, every state, territory, and the District of Columbia have an agency dedicated to manage wildlife resources within its borders. These agencies are predominantly governed by boards, commissions, or political appointees charged with policy decisions and agency oversight. In spite of limited funding, state agencies have garnered considerable expertise in response to the growing need to address at-risk and imperiled species and to carry out management and conservation responsibilities across the country.

The collective annual budget of state wildlife agencies is \$5.63 billion. An estimated 59% (about \$3.3 billion) comes from hunting and fishing-related activities. Since 1937, sportsmen have been the driving force for conservation funding in the country. On average, 60 to 90 percent of state fish and wildlife agency budgets are derived by sportsmen, in addition to countless hours of volunteer time and dollars to national, regional, and local conservation organizations. State conservation and management of game species and the habitats that support them is partially funded through excise taxes on hunting and fishing equipment collected under the federal authority of the Pittman-Robertson and Dingell-Johnson Acts (The Wildlife and Sport Fish Restoration Program), which have been a critical source of wildlife conservation funding in the United States for over 80 years. Additionally, sales of hunting and fishing licenses support conservation efforts at the state level.

#### **THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION**

In the late 1800s, the nation's wildlife resources were depleting due to unregulated hunting and habitat loss. In order to protect the resource, hunters and anglers advocated for regulations for hunting and measures to protect valuable habitat. These efforts led to the creation of the North American Model of Wildlife Conservation, which has two main areas of focus: 1) fish and wildlife belong to all citizens; and 2) wildlife management for perpetual sustainability. These focus areas encompass seven tenets of conservation: 1) the Public Trust Doctrine, tasking the government with holding wildlife in trust for all citizens; 2) Democratic Rule of Law, which provides the resource to be allocated for use by all citizens; 3) Opportunity For All, which dictates that all citizens in the United States and Canada should have equal opportunity to participate in activities such as hunting and fishing; 4) Commercial Use, which prohibits a commercial market for dead animal parts; 5) Legitimate Use, which dictates guidelines for appropriate use of the resource, such as killing for food, fur, self-defense, protection of property, and other legitimate reasons; 6) Science and Wildlife Policy, which dictates that science is used and credited as critical to comprehensive wildlife management; and 7) International Wildlife Migratory Resources, which recognizes that migratory wildlife and fish do not operate under state's boundaries; therefore, regulations on wildlife conservation must be realistic. The use of these principles dictates the successful management of our nation's fish and wildlife resources.

#### **THE ECONOMIC IMPACT OF HUNTING, FISHING, AND OUTDOOR RECREATION**

The economic impact of hunting and fishing in the United States is significant. Hunters and anglers contribute in excess of \$200 billion to the economy each year. This equates to more than \$12 billion of state and local tax revenue, and nearly \$15 billion in federal tax revenue. The industry also supports in excess of 1.5 million jobs.

In Wyoming, the outdoor recreation economy generates 50,000 jobs and \$5.6 billion in consumer spending. In 2016, hunters, anglers, and wildlife watchers spent an estimated \$788 million in the state. Wildlife-related activities account for 9,600 jobs in Wyoming.

## **FUNDING FOR WILDLIFE CONSERVATION, RECOVERY, AND MANAGEMENT**

### **The Wildlife and Sport Fish Restoration Program**

The Wildlife and Sport Fish Restoration Program addresses the challenges of managing wildlife resources with effective, strategic grant programs designed to benefit wildlife while enhancing recreational opportunities across the country. The Pittman-Robertson Act (PR), passed in 1937, and the Dingell-Johnson Act (DJ), passed in 1950, authorize grant programs that provide funding to the states for on-the-ground wildlife and fisheries conservation. The majority of PR funds are spent on the acquisition, development, and operation of wildlife management and public use areas. DJ funds support projects that manage and improve aquatic habitats and fisheries resources, protect coastal wetlands, and provide critical infrastructure for recreational boaters.

The Wildlife and Sport Fish Restoration Program also administers the State Wildlife Grant Program, which supports a strategic national conservation framework through individual State Wildlife Action Plans. These plans are comprehensive strategies designed to maintain the health and diversity of wildlife within a state, including preventing the need for listing additional wildlife species under the Endangered Species Act. State Wildlife Action Plans are required in order to receive funding through the State Wildlife Grant Program.

### **Hunter and Recreational Shooter Recruitment and Retention**

The Hunter Education and Safety Program was created in 1970, when Congress amended the Pittman-Robertson Act to allow a portion of the funding to be used for hunter education and safety programs. In 2000, Congress approved the Enhanced Hunter Education program that directs additional resources to this effort.

The first Hunter Education courses, originally called hunter safety, were designed over 50 years ago with the main purpose of reducing hunting accidents. Every state now has Hunter Education courses, with over 25 million graduates since the programs started. A decrease in hunting accidents of well over 50% displays the effectiveness of these programs. Hunting is statistically safer than almost all other forms of recreation. While the major purpose of Hunter Education programs is still the prevention of hunting and firearm related accidents, more and more emphasis has been placed on improving knowledge about the heritage of hunting. Both the first time and veteran hunter are encouraged to become involved in all matters related to hunting, wildlife, and the environment. Responsible, ethical behavior by hunters and personal involvement in the community are essential to the future of wildlife and the survival of hunting.

Hunter Recruitment, Retention and Reactivation (3RS) is an important issue for anyone concerned about wildlife management, conservation, and the future of our hunting heritage. Over 450 individual R3 (Recruitment, Retention and Reactivation) programs nation-wide have had limited regional success, but haven't sufficiently addressed the overall decline in hunter

numbers. Examples of programs include National Archery in the Schools (NASP), Scholastic Clay Target Program, and Becoming an Outdoors-Woman (BOW). Development and use of partnerships and strategic models must continue to be utilized to halt and reverse the declining trend in hunting participation.

#### **Partners for Fish and Wildlife Program**

The Partners for Fish and Wildlife Act authorizes the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program (Program). Field biologists work one-on-one with private landowners and partners to plan, implement, and monitor wildlife conservation activities. Working together with more than 45,000 landowners and 3,000 conservation partners, the Program has successfully restored over 1,000,000 acres of wetland habitat, 3,000,000 acres of upland habitat, and 11,000 miles of streams.

#### **The North American Wetlands Conservation Act**

The North American Wetlands Conservation Act (NAWCA) provides critical funding to support the North American Waterfowl Management Plan. Through its implementing bodies, the joint ventures, this source of funding has been instrumental in efforts to develop and implement effective voluntary and incentive-based wetland conservation programs. Nationwide, the NAWCA supports wetland habitat conservation which has proven to be vital for migratory birds and other wildlife. Also noteworthy, NAWCA-funded conservation and restoration projects directly support thousands of jobs; supporting landowners, contractors, biologists, engineers, manufacturers, and suppliers. In addition, wetland habitats create opportunities for recreational activities such as hunting, fishing, wildlife watching, and photography, which generate billions of dollars in the U.S. economy every year. Lastly, wetlands absorb water from floods and provide a variety of natural functions resulting in clean, plentiful water supplies.

#### **The Land and Water Conservation Fund**

Congress established the Land and Water Conservation Fund (the Fund) in 1964 with the intent to protect and conserve land and water resources, as well as provide quality recreation opportunities across the country. The Fund is supported by offshore oil and gas drilling, through royalties in excess of \$900 million annually. Monies from the Fund support national parks, land around rivers and lakes, national forests, and national wildlife refuges. In addition, grants are matched on a state level for local parks and recreation projects. The Fund is one of the most important conservation and recreation programs in the country, responsible for conserving parks, wildlife refuges, and recreation areas at the federal, state and local levels. For 50 years, it has provided critical funding for land and water conservation projects, recreational construction, and activities and the continued historic preservation of our nation's iconic landmarks.



### **The Endangered Species Act**

With the passage of the Endangered Species Act in 1973, the nation began a concerted effort to prevent species of all types from becoming extinct. However, despite the recovery of certain wildlife species, limited funding has hampered overall recovery efforts. Researchers estimate that total spending over the past 15 years has covered only about one-third of species recovery needs. Furthermore, the amounts spent on recovery of individual species vary a great deal. Just five percent of listed species receive more than 80 percent of recovery funding, while 80 percent of listed species receive just five percent of the funding.

While the ESA has contributed to the recovery and prevention from extinction for many species, it has become a major disincentive for many state-led efforts. Many re-listing decisions are made by judges and not based on science and whether or not a species has been recovered, but rather on technicalities in federal rule making. Until states are given some type of grace period to prove their capability to maintain recovery of delisted species without fear of an immediate re-listing by a federal judge, the incentive for states to invest their limited funding in recovery efforts will likely decline. Citizen support for the ESA is declining and many are frustrated by a process that clearly needs overhauling.

### **THE NEED FOR ADDITIONAL FUNDING FOR WILDLIFE CONSERVATION**

North America's fish and wildlife conservation model and its conservation-based delivery system is unparalleled. The fundamental tenets of this model and associated contributions of state agencies, combined with the collective efforts of diverse partners that state agencies continue to maintain and develop, are foundational and have contributed significantly to its effectiveness. To continue their important contribution to conservation, state agencies will need to shore up the logistical and financial underpinnings of the wildlife conservation model. The state wildlife agencies need additional permanent and dedicated funding for wildlife conservation in North America.

### **Recovering America's Wildlife Act**

The need for new and broader funding is reflected in recent recommendations made by the Association of Fish and Wildlife Agencies' Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources. The first recommendation is to secure an additional \$1.3 billion for the Wildlife Conservation Restoration Program with existing revenue from the development of energy and mineral resources on federal lands. The second is to establish a forum that would examine the impact of societal changes on the relevance of fish and wildlife conservation and make recommendations on how to transform agencies to engage and serve broader constituencies. The first recommendation broadens participation in wildlife conservation funding. The second aims to attract a broader audience outside of our traditional customers.

Species management and recovery require dedicated funding to afford states the ability to craft and implement a multiyear species conservation plan with the capacity and expertise needed to assess the status of wildlife populations, determine causes of decline, ameliorate threats and risks

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affecting the species and its habitats, restore and enhance those habitats and populations, monitor responses to management actions, and adjust course as necessary to achieve success.

Recovering America's Wildlife Act represents a 21<sup>st</sup>-century funding model that will facilitate the states' abilities to address problems with wildlife species of greatest conservation need before federal listing is needed and expedite recovery efforts for those species already listed. States also could use these funds on wildlife conservation education and to manage, control, and prevent invasive species and nuisance species as well as other threats to state species of greatest conservation need. Clearly, this additional funding would allow state wildlife agencies to do the proactive, incentive-based wildlife conservation work of which we have a proven track record of success.

States could use these funds to effectively implement their State Wildlife Action Plans (focus on species of greatest conservation need). Each species that is precluded from listing under the Endangered Species Act will save millions of dollars incurred by the state and federal agencies that have to compile and evaluate data and federal notices for petitions, listing determinations, critical habitat designations, consultations, and permits. More funding will be available to create and implement conservation tools such as Safe Harbor Agreements and Habitat Conservation Plans. This funding will allow the states to deploy proactive, voluntary conservation actions that will preclude the need to list species under the ESA and, in the long-term, reduce federal expenditures under the ESA while increasing our ability to recover species before it is more biologically and ecologically difficult.

The Recovering America's Wildlife Act will establish a proactive funding model for the conservation of fish and wildlife across the country. This funding could be leveraged with state dollars and utilized by existing and new partnerships to maintain and enhance wildlife habitat on the ground. Clearly, this new funding model will facilitate the states' abilities to restore and recover federally listed threatened and endangered species while also preventing other species from being listed.

The Wyoming Game and Fish Department respectfully asks this Committee and other members of Congress to support permanent and dedicated funding for the Recovering America's Wildlife Act. States have a proven track record of recovering species with dedicated funding as evidenced by over 80 years of success through the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act. We can build upon states' current efforts to conserve the full array of diverse fish and wildlife if afforded the opportunity.

#### **Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017**

The Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act proposes to modernize and update the fund to meet the needs and expectations of hunters, anglers, and other conservationists. By updating the Pittman-Robertson Wildlife Restoration Act of 1937, which uses the proceeds of a federal excise tax on firearms, ammunition, and archery equipment to fund grants for wildlife conservation projects to state wildlife agencies, this legislation will ensure continued funding for wildlife conservation efforts that benefit all Americans.

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The increasing urbanization and suburbanization of our nation's population has made it more difficult for the American public to participate in hunting and recreational target shooting. It is now more important than ever that we address the changing dynamic to meet the needs of the modern sportsperson. Without increasing taxes or existing user fees, this legislation will ensure user-pay funding of wildlife conservation for future generations. Specifically, the bill clarifies that a purpose of the fund is to extend assistance to the states for the promotion of hunting and recreational target shooting, and allows state expenditures to include spending for the outreach, communication, and promotion of hunting and recreational target shooting. To better communicate with today's sportsmen, the legislation would allow states to use modern communication methods to inform and educate hunters and recreational target shooters like state agencies currently do for fishing and boating. Our constituents expect us to use modern methods to communicate with them, but much is currently prohibited under current law and considered "public relations." Moreover, the ability to communicate with our resident and non-resident hunters is imperative to more proactively prevent and slow the spread of Chronic Wasting Disease (CWD) in Wyoming and across the nation. Many hunters still do not know about CWD, if it is present where they are hunting, precautions they should take if it is, how CWD is transmitted, or other important aspects of the disease. States must have the ability to communicate better with the hunting public and collectively do what we can to control CWD. Finally, the bill would expand the Multistate Conservation Grant Program to include \$5 million in recreational target shooter recruitment grants that promote state implementation of a national hunting and shooting sports recruitment program.

#### **Reauthorization Funding for the Endangered Species Act**

The Wyoming Game and Fish Department supports the ESA but believes it should be modernized to meet today's wildlife conservation challenges. For specific recommendations for modernizing the ESA, the Association of Fish and Wildlife Agencies' *General Principles for Improving Implementation of the Endangered Species Act*, which was approved by all state wildlife agency directors, is included as an attachment to this testimony.

State agencies are proud of their successes with recovering listed species and restoring declining species to sustainable populations so the provisions of the ESA are not necessary. For most state wildlife agencies, it has been a challenge building capacity, funding, and staffing to do this important conservation work. Insufficient funding to federal agencies for recovering a listed species often thrusts an unfunded fiscal burden on state agencies to manage the federal regulatory requirements of a federally-listed species.

The discussion draft of the Endangered Species Act Amendments of 2018 emphasizes elevating the role of states and increasing transparency in the implementation of the ESA. It also prioritizes resources to better meet its conservation goals and provides regulatory certainty to promote conservation and recovery activities. The discussion draft reauthorizes the ESA for the first time since its funding authorization expired in 1992. In terms of addressing ESA funding, the discussion draft requires the U.S. Fish and Wildlife Service to submit annually to Congress a budget for implementation of the work plan, which provides transparency for the financial resources needed to implement it.

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More financial resources will be needed by the state and federal agencies to successfully implement the proposed changes in The Endangered Species Act Amendments of 2018 discussion draft.

#### **Reauthorization of the Partners for Fish and Wildlife Program**

The state wildlife agencies continue to support reauthorization of the Partners for Fish and Wildlife Program as proposed in the Wildlife Innovation and Longevity Driver (WILD) Act, which passed this Committee and passed the Senate by unanimous consent. This highly successful program is an integral part of our collaborative fish and wildlife conservation efforts with the U.S. Fish and Wildlife Service, and has been one of the cornerstone programs for recovering black-footed ferrets. The program is well-received by private landowners and agricultural producers, is solution-oriented, doesn't remove lands from the county's tax rolls, and cooperatively enhances fish and wildlife habitats for many declining, at-risk, and listed species.

#### **Fish & Wildlife Coordination Amendment in WILD Act**

Wyoming thanks the Committee for its efforts to improve state and federal coordination under the Fish and Wildlife Coordination Act. As I testified before, Aquatic Invasive Species (AIS) are a serious problem for all of us and we need to work together to reduce and eliminate any new introductions of AIS and better control and manage those currently within the United States. We welcome the amendment proposed in the WILD Act and look forward to working with this Committee next year to further explore additional ways to improve state-federal coordination under this Act.

#### **Hunting Heritage and Environmental Legacy Preservation for Wildlife Act**

The state wildlife agencies support reauthorization of the North American Wetlands Conservation Act as proposed in the Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act. This is another highly collaborative program that leverages state, federal, private, and nonprofit funds to restore, enhance, and manage wetland habitat for migratory birds and other wildlife. These are the same wetlands we all depend on for clean water, flood attenuation, aquifer recharge, and healthy environments. Further, for each federal dollar, one partner dollar must be matched, but every federal NAWCA dollar is usually tripled by partners at the state and local levels making this a highly efficient program.

#### **National Fish Habitat Conservation Through Partnerships Act**

Wyoming supports the National Fish Habitat Conservation Through Partnerships Act and greatly appreciates and benefits from the great collaborative fish habitat work that occurs in Wyoming through the Western Native Trout Joint Venture and the 19 other fish habitat partnerships nationwide. Through partnerships of state agency staff, conservation organizations, and local communities, the program strategically leverages resources and capacities to address fish and fish habitat conservation needs through collaborative restoration, conservation, and habitat

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enhancement efforts. The Wyoming Game and Fish Department appreciates the Committee's work on this important piece of legislation and we look forward to its enactment.

**Summary – Funding Needs for Wildlife Conservation, Recovery, and Management**

New and dedicated funding is needed for state wildlife conservation, recovery, and management. Fish and wildlife conservation began more than a century ago when hunters, anglers, and other conservationists came together to restore decimated game populations, but it has grown to encompass way more than that. The new and dedicated funding opportunities addressed in this testimony, such as the Recovering America's Wildlife Act, are critical to supplement the revenue brought in by hunting and fishing to give states the resources they need to conserve, recover and manage America's fish and wildlife.

Thank you for the opportunity to provide this testimony and to share the state wildlife agencies' perspectives and work to conserve, recover, and manage wildlife.

**Senate Committee on Environment and Public Works**  
**Hearing entitled, "Examining Funding Needs for Wildlife Conservation, Recovery, and**  
**Management"**  
**November 15, 2018**  
**Questions for the Record for Deputy Director Kennedy**

**Chairman Barrasso:**

1. We have spoken in the past about all the great work Wyoming does in managing wildlife. This includes monitoring populations carefully to detect issues, and acting quickly to mitigate any harm. Many of these actions are directed by the State Wildlife Action Plan. Can you talk a little bit about: the current funding for implementation of Wyoming's State Wildlife Action Plan, how that funding may differ from funds for general wildlife management, and how the Wyoming Game and Fish prioritizes funding for species of concern?

*Wyoming has a long history of success in restoring many species, both game and nongame species. Although the traditional focus has been on the conservation of game species, more attention and funding, if available, could be directed towards the conservation of nongame species. Wyoming's State Wildlife Action Plan identifies strategies to maintain the health and diversity of sensitive species. This work is critical to recover listed species and to prevent the need for the listing of new species under the Endangered Species Act. However, hunters and anglers fund the Department's work almost entirely, and the amount of available funding for nongame work is limited. The Department's 2019 budget is approximately \$82 million dollars. We allocate almost \$7 million dollars (from funds for general wildlife management) to nongame species, including threatened and endangered species and other species of concern. The Department prioritizes funding for species of concern by focusing on the recovery of listed species and preventing other species from being listed. Funding for species of concern is based on limiting factors such as: threats to the population; population declines; impacts to habitats; and the full range of the species. Current priorities are focused on 4 birds, 3 mammals and 5 fishes.*

2. Do you believe that Recovering America's Wildlife Act, as written, provides sufficient flexibility to states to use the funds where they would be most effective for long-term conservation goals?

*Yes, the Recovering America's Wildlife Act, as written, provides sufficient flexibility to use funds where they are most needed – on state species of greatest conservation need. The states can use these funds on research, monitoring, restoration of sensitive species and their habitats, controlling invasive species that adversely affect native species, wildlife diseases that pose threats to native species, and development of comprehensive conservation strategies to conserve and restore wildlife populations to avoid listings under the Endangered Species Act. However, funding that is dependent upon annual Congressional appropriations, such as this year, will create challenges, delays, and loss of critical conservation actions. Proactive conservation requires an upfront and strong*

*commitment from state agencies, private landowners, conservation organizations, and other partners to be successful. We encourage Congress to commit to providing dedicated funding for these purposes.*

3. What kind of projects would states like Wyoming prioritize if they had additional funding?

*Additional funding through Recovering America's Wildlife Act would support proactive work to restore and recover federally listed threatened and endangered species while also preventing other species from being listed. We could use these funds to effectively implement our State Wildlife Action Plan (focus on species of greatest conservation need). We would prioritize funding for species of concern by focusing on the recovery of listed species and preventing other species from being listed. This permanent and dedicated funding for sensitive species would allow us to allocate funding from hunters and anglers into programs that are priorities to them, such as managing populations and habitats for big game and sport fish species and securing additional access for hunting and fishing.*

**Senator Sullivan:**

4. Regarding the Recovering America's Wildlife Act, the current statute requires states to submit for approval by the Secretary of the Department of the Interior a state wildlife action plan no less than every 10 years. Has Wyoming ever experienced a situation where the US Fish and Wildlife Service tried to direct the contents of your agency's wildlife action plan to address their own federal priorities instead of the priorities of the state? If this situation arose in the future how would you suggest managing the situation for a successful outcome for the state? What administrative remedies would you recommend or pursue?

*Wyoming has not experienced a situation where the U.S. Fish and Wildlife Service tried to direct the contents of our State Wildlife Action Plan (SWAP) to address their own federal priorities. Review and approval of SWAPs is a cooperative endeavor. Currently within the Western Association of Fish and Wildlife Agencies (WAFWA) and the other three regional associations, the review and approval of SWAPs is conducted jointly by a state agency staff person appointed by WAFWA and a regional staff person from the U.S. Fish and Wildlife Service (USFWS). This work is a collaborative effort and the guidelines for revision, review, and approval of SWAPs are supported by the Association of Fish and Wildlife Agencies. The USFWS understands, based on direction from Congress through statute, this program is about funding the conservation of state species of greatest conservation need.*

5. The Recovering America's Wildlife Act, would provide funds for state agencies to implement their State Wildlife Action Plans, which are mandated by statute and approved by the U.S. Fish and Wildlife Service. Are you confident that if this bill is signed into law, that the federal government will not use associated funding to leverage states into doing things that may not be consistent with their wildlife agencies' priorities or

effectively preempt state management as the price for funding? In your opinion would a savings clause added to the bill be needed to protect the authority of the states from future administrations?

*State Wildlife Action Plans are developed by the states through public participation, including through collaboration with state and federal agencies and the USFWS. The USFWS has the opportunity to voice their suggestions through that process, but per statute the states are able to balance the needs of citizens, wildlife, and other agencies' input in the process to develop a SWAP that works for their state and their citizens.*

*Because Congress has already prescribed in statute how the Wildlife Conservation and Restoration Program works, there is history with developing and approving SWAPs, and the USFWS staff responsible for issuing the federal grants have cooperative and productive relationships with the states. To prevent any overreach, I suggest we pass this legislation sooner rather than later and allow the states to work cooperatively with the USFWS to draft implementing rules and policies that meet Congressional intent. Oversight hearings by Congress from time to time to review how the processes are working and to make sure programs work as you intended them to work is another way of providing oversight.*

*Congress has repeatedly affirmed that authority to manage wildlife rests with the states for the benefit of the public and future generations and I see nothing wrong with specifically applying it to the Recovering America's Wildlife Act.*

6. S. 3223 the Recovering America's Wildlife Act requires a 25% non-federal match. In your experience how will states come up with matching funds? Is there any concern, if a state in the future is having a fiscal crisis that they couldn't meet this match? Where could states look to overcome a shortfall other than federal funds? Could private and non-profit organizations with political agendas exert influence through providing matching funds under this bill?

*The states have been working on identifying the non-federal match for the Recovering America's Wildlife Act. Every state has different fiscal considerations, and some will not have trouble finding the match. Others are working to enhance existing relationships, build new partnerships, and create public-private partnership opportunities to generate new sources of funding for these conservation efforts. The states are particularly mindful about making sure that these new relationships and sources of funding are consistent with the priorities identified in SWAPs. To do anything different would be contrary to the approved SWAP, the grants let be the USFWS, and could be considered an action inconsistent with grant deliverables, which likely would be an audit finding and require a course correction by the state wildlife agency. There are checks and balances within the state-federal grant system that would raise the situation described as a red flag needing further attention.*



7. The Recovering America's Wildlife Act allows a state agency to use hunters' license dollars as non-federal match to the Wildlife Conservation and Restoration Program subaccount only if their Pittman-Robertson funds are obligated and provided the funds are used on habitat that benefits both game and non-game species. If Wyoming Game & Fish decided to use state license dollars in this way, would your agency be inclined to require public access to those lands and waters benefitting from the habitat enhancements that were derived in part from license revenue?

*Although access for hunting and fishing in Wyoming is a high priority, the Wyoming Game and Fish Department would not require public access to lands and waters benefitting from habitat enhancement work that is funded in part from license revenue (e.g., on private property). If we use license dollars as non-federal match to Wildlife Conservation and Restoration Program funds, we would generally direct those funds to be used on habitats that are accessible to the public for wildlife-related recreation and enjoyment.*

**Senator Whitehouse**

8. I co-lead a letter each year to Senate Appropriations Committee leaders urging robust funding for State and Tribal Wildlife Grants. Can you describe the role that these grants play in the work that your state agency does to protect wildlife and their habitats to either preclude listings under the Endangered Species Act or help with their recoveries?

*The Wildlife and Sport Fish Restoration Program also administers the State Wildlife Grant Program, which supports a strategic national conservation framework through individual State Wildlife Action Plans. These plans are comprehensive strategies designed to maintain the health and diversity of wildlife within a state, including preventing the need for listing additional wildlife species under the Endangered Species Act. State Wildlife Action Plans are required in order to receive funding through the State Wildlife Grant Program. In Wyoming, hunters and anglers fund the Department's work almost entirely, and the amount of available funding for nongame work is limited. The Department's 2019 budget is approximately \$82 million dollars. We allocate almost \$7 million dollars (from funds for general wildlife management) to nongame species, including threatened and endangered species and other species of concern. Other than Wyoming Game and Fish Commission funding (from hunters and anglers), the only other somewhat stable source of funding for our work on sensitive species is through the State Wildlife Grant Program (about \$1.2 million dollars/year in Wyoming). State Wildlife Grants play a critical role in our work to preclude listings under the Endangered Species Act and recover listed species.*

*The Association of Fish and Wildlife Agencies' Wildlife Diversity Conservation and Funding Committee created a working group to develop recommendations for improving the program. The recommendations of the working group were approved by the Association's Business Committee and can be obtained by contacting the Association.*

9. In your written testimony, you state that "insufficient funding to federal agencies for recovering a listed species often thrusts an unfunded fiscal burden on state agencies to

manage the federal regulatory requirements of a federally-listed species.” Is it your opinion then that this Committee should support increased funding for U.S. Fish & Wildlife Service, NOAA Fisheries, and their federal partners that support wildlife conservation efforts?

*This statement in my testimony pertains to funding issues associated with implementation of the Endangered Species Act. Clearly, there has not been sufficient funding for our work on conservation outcomes, species recovery, and delisting of species in Wyoming. For example, since 1975, the Wyoming Game and Fish Commission has spent over \$50 million dollars in the recovery of the grizzly bear. In recent years, annual costs of the Department's grizzly bear program have been around \$2 million dollars. Almost all of this funding has been provided by the Wyoming Game and Fish Commission (i.e., from hunters and anglers). This Committee should support increased funding for the U.S. Fish and Wildlife Service, NOAA Fisheries, and their federal partners that support wildlife conservation efforts.*

10. You mentioned the Land and Water Conservation Fund as a source of financial support for protecting public lands and wildlife. While I support the fund, I am concerned by its bias towards inland and upland efforts as compared to coastal needs. For example, an analysis by my office and CRS of per capita LWCF funding to states for FY2011-2015 showed that coastal and Great Lakes states averaged \$2.93/person as compared to \$8.23/person for inland states. During that time frame, Wyoming benefited from LWCF spending of over \$44/person, while my constituents in Rhode Island received only \$3.33/person. Do you believe this is fair?

*As you know, Congress established the Land and Water Conservation Fund (the Fund) in 1964 with the intent to protect and conserve land and water resources, as well as provide quality recreation opportunities across the country. The Fund is supported by offshore oil and gas drilling, through royalties in excess of \$900 million dollars annually. Monies from the Fund support national parks, land around rivers and lakes, national forests, and national wildlife refuges. In addition, grants are matched on a state level for local parks and recreation projects. The Fund is one of the most important conservation and recreation programs in the country, responsible for conserving parks, wildlife refuges, and recreation areas at the federal, state and local levels. For 50 years, it has provided critical funding for land and water conservation projects, recreational construction, and activities and the continued historic preservation of our nation's iconic landmarks.*

*You raise a very interesting point and perspective about equitable distribution of this funding across the country. It is not clear to me what process or funding model is used to distribute this funding across the country, but I welcome the opportunity to learn more and work with you on a more equitable framework that addresses all the states' needs.*

## Appendix



### General Principles for Improving Implementation of the Endangered Species Act

*Adopted March 18, 2016*

**Objective Statement:** Improve Endangered Species Act implementation to ensure its future by making it a more effective conservation program for fish and wildlife, and more acceptable to private landowners. This improved implementation would be directed and managed by state and federal fish, wildlife, and natural resource professionals.

**Principles for Improvement:**

- 1: Enables more effective and consistent conservation and protection of species.
- 2: Ensures fish, wildlife and natural resource professionals make Endangered Species Act decisions.
- 3: Facilitates the opportunity for robust utilization of state fish and wildlife agency concurrent jurisdictional authorities in Endangered Species Act implementation as Congress originally intended.
- 4: Focuses on management actions that will recover species to the point that provisions of the Endangered Species Act are no longer necessary, and the species can be delisted or down-listed.
- 5: The approach is apolitical and politically viable because it has bipartisan support.
- 6: Better incentivizes private landowner participation in application of the Endangered Species Act.

**Recommendations for Improvement:**

**I. Implement Preventive and Restorative Management:** improve cooperation between state and federal agencies to preclude the need to list species by addressing species life needs and habitat requirements, more fully recognize and integrate state-led conservation efforts, and improve processes and guidelines for listing decisions. Secure funding sources for these actions.

**II. Elevate the Role of State Fish and Wildlife Agencies:** increase opportunities for state fish and wildlife agencies to take a more formal and active role and fully participate in Endangered Species Act implementation actions as intended by Congress under Section 6 Cooperative Agreements.

**III. Improve the Listing Process:** make the best decision within a more realistic timeframe; prioritize species considered for listing; and insure all state fish and wildlife data are utilized and

fully considered in the listing determination whether such data are published or not; and include state agency expertise in the process of interpreting these data and drawing conclusions.

**IV. Require the Development of Science-Based Recovery Plans for Listed Species Directed by Recovery Teams:** enhance States' role including the opportunity to lead recovery planning and implementation, expedite recovery by supporting state level initiatives and partnerships; and increase flexibility and feasibility for recovery plan applicability.

**V. Relocate Critical Habitat Designation to Recovery Plan Development and Create More Flexibility:** create more flexibility for the Secretary to exercise discretion to designate or not designate critical habitat, better define the scope, scale and basis for critical habitat designations and include clear guidance on when such designations are needed or required.

**VI. Revise Down-listing and De-Listing Processes:** increase reliance on and give great weight to recovery plan population and habitat objectives to inform the initiation of the delisting or down-listing process and create more ecological and geographic flexibility for downlisting and delisting valid listable entities, regardless of how they were originally listed; expedite down-listing and delisting processes to realize conservation successes and reduce unnecessary regulatory burdens.

**VII. Restore the Distinction between Threatened and Endangered Species Categories:** return to Congressional intent providing greater flexibility to manage these listed species differently; afford state fish and wildlife agencies the opportunity to manage threatened species as Congress intended; and allow take as a possible means of "conservation" in the Act.

**VIII. Fully Utilize State Conservation Agreements, Candidate Conservation Agreements, Candidate Conservation Agreements with Assurances, Safe Harbor Agreements and Habitat Conservation Plans:** provide consistency and guidance on utility.

**IX. Provide Certainty and Incentives for Private Landowners:** enhance clarity and increase conservation incentive options available; expedite the process for concluding these conservation agreements to enhance certainty to private landowners.

**X. Enhance Endangered Species Act Funding:** sufficient funding should facilitate successful conservation outcomes, species recovery, and delisting; enhance funding to states and federal agencies for all aspects of Endangered Species Act implementation.

**XI. Improve Implementation of 10(j) Experimental Populations to Enhance Species Recovery:** provide guidance on when the use of 10(j) experimental populations are appropriate and standardize post delisting monitoring plans.

**XII. Science and actual conservation work to recover species should drive Endangered Species Act decision making:** devolve the role of litigation and more fully realize Congressional intent for Endangered Species Act implementation.

**XIII. Establish more Consistent Implementation Procedures and Processes:** improve consistency and timeliness of administrative processes and actions implemented under the Act.

**Legislative History of the 1973 ESA Bill On Passage: Excerpts**

**Senate Consideration and Passage of S.1983, With Amendments, from the  
Congressional Record, July 24, 1973, pages 342-425**

Sen. John Tunney (CA):

"On the other hand, it was well established in the hearing record that most of the States possess much greater wildlife management resources than does the Federal government. Clearly any effort on the part of the Federal government to encourage the restoration of threatened or endangered species would fail without the assistance of the state agencies. This bill is designed to permit and encourage state endangered species programs that are in concert with the purposes of this Act."

"Subject to the provisions of this Act which provide maximum protection for species on the brink of extinction, States with active endangered species programs are given full discretion to manage threatened species which reside in their boundaries."

Sen. Ted Stevens (AK):

"Sections 6 and 16 provide for cooperation with the states. They provide the major backbone of the Act. Presently the states have an extensive network of endangered species legislation. Unfortunately, not all states have as yet implemented such programs. This bill will assist those states not yet involved to implement such programs and will, if the states do not, provide for Federal preemption."

"As Dr. Ralph Mac Mullen, president of the International Association of Game, Fish, and Conservation Commissioners observed, state wildlife agencies employ over 5800 law enforcement officers across the Nation. Formal Endangered Species programs are being implemented in over 30 states."

"Dr. Mac Mullen further observed that if the Federal government were to take away the right of the states to manage these species and to preempt the states, State Legislatures would not be willing to appropriate the necessary funds to protect endangered species."

House Committee Report 93-412 (to accompany HR 37)

"The principal areas of discussion during the hearings and markup of legislation centered on the proper role of the state and Federal governments with regard to endangered species programs..."

"Any bill which is designed to deal with the complicated issues involved in the protection of endangered species must do so in light of least two competing considerations: first, protection of endangered species is not a matter that can be handled in the absence of coherent national and international policies... Second however, the States are far better equipped to handle the problems of day to day management and enforcement of laws and regulations than is the Federal government..."

"Regulatory jurisdiction is given to the Federal government under this legislation and if a cooperative agreement is successfully negotiated and signed, to the states as well."

"Where a cooperative agreement has been put in effect the bill allows concurrent jurisdiction over the species affected in both the state and federal judicial system."

"In all other respects ... [than adherence to actions specifically permitted or prohibited by the Federal agencies]... the state law is not preempted but is merely subject to the "floor" of regulations under the Act."

House Consideration and Passage of HR 37 with Amendments:

Cong. James Grover (NY):

"Second, we have adequately protected legitimate state interests, power, and authorities by providing for concurrent Federal/State jurisdiction..."

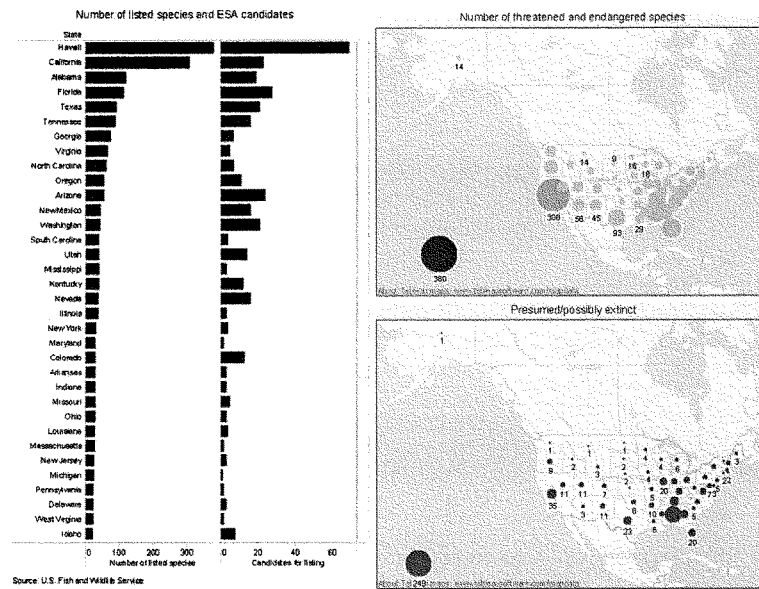
"It is imperative to realize, as the Committee did, that the greater bulk of the enforcement capabilities concerning endangered species lie in the hands of the state fish and game agencies and not the Federal government. It is on a state level that habitat areas will be located, and it is on a state level where this new Federal law will be implemented, subject to overall Federal criteria and guidelines."

House Conference Report 93-740 (to accompany s. 1983 as reported by the House-Senate Conference Committee)

"As finally approved, the Act will have the effect of giving the states fundamental roles with respect to resident species for a given period of time... The conferees hope that this device will impel the states to develop strong programs to avoid the alternative of federal preemption."

"It should be noted that the successful development of an endangered species program will ultimately depend on a good working arrangement between the federal agencies, which have

broad policy perspectives and authority, and the state agencies, which have the physical facilities and personnel to see that state and federal endangered species policies are properly executed.”



Source: <http://ecowest.org/biodiversity/endangered-species/>



Senator BARRASSO. Well, thank you very much, Mr. Kennedy.  
Mr. MCSHANE.

**STATEMENT OF MICHAEL MCSHANE, AT-LARGE BOARD  
MEMBER, DUCKS UNLIMITED**

Mr. MCSHANE. Good morning, Mr. Chairman, Ranking Member Carper, and members of this Committee. It is a privilege to be here from South Carolina today. I am humbled to be in the presence and sitting beside me two obviously dedicated public servants, but I am here with great enthusiasm that I provide this testimony on behalf of the more than 1 million members, supporters and volunteers of Ducks Unlimited.

Founded in 1937 by a group of concerned waterfowl hunters, Ducks Unlimited is still the world's leading wetlands and waterfowl conservation organization. With members and conservation projects in all 50 States, including sister organizations both in Mexico and Canada, DU partners well with its local, State, Federal, nongovernmental, and corporate level support to conserve an astounding 14 million acres of wetlands and wildlife habitat to date, with much work to do.

DU habitat conservation projects provide critical habitat for the diverse array of our continent's migratory bird resources, supporting them on their key breeding, their migratory, and their wintering grounds, especially here in the United States, where the majority of that landscape still remains in private ownership.

DU takes great pride in working cooperatively with both farmers, ranchers, and foresters to actively help and participate in a number of these programs to successfully achieve that vision of wetlands sufficient to fill the skies with waterfowl today, tomorrow, and forever.

I personally thank both the Chairman and the Ranking Member for having today's hearing. Our Nation's wildlife habitat resources are the backbone of a multibillion dollar outdoor recreational industry that directly supports more than 6 million jobs. Americans spend nearly \$900 billion annually on hunting and fishing, wildlife viewing, and photography, and it is important to note, as someone who comes from a rural community, a number of these jobs provide a critical economic boost in those areas that are needed the most.

I recommend that one of the best ways to evaluate wildlife conservation funding efforts into the future is to take a look at those that have been effective in the past. From Ducks Unlimited's perspective, none have been more impactful than the North American Wetlands Conservation Act, known as NAWCA. Since its enactment in 1989, roughly \$1.4 billion has been provided through grants, but it has generated over \$4 billion in partner contributions.

Even though the law only requires a one to one match, NAWCA's partners, like Ducks Unlimited and other nongovernmental entities and State agencies, routinely generate two to three times that grant request. So, as of today, more than 5,600 partners have contributed more than that \$4 billion in matched funds.

As an example, the State of Wyoming currently has eight NAWCA projects underway that will conserve more than 45,000 acres of wildlife habitat.

In Delaware, a little over \$6 million in NAWCA funds has generated more than \$12 million in partner contributions to impact 11,000 acres of wetlands and migratory waterfowl.

I am fortunate to come from a State where the impact of NAWCA has been felt greatly. Over \$45 million in NAWCA grant money has generated more than \$350 million in partner contributions where 66 projects have led to the conservation of over 300,000 acres of critical, unique, and, in many cases, ecologically fragile fish and wildlife habitat.

More than 2,700 projects impacting 34 million acres of wildlife habitat have been completed or underway in all 50 States, Canada, and Mexico. Its demonstrated success is a voluntary incentive-based approach to conservation allows partners to work collaboratively with willing private landowners, especially our farmers, ranchers, and foresters, who are the key to any wildlife conservation efforts.

We appreciate the Chairman and Ranking Member's support for reauthorization of NAWCA at \$50 million a year for 5 years, and the Hunting Heritage and Environmental Preservation for Wildlife Act, the HELP Act. We strongly believe that NAWCA has proven to be a successful model for wildlife habitat conservation. It is the grant seed money that generates that four-times return on the ground conservation investment. We believe it is a modest Federal investment in habitat conservation that can be stretched beyond the requirements of the law.

We strongly support the reauthorization of our Partners for Fish and Wildlife Program. Additionally, DU supports Modernizing the Pittman-Robertson Fund for Tomorrow's Need Act of 2017. As we consider the future of wildlife conservation funding, it is critical for the stakeholders, especially our partners at the State Departments of Fish, Wildlife, and Natural Resources, to have these dedicated adequate resources to address the problems associated with the listing of any species, particularly those in peril. They have the mandate, I believe they have the talent and drive, and as a former State agency chairman, I have the confidence that those agencies are ready to take that on.

Recovering America's Wildlife Act would authorize those dollars dedicated for those resources, and we strongly support that enactment.

In conclusion, Mr. Chairman, DU continues to support the Chairman and the Ranking Member as you work through these important policy decisions that will have a long-term impact. We simply ask that, as the Ranking Member mentioned the success of the WRDA bill, I would submit that these four bills can be part of that same legacy today, and I strongly encourage this Committee to move forward on those.

I thank you both very much, and to the Committee members, for the opportunity to be here, and I certainly stand by ready to answer any further questions.

[The prepared statement of Mr. McShane follows:]

November 15, 2018

The Honorable John Barrasso  
Chairman, Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable Thomas Carper  
Ranking Member, Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper,

It is with great enthusiasm that I provide this testimony on behalf of the more than one million members, supporters and volunteers of Ducks Unlimited. Founded in 1937, by a group of concerned waterfowl hunters, Ducks Unlimited is the world's leading wetlands and waterfowl conservation organization. With members and conservation projects in all 50 states, including sister organizations in Mexico and Canada, DU and its partners at the local, state, federal, non-governmental and corporate level have conserved an astounding 14 million acres of wetlands and wildlife habitat. DU habitat conservation projects provide critical habitat for the diverse array of our continent's migratory bird resources, supporting them on their key breeding, migratory and wintering grounds. Especially in the United States, where the majority of the landscape is in private ownership, DU takes great pride in working cooperatively with our nation's farmers and ranchers. Without their active help and participation it would not be possible for DU to successfully achieve its vision of wetlands sufficient to fill the skies with waterfowl today, tomorrow and forever.

I personally thank Chairman Barrasso and Ranking Member Carper for having today's hearing entitled "Examining Funding Needs for Wildlife Conservation, Recovery and Management." Our nation's wildlife habitat resources are the backbone of a multi-billion dollar outdoor recreational industry that directly supports more than 6.1 million jobs. Americans spend approximately \$887 billion annually on hunting, fishing, wildlife viewing and photography. It's important to note that these dollars are often spent in our country's more rural communities, where these jobs provide a critical economic boost are needed the most.

One of the best ways to evaluate wildlife conservation funding efforts into the future is to take a look at those that have been effective in the past. From DU's perspective, none have been more impactful than the North American Wetlands Conservation Act (NAWCA). Since its enactment in 1989, NAWCA grants of roughly \$1.4 billion have generated an additional \$4.3 billion in partner contributions. Even though the law only requires a 1:1 match for projects, NAWCA partners like DU, Pheasants Forever, the Nature Conservancy, and our 50 state fish and wildlife agencies, routinely generate 2-3 times the grant request amount. All told more than 5600 partners have contributed more than \$4.3 billion in matched funds. For example, the state of Wyoming currently has 8 NAWCA projects underway that are conserving more than 45,000 acres of wildlife habitat. \$1.4 million in NAWCA funding encouraged partners to contribute an additional \$4 million to these on-the-ground habitat conservation projects. In Delaware, a little over \$6 million in NAWCA funds generated more than \$12 million in partner contributions to conserve almost 11,000 acres of wetlands and migratory bird habitat. I'm fortunate to truly see the conservation power and impact of NAWCA in my home state of South Carolina. In South Carolina over \$45 million in NAWCA grant money has generated more than \$358 million in partner contributions, where 66 projects have led to the conservation of almost 320,000 acres of critical, unique and in many cases ecologically fragile fish and wildlife habitat. More than 2700 habitat projects impacting approximately 34 million acres of waterfowl and wildlife habitat have been completed or are underway in all 50 states, Canada and Mexico. This fall and winter, when you are back home visiting your favorite slough, swamp or coastal marsh, there is a good chance that some of those birds, whether they are flying toward your decoys or into your binoculars, spent some time on a NAWCA funded project.

NAWCA's demonstrable success at restoring, enhancing and protecting critical migratory bird habitat is predicated on its non-regulatory, incentive based approach to conservation. This allows NAWCA partners to work collaboratively with willing private landowners, especially farmers, ranchers and foresters, who are the key to any wildlife conservation efforts. Plainly put, if you do not work cooperatively with private landowners you will not be able to successfully secure essential habitat for waterfowl, other wildlife and especially threatened and endangered species.

DU appreciates the Chairman and Ranking Member's support for the reauthorization of NAWCA at \$50 million a year for five years in the Hunting Heritage and Environmental Preservation for Wildlife Act (HELP Act). We strongly believe that NAWCA has proven to be a successful model for wildlife habitat conservation that prioritizes cooperation with private landowners and the generation of partner dollars not just federal money. The NAWCA grant is the "seed" money that generates a four times return in on-the-ground conservation investment. In these times of federal deficits, NAWCA maximizes a modest federal investment in habitat conservation and stretches it beyond the requirements of the law.

DU also strongly supports the reauthorization of the Partners for Fish and Wildlife Program as proposed in the Wildlife Innovation and Longevity Driver Act (WILD Act). The "Partners" program has a long track record of working cooperatively with ranchers and other private landowners to improve their lands for the benefit of fish and wildlife.

Additionally, DU supports the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017. There is perhaps no single greater success story in the history of our nation's wildlife conservation journey than the creation of the "PR fund." Sportsmen and the hunting and shooting sports industry early on in our nation's history realized, but most importantly embraced their inherent responsibility in ensuring there was sufficient habitat to sustain the fish and wildlife resources that they prized. As a result, the excise tax that is imposed on the sales of firearms and ammunition (PR fund) has generated more than \$ 2 billion for wildlife habitat conservation in all 50 states. To ensure this success story continues for the next generation of sportsmen and sportswomen, the "Modernizing PR Act" will utilize critical funds to recruit and retain our next generation of hunters and recreational shooters, without whom our conservation future would look bleak.

As we consider the future of wildlife conservation funding it is critical for stakeholders, especially our partners at the state departments of fish, wildlife and natural resources, to have the adequate resources to address the problems associated with the listing of imperiled species. While these state agencies have the mandate, talent and drive to manage for a vast array of fish and wildlife management challenges they lack the necessary financial resources to keep pace with the complex and growing scope of critical work. The Recovering America's Wildlife Act (RAWA—S. 3223) would authorize \$1.3 billion annually from existing royalty revenues generated by the development of energy and mineral resources on federal lands and waters for state fish and wildlife agencies to address a much broader array of challenges and implement proactive conservation programs. And while these resources would go to the restoration and recovery of federally listed threatened and endangered species, they would also help prevent future listings of potentially at risk species. In the long run, this approach will save limited dollars because managing a species after it has declined to the point of being listed, costs vastly more than managing it so that it avoids being listed. Furthermore, fewer listings will provide greater certainty to private landowners, hunters, anglers and other outdoor recreational businesses that make a living off of our nation's shared land and water resources. Since 1937, the investment of Pittman-Robertson dollars in the states has helped in the recovery of many of our nation's most celebrated game species, including wood ducks, elk and pronghorn antelope. Now it's time to take that same approach to addressing our nation's imperiled fish and wildlife populations. Efforts that strengthen the state's role in managing fish and wildlife populations, for game and non-game species alike, will invariably be key to the successful long-term management of our nation's diverse and inspiring natural resources.

In conclusion, DU will continue to support the Chairman and the Ranking Member as they work through important policy decisions that will have long-term impacts on the health of our country's fish and wildlife populations, both game and non-game species alike. Fortunately we have existing programs that already provide help for both. For example, reauthorizing NAWCA will ensure that it continues to deliver important wetland habitat that waterfowl need, while also providing critical habitat for approximately half of the nation's threatened and endangered species that depend on wetlands. Reauthorizing the Partners for Fish and Wildlife program will allow it to continue providing necessary habitat for grassland nesting birds in the prairies and critical habitat for sage grouse in the intermountain west states. Finally, passage of the

Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017, to recruit and retain more hunters and shooters and passage of RAWA will provide the state fish and wildlife agencies the essential resources they need to manage fish and wildlife populations and restore and recover imperiled species.

Thank you very much Chairman Barrasso, Ranking Member Carper and the esteemed members of the Senate Committee on the Environment and Public Works for providing me the opportunity to provide testimony and address the committee.

**Senate Committee on Environment and Public Works**  
**Hearing entitled, “Examining Funding Needs for Wildlife Conservation, Recovery, and**  
**Management”**  
**November 15, 2018**  
**Questions for the Record for Mr. McShane**

**Ranking Member Carper:**

1. Mr. McShane, I’d like to first thank Ducks Unlimited for its conservation work in Delaware. The North American Wetlands Conservation Act (NAWCA), which you highlighted in your testimony, has enabled 10 successful projects in Delaware, in large part due to contributions from Ducks Unlimited. I strongly support reauthorization and robust appropriations for the NAWCA program, and I look forward to working with you to that end.

Your testimony also outlines how dedicated funding through the Pittman-Robertson Act helped game species rebound over the course of the last several decades. You suggest that Congress should apply this same approach for non-game species.

Would you elaborate on the importance of providing reliable, dedicated funding? How do funding inconsistencies and fluctuations impact habitat conservation projects?

- Ranking Member Carper, thank you for your continued support for the North American Wetlands Conservation Act (NAWCA) and your commitment to its successful reauthorization. By providing reliable, dedicated funding for the conservation of imperiled species you enable state fish and wildlife managers to properly plan, in advance of potential threatened and endangered species listings, to provide enhanced and adequate habitat for these at risk species. This will reduce these listings as well as maximize funding for on-the-ground habitat conservation efforts through better planning and strategy execution.
2. You have a unique perspective as a former wildlife manager and as a landowner. Given those experiences, would you share some examples of how the Endangered Species Act has worked well in South Carolina and beyond?
    - Efforts in the southeastern U.S. to restore the Red-cockaded Woodpecker (RCW) have been aided through working cooperatively with private forest owners, state fish and wildlife professionals and the U.S. Fish and Wildlife Service. In South Carolina, many private landowners, because of the Safe Harbor Agreements (SHA) executed through the Endangered Species Act (ESA), voluntarily worked with state and federal partners to improve habitat for RCW’s on the forest stands and in some cases relocate RCW’s to private lands.

Do you believe providing additional financial resources to states and federal agencies would improve Endangered Species Act implementation? Do you also agree that

preventing new listings could help alleviate landowner concerns about the Endangered Species Act? Is funding a primary barrier to preventing new listings at this point?

- Adequate and reliable funding will enable our state and federal wildlife professionals, in conjunction with private landowners, to manage the essential habitat needs of our nation's imperiled fish and wildlife species. These same partnerships have been extremely successful at managing and sustaining game species and with dedicated, consistent funding for imperiled species we can expect similar successful outcomes. In the end, we will show that with adequate resources and working cooperatively with private landowners we can avoid getting to the point where we have to list species as threatened or endangered. That's good for wildlife and it's good for farmers, ranchers and foresters that make a living off of the land.

**Senator Whitehouse:**

3. Mr. McShane, you have been very active in land conservation efforts in South Carolina. How are the organizations you currently or previously worked with preparing for the climate-change-driven changes the state is expecting, especially along the coasts where increased storm surge and sea level rise are already flooding some coastal communities?

- Senator Whitehouse, thank you very much for your question as it hits very close to home for me and my neighbors in coastal South Carolina. In September of this year, Hurricane Florence roared into the coastal Carolinas dumping unprecedented amounts of precipitation. Some communities are still rebuilding from the damage and will continue to be for months to come. In Georgetown, South Carolina, computer models showed that flood waters would exceed ten feet in downtown Georgetown. Mandatory evacuations were ordered by the governor as residents prepared for the worst. However, what the models did not account for were the thousands of acres of restored wetlands and permanent conservation easements in the deltas of the Pee Dee and Waccamaw Rivers. Those wetlands absorbed the brunt of water rushing toward Georgetown and the city streets were not flooded, let alone avoiding the ten foot surge predicted by the computer models. Wetlands conservation and restoration, combined with conservation easements saved lives and property in Georgetown, South Carolina in the aftermath of Hurricane Florence.



Senator BARRASSO. Well, thank you very much, and thank you for the wonderful work that Ducks Unlimited continues to do on behalf of all of us.

Mr. Schwaab, you are next.

**STATEMENT OF ERIC SCHWAAB, FORMER DEPUTY SECRETARY FOR MARYLAND DEPARTMENT OF NATURAL RESOURCES & FORMER ASSISTANT ADMINISTRATOR FOR NATIONAL OCEANIC AND ATMOSPHERIC AGENCY**

Mr. SCHWAAB. Good morning, Chairman Barrasso, Ranking Member Carper. Thank you so much for the opportunity to appear before you today.

As Senator Cardin introduced me, I am a career conservation professional with experience in fish and wildlife work at State, Federal, NGO, and conservation foundation levels. Over the years, I have had the good fortune to work across organizations on multiple conservation efforts. My views expressed here are informed by those experiences, but today are solely my own.

I would like to spend some time focusing on a couple of key elements of the written testimony that I submitted.

First, we have many unmet challenges facing wildlife across this Country. They range from continuing declines of formerly common species to new problems associated with loss of habitat, invasive species, wildlife disease, and changing environmental conditions.

One recent assessment found that as many as one-third of America's species are vulnerable. Forty percent of our native freshwater fish species are at risk of extinction. Amphibian populations are disappearing at a rate of 4 percent a year, and 60 percent of our freshwater mussels are at risk. Monarch butterflies have faced a 90 percent decline in the past few decades. At least a third of North America's birds are declining.

State fish and wildlife agencies have identified more than 12,000 species of greatest conservation need requiring attention. There are many more species for which we lack status information.

My second major point is that an effective response will require an all-hands-on-deck approach. We must better engage both Federal and State agencies, and private sector partners; and ultimate success will require use of both existing conservation science and management tools and existing and new funding.

Our success in recovering game and sport fish species has at its root the unique partnerships that exist among State and Federal conservation agencies. Both State and Federal natural resource agencies have statutory responsibilities and long histories in fish and wildlife conservation.

Having personally been on both sides of the State-Federal table, I can attest to both the fundamental roles of State agencies and the importance of Federal leadership and expertise, particularly for wide-ranging species.

In my written testimony I discuss the story of striped bass recovery on the Atlantic coast. But whether for a State-managed species like striped bass, federally managed waterfowl and other migratory bird species, or in the case of interdependent species like horseshoe crabs and red knots, examples of success abound. The most successful programs have at their foundation shared science, collabo-

rative management, and the financial resources to sustain critical work.

My final key point is that more needs to be done. This includes new funding for existing programs and dedicated new funding for broader wildlife conservation efforts. The hunter-angler-based funding model which resulted in the recovery of many of our game and sport fish species focused necessary attention on those target species.

Over the years there have been attempts to broaden wildlife conservation funding at both State and Federal levels. Several States have dedicated portions of their sales tax revenues or implemented voluntary methods such as income tax checkoffs, license plates, and lotteries to fill this funding gap.

Since 2000, at the Federal level, significant new funds have been provided through the State Wildlife Grants program. While these sources are important, they still fall short of today's needs.

A blue-ribbon panel of business and conservation leaders tackled this need again in 2014. The businesses involved ranged from outdoor retailers to oil and gas companies, with all citing healthy fish and wildlife as essential to their bottom lines. These leaders estimated the need has now reached at least \$1.3 billion annually across the Nation. They said that the magnitude of the solution must match the magnitude of the problem and recommended establishment of a new Federal fund dedicated to preventing wildlife from becoming endangered.

Strong science and management capacities, working relationships among agency personnel, and ability to engage at the community level with landowners has been possible in large part to dedicated funding of the sport fish and wildlife restorations programs. Similar dedicated funding will be necessary to expand on these past successes.

Let me close by emphasizing that taking additional steps now will have lasting benefits not only for our natural systems, but for the people who depend upon them. There is strong agreement that action to prevent wildlife from becoming endangered is the most cost-effective conservation approach.

While actions to prevent further decline or extinction of listed species remain critically important and are sometimes our only option, work to avoid listing in the first place increases the variety of conservation measures available and the likelihood of success. Just like treating a common cold before it turns into pneumonia, taking preventive actions with wildlife to reduce risk to species saves money and reduces risk and uncertainty for businesses.

Thank you for your time, and I am happy to answer questions that you may have.

[The prepared statement of Mr. Schwaab follows:]

Statement by Eric Schwaab  
Before the  
U.S. Senate Committee on Environment and Public Works  
Washington, DC  
Funding Needs for Wildlife Conservation, Recovery, and Management  
November 15, 2018

Mr. Chairman, Members of the Committee, thank you for the opportunity to appear before you and address funding needs and opportunities associated with the conservation and recovery of wildlife.

I am a career conservation professional with extensive experience in fish and wildlife conservation at state and federal agencies and within the non-profit and conservation foundation sectors. My past experiences have included service within the Maryland Department of Natural Resources as Director of the then Forest, Wildlife and Heritage Service and later as Deputy Secretary of Natural Resources. Beginning in 2010, I served as the Assistant Administrator of NOAA directing the National Marine Fisheries Service then later as the acting Assistant Secretary of Commerce for Conservation and Management in 2012 and 2013. More recently, I served as the Vice President for Conservation Programs at the National Fish and Wildlife Foundation, developing and implementing public-private conservation programs across the country.

Over the years, I have had the good fortune to work collaboratively across organizations on multiple fish and wildlife conservation efforts in Maryland and across the country. My views expressed here are informed by those experiences but are solely my own

**I. Wildlife Conservation: America's Legacy of Success**

We are fortunate to live in a country with a tremendous fish and wildlife heritage and a legacy of conservation commitment and success. Our past success is built on shared appreciation for our natural environment and a long list of conservation actions by states, by Congress, by federal agencies, hunters and anglers, birders, scientists and many others. Some of these efforts date back over 100 years and continue to pay dividends today. Others are more recent.

Dating back to the early 1900's, many of our most iconic species were in trouble. White-tailed deer, elk, wild turkey and bison populations had been decimated. Oysters in Chesapeake Bay and elsewhere were being harvested at unsustainable levels. Extensive dam construction was disconnecting aquatic species like shad and river herring from spawning grounds. Indiscriminate timber harvest and mining had extensively affected upland habitat and led to rampant erosion, destroying streams and heavily impacting many aquatic species.

The American response to these conditions formed the basis of the conservation movement of the 20th century. The overharvest problem was addressed through passage of landmark wildlife protection laws, like the Lacey Act of 1900, and establishment of professional wildlife management agencies to regulate harvest and scientifically manage fish and game populations.

Common species of today that had been driven to the brink started on the long path to recovery.

## **II. Key to Our Legacy of Success: Reliable Funding**

One essential ingredient to the success was creation of dedicated funding streams for game species recovery, conservation and management. Funding at the state level was initially provided from hunting and fishing licenses dedicated back into professional wildlife departments. The federal government began supplementing state license funds through the Pittman-Robertson Wildlife Restoration Act of 1937, which redirected the excise tax on firearms and ammunition into state fish and wildlife management, and later through the Dingell-Johnson Sportfish Restoration Act of 1950, which dedicated funds from fishing tackle to fish conservation.

Over the last century, these state and federal funds were invested in supporting scientific management and habitat protection, with the ultimate effect of reversing many fish and wildlife declines. Reliable funding permitted sustained action over time, supporting staff, research, monitoring and habitat and species restoration activities needed to achieve long term conservation goals. The availability of reliable funding was critical to the successful recovery of many of the game and sportfish species on which our hunting and fishing heritage and economies depend.

While many other areas of state and federal conservation spending benefit fish and wildlife, much of our core wildlife management and conservation activities are still funded primarily by revenue derived from hunters and anglers. Today, 80 percent of state fish and wildlife agency budgets continues to come from hunters and anglers and the total amount available is insufficient to stem the dramatic decline in many species, particularly non-game species.

## **III. Key to Our Legacy of Success: The State-Federal Wildlife Conservation Partnership**

In addition to reliable funding, our nation's success in recovering game and sportfish species also has at its roots the unique partnerships that exist among state and federal conservation agencies. Both state and federal natural resource agencies have statutory responsibilities and long histories in fish and wildlife conservation. And some of our most impactful and lasting successes are built on those shared and complementary roles, including in implementation of the Endangered Species Act. Having sat on both sides of the federal-state collaboration table, I can attest for the importance of federal leadership, particularly in the case of species whose ranges span multiple state land and water jurisdictions.

I have worked extensively on interjurisdictional fisheries management challenges. Beginning with my tenure as the Fisheries Director for the Maryland Department of Natural Resources and continuing through my service at NOAA I worked jointly through interstate collaborations like the Atlantic States Marine Fisheries Commission and through the fishery management council process to collaborate on science, management and allocation of funding to secure conservation of iconic species like striped bass equally important but less iconic species like river herring.

In the case of striped bass, a state-managed species supporting historically important commercial and recreational fisheries up and down the east coast was on the verge of collapse in the late 1970's. Maryland imposed a harvest moratorium from 1984 to 1990, and other states, including Virginia, took strong parallel action. Congress acted in 1979 to initiate emergency study action and authorize key funding. Later Congress acted again to strengthen interstate management authorities under the Atlantic Striped Bass Conservation Act. Since the late 1970's the states, Congress, federal agencies and others have collaborated to restore and sustain a fish stock that supports millions of recreational anglers, countless sportfishing businesses and valuable commercial fisheries from North Carolina to Maine. In my home state of Maryland, federal Sportfish Restoration funding (Dingell-Johnson/Wallop-Breaux Acts) continues to support key science and management activities critical to sustainable management of this fishery resource.

Whether for a state-managed species like striped bass, federally-managed waterfowl and other migratory bird species, or in the case of interdependent species like horseshoe crabs and red knots, examples of successful, collaborative conservation abound. And the most successful programs have at their foundation shared science, collaborative management and sufficient financial resources to sustain critical work.

Further, any comprehensive wildlife funding solution should consider both state and federal funding needs across multiple authorities.

#### **IV. Today's Wildlife Conservation Challenge**

Despite our history of success in conserving and recovering some fish and wildlife species, there remains a clear and growing need to do more. Ample scientific research has documented the decline of biological resources around the world and right here in the United States. One assessment found that as many as one-third of America's species are vulnerable, with one in five imperiled and at high risk of extinction.<sup>1</sup>

For example:

- 40 percent of our native freshwater fish species are at risk of extinction.<sup>2</sup>
- Amphibian populations are disappearing at a rate of 4 percent a year.<sup>3</sup>
- Sixty percent of our freshwater mussels are imperiled or vulnerable.<sup>4</sup>
- Monarch butterflies, also once very common showing up in backyards across the country are facing a 90 percent decline in the past few decades.<sup>5</sup> While the plight of the Monarch is relatively well-known, of the 800 other butterfly species we have, 17 percent are known to be at risk of extinction.<sup>6</sup>
- At least a third of North America's birds are declining including the once common meadowlark (71 percent decline) that lives in our meadows, wood thrush from our forests (60 percent decline), and even the chimney swift (53 percent decline) that frequents our urban communities. It is estimated we have lost more than a billion birds since 1970.<sup>7</sup>

There are unfortunately numerous examples of many individual species in severe decline with many more that we simply don't know enough to even know their status. State fish and wildlife agencies have identified more than 12,000 species of greatest conservation need requiring proactive conservation attention. This number includes species listed under the federal Endangered Species Act (ESA) and thousands of others that might be headed in that direction.

Past threats associated with habitat loss, over harvest and pollution are now exacerbated by new threats from emerging diseases, invasive species and extreme weather. This has led to significant new declines in every category of wildlife and in every corner of our country.

The enactment of the federal Endangered Species Preservation Act of 1966 and later the Endangered Species Act of 1973 represented our nation's first major efforts to tackle the widespread decline of fish and wildlife species. While the ESA has been very successful at halting imminent loss of species - including directly preventing the extinction of more than 200 species<sup>8</sup> - it also provides an unfortunate measure of the challenge ahead. Today, more than 1,600 species remain federally listed and in need of conservation attention. Further, approximately 30% of federally listed species do not even have recovery plans, largely due to lack of funding. Additional financial resources would also facilitate improved collaboration between federal agencies and states, tribes, private landowners and other stakeholders.

Not only are these listing actions of biological concern but also are of financial concern for both our nation's taxpayers and our economy. There is strong agreement that proactive conservation to prevent wildlife from becoming endangered presents a cost-effective conservation approach. While actions to prevent further decline or extinction of listed species remain critically important

and are sometimes our only option, steps taken to avoid the listing actions in the first place increase the variety of conservation measures available and the likelihood of success.

Additionally, because biologists lack basic information on the status and location of many declining species, businesses can be surprised in mid-stream, having to stop work until surveys are conducted, leading to increasing costs. Just like treating a common cold before it turns into pneumonia, taking preventative actions with wildlife reduces risk to species, saves money and reduces risk and uncertainty for businesses. Preventing wildlife from becoming endangered is good for wildlife, good for taxpayers and good for business. It is in the federal and state interest to ensure wildlife thrive.

#### **V. A Central Cause: Insufficient Funding**

The hunter-angler based funding model which resulted in the recovery of many of our most treasured game and sportfish species has had the unintended effect of focusing attention on a smaller suite of species while omitting conservation attention for hundreds of other species. Over the years, there have been attempts to broaden wildlife conservation funding at both state and federal levels. Several states have dedicated portions of their sales tax revenues or implemented voluntary methods such as income tax checkoffs, specialty license plates, lotteries and other sources to fill this funding gap. Since 2000, at the federal level, some significant funds have been provided through the State Wildlife Grants program. While these sources are important, they fall short of today's needs.

With no adequate solution in sight, a diverse "Blue Ribbon Panel" panel of business and conservation leaders tackled this again in 2014 and determined the need has now reached at least \$1.3 billion annually. The businesses involved ranged from outdoor retailers to oil and gas companies, both citing healthy fish and wildlife as essential to their bottom line. These leaders recognized the magnitude of the solution must match the magnitude of the problem and recommended the establishment of a federal fund dedicated to preventing wildlife from becoming endangered.

#### **VI. The Strategic Opportunity: Investing in Conservation**

The existing state-federal wildlife management partnership, embodied through programs and statutes already on the books, provides vehicles for funding wildlife conservation with a high likelihood of success in recovering species.

As noted earlier, Congress took an important step toward solving this problem in 2000 when they created the Wildlife Conservation and Restoration Program (WCRP), which has created a statutory framework for further action.

Paired with adequate funding for implementation of the Endangered Species Act, the WCRP provides a platform for the efficient deployment of additional funds necessary to support immediate on-the-ground conservation action aimed at species of greatest conservation need. Key elements include:

#### 1. Statutory/Programmatic Framework Ready for Funding

Congress created the Wildlife Conservation and Restoration Program in 2000 (P.L. 106-553). The WCRP was established as a subaccount of the Pittman-Robertson Federal Aid in Wildlife Restoration Act, providing for apportioned funding to state fish and wildlife agencies for implementing conservation programs targeted at species of greatest conservation need. However, unlike the primary Pittman-Robertson program, the WCRP was not set up with a dedicated source of funding. Congress provided one year of appropriations in Fiscal Year (FY) 2001, but the program has been unfunded since that time. In lieu of funding the WCRP, Congress has appropriated funds for the last 18 years for State Wildlife Grants. Appropriations have ranged from \$50 million to \$90 million appropriated over the period of FY 2001 - 2018.

In order to allocate WCRP and SWG funds, the US Fish & Wildlife Service and state fish and wildlife agencies developed programmatic structures for implementing both programs within the existing Federal Aid system. This system provided a means for allocating funds to states, monitoring their use, and resolving questions that arose during implementation. Over the 18 years of implementing State Wildlife Grants, the Federal Aid system has delivered funding on the ground all over the nation, in every state, territory and the District of Columbia.

#### 2. State Wildlife Grants: Demonstrating Success on the Ground

Congress has provided just over a billion dollars in funding for SWG over the last 18 years. Over that time, the state fish and wildlife agencies, in partnership with federal agencies, have implemented hundreds of conservation projects in multiple habitat types and at multiple scales. The agencies have used SWG funds to restore and protect habitat, understand species status, research best management practices, develop partnerships with private landowners, address invasive species, and tackle a range of other threats. These actions have resulted in concrete improvements in status for federally listed species as well as other species of conservation need.

- In 2015, the Service determined that the New England cottontail did not need protection under the Endangered Species Act. This decision was a result of regional and interagency collaboration that was significantly funded by State Wildlife Grants. Conservation activities carried out by state fish and wildlife agencies included habitat restoration,



captive breeding and coordinated survey and monitoring. Coordination and support from federal agencies and private institutions were also key to this regional effort.

- The Amargosa toad, endemic to one valley in Nevada, has been the subject of investment by the Nevada Department of Wildlife and other conservation partners. In 2010, the Service determined that the Amargosa toad was not warranted for an ESA listing in part due to these collaborative conservation efforts.
- In 2011, the Service determined that the mountain plover was not warranted for an ESA listing. This species was the subject of considerable investment by state wildlife agencies in the Great Plains region, which was used to protect the bird's habitat and gather more accurate survey data to assess the status of the species.

These are just three examples of how SWG funds have been used over the years to recover at-risk species. Even with limited and highly variable annual funding, many state fish and wildlife agencies have similar success stories. These experiences provide a compelling demonstration of how effective preventive conservation funding could be deployed through a state-based system, working in partnership with federal agencies and the private sector. They also provide a compelling glimpse of how much we could accomplish if funding was sustained over multiple years.

### 3. Setting Priorities: State Wildlife Action Plans

As a requirement of both WCRP and SWG, every state fish and wildlife agency has developed a "state wildlife action plan". These congressionally-mandated plans directed the states to identify species of greatest conservation need, which includes federally-listed and candidate species as well as a broader set of fish and wildlife that are at risk of decline. The action plans also required states to identify key habitats, threats and actions needed to recover and manage the target species. Since their initial adoption in 2005, the action plans have been revised to include the most up-to-date science and public input as required at ten-year intervals and in some states even more often.

The development of the wildlife action plans represented an unprecedented step forward in wildlife conservation planning. The state fish and wildlife agencies adopted a variety of planning approaches and methodologies, driven by each state's biological and administrative context. While the diversity of approaches can present challenges to larger scale evaluations of the plans, the wildlife action plans have proven to be very useful to the state fish and wildlife agencies, partner agencies and organizations.

In partnership with the Fish and Wildlife Service, the agencies have used their wildlife action plans to guide the use of SWG funds toward the highest priority species of greatest conservation

need and habitat types. Given the expansive concept of species of greatest conservation need, this has meant an increase in funds targeted at federally-listed and candidate species. For instance, the Georgia Department of Natural Resources estimates that about one-quarter of SWG funds have been targeted at listed or candidate species. Similarly, the Texas Parks and Wildlife Department allocates about 10 - 20 percent of their SWG funds to listed or candidate species, or about \$100,000 - \$200,000 annually (which far exceeds comparable spending under the Cooperative Endangered Species Conservation Fund [Section 6].)

Writ large, the state wildlife action plans have already started transforming the business of conservation for at-risk wildlife. Compared to a decade or two ago, the concept of “species of greatest conservation need” has entered the lexicon of state and wildlife managers, in terms of guiding project level activities, programmatic decisions, and agency-wide strategy. It has also become a common currency for collaborative conservation with federal agencies and nongovernmental partners.

What the agencies need most is an increased level of financial resources to implement their action plans, both at the federal and state level. In recent years, several states have pursued measures to increase state-level funding for at-risk species conservation through legislative action and ballot initiatives. Just a few weeks ago, Georgia voters overwhelmingly supported redirecting their state sales tax on outdoor gear to the stewardship of wildlife habitat among other needs.

Some states are already using their wildlife action plans to provide clearer quantification of how they would apply additional federal and non-federal funds to conserve species at-risk. For instance:

- The Texas Parks and Wildlife Department has used their action plan to develop an allocation strategy that prioritizes additional conservation funding into three key goals: species-of-conservation-need stewardship, recreation, and citizen engagement, with each priority area further broken down into key conservation actions.
- In Montana, the Department of Fish, Wildlife and Parks has used its wildlife action plan to aggregate conservation needs into six major priority areas: landscape-level habitat conservation, smaller/place-based conservation projects, species-focused conservation actions, inventory of species of concern, public engagement and recreational infrastructure to connect people with the outdoors.

Notably, in these examples, the state fish and wildlife agencies are outlining their work in terms of how they would dedicate additional federal funds for wildlife action plan implementation as well as how they would leverage additional non-federal funds. This means that the

congressionally-mandated plans provide for accountability even beyond just the use of federal funds.

The implementation of the wildlife action plans to date also suggests the potential for greater consistency and coordination when they are funded at a more robust and sustainable level. Around the country, fish and wildlife agencies have already made efforts to coordinate regionally and develop common strategies across state lines. For instance, Northeastern states used their initial wildlife action plans to identify the need for a regionally consistent habitat classification system, which has further fostered the identification of shared priorities. In the West, the state wildlife action plans provided a starting point for the identification of regionally important crucial habitat via the Western Governors Association's Crucial Habitat Assessment Tool.

## **VI. Summary**

Congress can build on past successes and again play a central role in conserving at-risk species with the establishment of a dedicated fund for wildlife. Based on past investments, wild turkey now exist in every state in the nation. Striped bass represent not only a Chesapeake Bay success story, but one that has supported millions of anglers up and down the Atlantic coast, sustained tourism related economic activity in coastal communities from North Carolina to Maine and continued sustainable commercial fisheries.

There are several key needs for continued progress:

Dedicated and adequate funds that offer reliability for fish and wildlife managers to scale programs to address current and emerging needs. It can take years to successfully restore a species from the brink of extinction. Our nation's symbol, the bald eagle, was in trouble in the 1960s. Today, it can be seen frequently now in the DC area and in eagle festivals from Alaska to Oklahoma to Connecticut. But it took effort every year for many years to return the eagle to a healthy status. To do this for more than one species at a time, we need reliable and adequate funding on which all conservation partners can depend.

States must also step up to the plate. Any federal investment should continue to require a match to incentivize state legislatures and governors to also invest in the state-federal partnership and a nationwide solution. Georgia just passed such a measure with 85% of the vote a few weeks ago. As with the existing Pittman-Robertson and Dingell-Johnson programs, requiring that federal dollars be leveraged using state and private funds helps amplify the scale of conservation and build local ownership.

Relying on the the state wildlife action plans to target funds at species of greatest conservation need will provide an important road map to help ensure that funds are targeted at the full array of declining fish and wildlife, including federally-listed species. The action plans also require

revision and public input at least every ten years, and coordination with other state and federal agencies, tribes, and others. Lastly, they require approval by the U.S. Fish and Wildlife Service. Another notable enhancement could require Fish and Wildlife Service coordination with NOAA where species of shared interest are involved. These measures together help to enhance shared prioritization and transparency for both the state's citizens and Congress.

In addition to continued actions in support of ESA listed species, there is broad support for increased, dedicated funding to prevent wildlife from becoming endangered. Historically, a nationwide coalition of more than 6000 groups under the "Teaming with Wildlife" banner supported such funding. More recently, more than 1000 groups and businesses have stepped up and signed on in support of increased conservation funding. This includes notable businesses like Bass Pro Shops, the Avett Brothers, American Fly Fishing Trade Association, and many smaller businesses that make a living off of healthy fish and wildlife.

Continued support for conservation is also reflected in a diversity of conservation interests from birders, hunters, anglers, gardeners and others that enjoy the great outdoors from our wild places to our backyards. Support for this concept comes from groups like the Congressional Sportsmen's Foundation, Trout Unlimited, Audubon, Rocky Mountain Elk Foundation, Pheasants Forever, The Wildlife Society, American Fisheries Society, and the National Wildlife Federation and its state-based affiliates.

We are a nation of natural beauty that includes magnificent and much cherished wildlife. In recent months, we have seen increasing Congressional interest in advancing legislation to tackle conservation needs, including the recently-expired Land and Water Conservation Fund and the maintenance backlog in national parks. The opportunity is before us to ensure that proactive wildlife conservation is part of this discussion. It is our opportunity at this time in our nation's history to not only save the Monarch butterfly and prevent it from the fate of the passenger pigeon. Finally, we can do so in ways that are collaborative, cost effective and preserve not only our wildlife and their ecosystems, but the myriad services they provide for our local communities.

Thank you again for the opportunity to testify.

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**Senate Committee on Environment and Public Works**  
**Hearing entitled, “Examining Funding Needs for Wildlife Conservation, Recovery, and**  
**Management”**  
**November 15, 2018**  
**Questions for the Record for Mr. Schwaab**

**Ranking Member Carper:**

1. Mr. Schwaab, your testimony mentions shared roles between the states and federal agencies when it comes to wildlife conservation. Specifically, you mentioned the success of the Endangered Species Act.

Given your experience working for both a federal agency and a state, would you provide some examples of how the states and federal agencies have worked well together on managing threatened and endangered species? Generally speaking, do you believe the Endangered Species Act provides a role for states?

Answer: The ESA absolutely provides an important role for states. It provides substantive, formal opportunities for state work on the recovery of endangered and threatened species, such as through Section 6. States also have a critical role in the delisting process, with state plans for managing and maintaining species post-delisting. Further, the reality on the ground is that states often play a significant role in the day-to-day activities of managing federally listed species and their habitat.

In my home state, the delisting of the Delmarva fox squirrel in 2015 demonstrated the effectiveness of the Endangered Species Act while highlighting the importance of federal, state and private partnerships. The Delmarva fox squirrel was among the first species listed as Endangered in 1967. About twice as big as the ubiquitous eastern gray squirrel, it occupies mature to old forest and historically occurred throughout most of the Delmarva Peninsula and southeastern PA. By the mid-1900's, populations were greatly diminished by habitat loss due to development and timber harvesting, as well as over-hunting. At the time of its listing as Endangered, it was reduced to scattered remnant populations in just four counties on Maryland's Eastern Shore, representing about 10% of the Delmarva Peninsula. In the years that followed, with assistance and funding from USFWS, state agencies (MD DNR, DE Natural Heritage Program, VA Dept Game and Inland Fisheries) played a key role in the recovery of the Delmarva fox squirrel. They successfully translocated and reestablished populations in 11 areas throughout the Delmarva. They worked with private landowners, the forest industry, land planning agencies, and public land managers to manage forests while protecting critical habitat. They invested in years of population monitoring and research to ensure that the species' recovery was driven by science and the best available data. The Delmarva fox squirrel's recovery and delisting would not have been possible without this 40 plus year collaborative effort between the USFWS, state agencies and private entities.

The Upper Big Hole River in Montana is home to one of the last native Arctic grayling populations in the lower 48 states. Disruptions to grayling habitat from development, dams and mining, and drought in the 1980's caused a massive decline in the fish population. In 1991, it was listed as a candidate for ESA protections, and Montana Fish Wildlife and Parks hired an Arctic Grayling Recovery Biologist as part of a larger, interagency group, the Fluvial Arctic Grayling Workgroup. The workgroup decided that securing local cooperation was critical to the long-term success of the species and worked with local communities and ranchers to implement solutions like hauling stockwater and drilling wells to close ditches. In addition, the US Fish and Wildlife Service, Montana Fish Wildlife and Parks, Montana Department of Natural Resources Conservation, and the Natural Resources Conservation Service put into place a Candidate Conservation Agreement with Assurances (CCAA). This created a larger strategic plan for recovering the grayling population in the Big Hole and landowners enrolled in the CCAA were provided legal protections. The grayling is not yet complete, and climate change poses a severe threat to the species, but the effort in the Big Hole to coordinate federal and state agencies to work with local communities and farmers and ranchers provides a model for how the ESA provides avenues for cooperation amongst different entities.

Over the last century, New England cottontail's preferred habitat, young forests, have dwindled because of development or because they have matured into older, less dense forests. States, federal agencies, tribes and non-profit organizations have worked together to re-create the mix of mature forests, open meadows, and shrubby fields New England cottontails need. With healthier habitats created, the partners have begun reintroducing captive-bred rabbits. The Roger Williams Park Zoo in Providence, Rhode Island has been breeding New England cottontails in captivity since 2010, and in 2015 was joined by the Queens Zoo in New York. Together, they have successfully released over 200 cottontails in designated focus areas. These collaborative efforts have been successful, and in 2015 the U.S. Fish and Wildlife Service removed the New England cottontail as a candidate for listing under the Endangered Species Act.

2. You shared some encouraging success stories, which are especially compelling since you have been on both sides of the federal-state partnership that is required to conserve species.

Would you say that providing additional financial resources to both states and federal agencies could create even more opportunities for effective collaboration?

For example, federal agencies have a variety of collaboration tools to partner with states and landowners, including Safe Harbor Agreements, Candidate Conservation Agreements and Habitat Conservation Plans. But would you agree that the agencies need adequate financial resources to fully utilize these tools and execute agreements?

Answer: Yes absolutely, it is essential that both state and federal agencies are adequately funded to do their parts, in close collaboration, to ensure more successful restoration of

wildlife species. While these agencies need additional funds to tackle restoring listed species, our nation needs a well-funded program to prevent these listing in the first place.

In FY 2001 Congress began appropriating federal funds (\$50-\$100 million annually) through the State Wildlife Grants program in recognition of the need to be proactive and focus on the “upstream solution” and avoid “listing downstream”. These funds, along with required state matching funds, have resulted in tremendous benefits for wildlife. Prime examples where they have been used are New England cottontail, as already noted, and greater sage grouse, where broad partnerships of state and federal agencies with cooperation of private landowners have implemented large-scale conservation efforts to prevent further declines of these species.

Secondly, states also spend these funds to augment section 6 ESA funds, which fall short of the overall need for protection and recovery of federally-listed species. State Wildlife Action Plans, funded through the federal State Wildlife Grants, include a list of *Species of Greatest Conservation Need*. These species include both federal and state endangered species as well as those in the pipeline showing signs of decline. Additional funding through a dedicated annual federal program that requires state match would allow states to address their needs for all species on their *Species of Greatest Conservation Need* list.

In addition, federal agencies involved in implementation of the Endangered Species Act and the recovery of federally listed species unquestionably need more funding to meet their obligations under the act and toward wildlife. The agencies directly responsible for recovering listed species, the Fish and Wildlife Services and NOAA Fisheries, are consistently underfunded by Congress particularly as it relates to their responsibilities for listing and recovery of endangered and threatened species. Federal land and resource management agencies are also underfunded in their important roles managing federal lands, waters and projects for endangered and threatened species.

3. The United States is home to more than 570 federally recognized Tribes, which have jurisdiction over more than 85 million acres of traditional lands and other holdings in Alaska and the Lower 48 states. These lands support more than 525 federally protected species and thousands more of ecological and cultural significance to Tribes.

Would you agree that any dedicated wildlife funding legislation should include strong provisions to support tribal wildlife conservation programs?

Answer: Yes, I agree that tribal wildlife conservation programs should be included in any dedicated wildlife funding legislation. Tribes bear responsibility for or influence the management for fish and wildlife on a natural resource base of nearly 140 million acres, including their sovereign lands within the exterior boundaries of reservations, trust lands, fee lands owned by a tribe or tribal individuals, ceded areas, treaty hunting areas and other co-managed lands outside of reservations. These areas encompass more than 730,000 acres of lakes and reservoirs, over 10,000 miles of streams and rivers, and over



18 million acres of forested lands. Tribal lands provide vital habitat for more than 525 federally-listed threatened and endangered plants and animals, many of which are both ecologically and culturally significant to Tribes. While appropriated funds have been made available through the State and Tribal Wildlife Grants program of the United States Fish and Wildlife Service, the lack of assured and sufficient dedicated funds for the Wildlife Conservation and Restoration Account has left unrealized the goals of the Account, thereby allowing fish and wildlife to continue to decline across the United States and resulting in hundreds of species being listed under the Endangered Species Act of 1973. Tribes are an essential part of our nation's conservation solution.

**Senator Whitehouse**

4. Do you feel current federal funding is sufficient for the Fish & Wildlife Service and National Marine Fisheries Service to undertake their responsibilities under the ESA and other wildlife protection responsibilities?

I believe federal funding is insufficient for either agency to fulfill its duties under the ESA and broader obligations toward wildlife. Backlogs and long timeframes for listing reviews; extensive interagency consultation challenges associated with timing, adequacy and implementation follow through; slow progress in implementing recovery plans for many listed species; and documented unmet Section 6 opportunities for coordinated action with states all indicate these shortcomings.

Furthermore and perhaps more importantly, many proactive efforts to ensure holistic, coordinated action to preserve habitats for a wide range of listed, candidate, other at-risk and common species would benefit from enhanced funding. Frameworks exist in the form of bird joint ventures, fish habitat partnerships, NOAA's habitat blueprints and many more to invest wisely in coordinated efforts that maximize return on conservation investment. Additionally, many of these efforts have the added advantage of forward planning to account for changing environmental conditions associated with climate change and related conditions.

5. You mentioned the Land and Water Conservation Fund as a source of financial support for conservation efforts. While I support the fund, I am concerned by its bias towards inland and upland efforts as compared to coastal needs. For example, an analysis by my office and CRS of per capita LWCF funding to states for FY2011-2015 showed that coastal and Great Lakes states averaged \$2.93/person as compared to \$8.23/person for inland states. As a former Deputy Secretary of Natural Resources for the coastal state of Maryland, do you believe this is fair? How can we improve the fund to better balance inland and coastal needs?

The Land and Water Conservation Fund has historically provided great benefits to our nation's fish and wildlife through securing their habitats. It also has provided countless hours of enjoyment for our nation's citizens. The question of equity in per capita spending for the Land and Water Conservation Fund is an understandable one. Congress

has rarely ever appropriated the full \$900 million authorized for funding Land and Water Conservation Fund projects. That is surely the quickest way to raise the per capita spending in all states. The program is overwhelmingly popular and should be fully funded to benefit more Americans.

I do believe there is a great opportunity for the Land and Water Conservation Fund to emphasize resilience across multiple habitat types, accounting for coastal resilience, changes in amount and distribution of freshwater flows, and connectivity to ensure migratory pathways for both terrestrial and aquatic species. As our country thinks about how to build resilience into our coasts to help buffer and mitigate the impacts of bigger storms and rising oceans, this fund could be increasingly important, as well as provide the added immediate benefit of providing more recreational access to our shores. Given that the Departments of Agriculture and Interior rank projects to help determine which projects get funding, Congress could direct these agencies to include climate resilience benefits in evaluating its projects.

6. In your written testimony, you state that a “notable enhancement could require Fish and Wildlife Service coordination with NOAA where species of shared interest are involved.” Can you describe how this kind of collaboration might work, and give an example?

Much coordination across agencies already occurs for species of shared jurisdictions or where habitat benefits might be better realized.

The specific reference in my testimony related to approval of state wildlife action plans. Currently those plans are required to be approved by the Fish and Wildlife Service, ensuring a federal opportunity for input and coordination. Yet for many species and habitats, NOAA has companion habitat and species interests, scientific expertise, existing conservation programs or collaborative relationships that could be better incorporated into review of state wildlife action plans. A formal requirement to provide NOAA an opportunity to review and provide comment to the USFWS during its review of state wildlife action plans could ensure relevant information is provided.

Senator BARRASSO. Thank you very much, Mr. Schwaab.

Let me start with Mr. Kennedy.

The Federal Government is supposed to work in partnership with States. Under the Endangered Species Act, they are supposed to do this in order to conserve and recover and manage species, as you stated. As an example, under Section 6 of the Act, States may receive Federal funding for the development and maintenance of conservation plans for their threatened and endangered species.

The Endangered Species Act amendments that I have been working on, our discussion draft, reauthorizes appropriations for the Endangered Species Act for the first time since Fiscal Year 1992. We are still getting input from stakeholders to see if the specific funding levels, what they should be.

How important is it for the State conservation efforts that we adequately authorize funding for this legislation, and what are the consequences for State wildlife efforts if Federal agencies are underfunded?

Mr. KENNEDY. Chairman Barrasso, thank you for the question and, also, thank you for your leadership and this Committee's work on that, it is very important. I would bring up an example. As I testified at the last hearing that we had, we talked quite a bit about grizzly bears. As you know, in 2018, the State of Wyoming spent up to \$3 million on that species, and the funding level that we received for that was about \$100,000. I think that is a good example of where the Federal shortfalls in funding can really help the States.

In our discretionary budget, for example, at the Wyoming Game and Fish Department, based on current priorities, we have about \$6 million available at our discretion to move around based on changing priorities. Without the support and additional funding that is being addressed by the programs that we are talking about today, we simply don't have the capacity to do that work.

So, Mr. Chairman, the funding is critical. It is critical for the work that we want to do to promote hunting and recreational shooting, and it is very important for our work on endangered species and to keep species off the list and to implement our State wildlife action plans.

Senator BARRASSO. The Partners for Fish and Wildlife Program allows U.S. Fish and Wildlife Services to provide direct technical and financial assistance to private landowners to improve fish and wildlife habitat. Field biologists get to work one-on-one with landowners to restore, enhance, and manage land for the benefit of fish and wildlife.

Now, according to Ducks Unlimited, nearly three-quarters of America's remaining wetlands are in private lands, so how effective is funding through voluntary, incentive-based conservation like that of the Partners for Fish and Wildlife Program to the on-the-ground conservation, recovery, and management success, as you see it?

Mr. KENNEDY. Mr. Chairman, coming from the State of Wyoming, where 50 percent of the land is privately owned, and we have many examples across the Country where there are similar percentages, our work with private landowners and our partnerships with private landowners is critical. We cannot manage wildlife pop-

ulations without the partnership with private landowners, so additional funding in that regard would be very much appreciated and also put to good use.

Senator BARRASSO. About 60 percent of the State wildlife agency funding comes from sportsmen, who pay license fees and excise taxes on guns and ammunition and angling equipment.

I think, Mr. McShane, you made reference in your testimony to how much this contribution is made.

According to a 2016 survey by U.S. Fish and Wildlife Service, a smaller percentage of Americans are hunting in the past year, so that means fewer dollars for State wildlife agencies to invest the conservation efforts that we all agree are so critical.

Do you support modernizing the Pittman-Robertson Fund to allow States to use a share of their allocated funds to promote hunting recruitment and retention? What do see for that approach?

Mr. KENNEDY. Mr. Chairman, I absolutely see the benefit of that additional funding for that purpose. As you mentioned, hunting has dropped by about 2 million hunters based on that recent survey. That is a decline in total expenditures of 29 percent. At the same time, fishing and wildlife watching has increased.

The biggest difference with this Modernizing the P-R Fund for Tomorrow's Needs Act, as you brought up in your introductory comments, is this would allow States to promote hunting the way that we are currently promoting fishing and boating, and I think that provides a really good example. We have been able to do that through our funding through the Dingell-Johnson Sport Fish Program that we have, when we have seen an increase in fishing since 2011 of 8 percent, spending up by 2 percent. I think that speaks volumes to the fact that with additional dollars the States can do the same with hunting.

Senator BARRASSO. Mr. McShane, could I ask you to maybe respond to both of those two, because it was your statistics that I quoted about Ducks Unlimited, nearly three-quarters of remaining wetlands are on private lands and some of the things you are doing there, and then, as well, what we need to do to enhance additional income?

Mr. MCSHANE. Mr. Chairman, I actually could give you the perspective of both as a private landowner—

Senator BARRASSO. That would be very helpful. That would be very helpful to the Committee.

Mr. MCSHANE. Perhaps to give a little bit of context, as a family ownership of a large timber recreational property in the lower part of South Carolina, it is an ecosystem approach. If we try to manage our interests and ignore the surrounding community, it becomes very challenging. When we have the opportunity to work with our neighboring landowners, including Federal and State partners on that, we have a much more effective and, I believe, frankly, much more impactful opportunity that really makes it more efficient in our operational plan by doing so, so I certainly would encourage that those resources be provided.

I have seen that time after time in our area, and during my tenure as a board chairman of a State agency and former Director Frampton, who I had the privilege of having as director, I believe is still here in the room, we strategically looked at his operating

plan to be able to work with landowners. He could not do his entire objective if he did not have that cooperation with our private landowners.

Senator BARRASSO. I appreciate your comments.

Mr. Schwaab, anything you would like to add on either of that? If not, I will just turn the questioning over to Senator Carper.

Mr. SCHWAAB. I would just say my experience in multiple situations is that private landowner engagement is incredibly important not only for achieving the on-the-ground results that these gentlemen spoke to, but to create the kind of buy-in that we want to sustain the successes over the long-term.

I also agree that working to enhance participation in traditional sports of hunting and angling is important. At the same time, we also need to sort of broaden the scope of participants not only in taking advantage of these resources, but in helping to pay for them.

Senator BARRASSO. Thank you.

Senator Carper, we have had some broad agreement so far.

Senator CARPER. That is good.

I am sorry, I had to go out of the room to take a call and I may have missed what the responses were to the Chairman's questioning, but I want to build on broad agreement.

This is an excellent panel, by the way, and I don't say that lightly. This is a good one. I don't know what we are paying you guys, but you are worth it. Actually, I know we are not paying you anything. I commend our staffs for finding you and convincing you to come today, and a couple of you to come back for return visits.

Maybe the first thing I could start off with is just to ask you to tell us where you think the consensus lies in terms of your views of what you have presented to us. I hear things that sound like echoes from one another, similar.

Mr. Kennedy, are you one of the Majority witnesses? We call them Majority witnesses, as opposed to Minority witnesses.

Mr. KENNEDY. Yes.

Senator CARPER. With a name like John Kennedy, you could probably be either one.

[Laughter.]

Senator CARPER. We call that dual-hatted in the Navy.

Mr. KENNEDY. Thank you, Ranking Member Carper. I think you are asking the question, is there consensus up here at the table?

Senator CARPER. Yes. Where do you see the areas of consensus? It is helpful to us to build consensus. One of the things we are pretty good at on this Committee is finding middle ground. We have talked of a couple areas where we have done that in recent weeks, months, days, actually.

Where is the consensus that you would really like to highlight for us?

Mr. KENNEDY. Ranking Member Carper, what I am seeing and hearing is consensus with respect to the successes and accomplishments of the State fish and wildlife agencies during the last many, many years. Also, at the same time, I am seeing that there is consensus with respect to there is an urgent need for additional funding, and that the expertise and the responsibilities and the scope

of the State fish and wildlife agencies' work goes far beyond just those species that are hunted or fished.

So, there is consensus that it is of value to the environment, it is of value to the economy, and it is certainly more cost-efficient for us to have additional funding to do proactive work to keep species, for example, off the endangered species list, as opposed to waiting until it is too late.

Senator CARPER. An ounce of prevention is worth a pound of cure.

Mr. KENNEDY. Exactly. Exactly.

I would just mention, Ranking Member Carper, I also hear a lot of consensus with respect to additional funding through the P-R Program for the States to be able to promote hunting and hunter recruitment and retention and reactivation similar to how we are able to promote fishing and boating.

Senator CARPER. OK, good. Thanks.

Mr. McShane, what part of South Carolina are you from?

Mr. MCSHANE. Ranking Member Carper, I am actually from Charleston, South Carolina.

Senator CARPER. All right.

Mr. MCSHANE. That is exactly where we think the two rivers, the Cooper and Ashley Rivers, form to create the Atlantic Ocean. That is our perspective there, sir.

Senator CARPER. I like that. We describe Delaware as the State that started a Nation.

[Laughter.]

Mr. MCSHANE. Touche, sir.

Senator CARPER. Because we were the first to ratify the Constitution, 231 years ago, on December 7th. But who is counting?

Mr. MCSHANE. Understood.

Senator CARPER. All right, take it away.

Mr. MCSHANE. Ranking Member, I submit that the consensus from both the perspective as representing Ducks Unlimited this morning, but as a private landowner and seeing the need particularly for the recruitment and the retention. In an area like where I live, where we are seeing probably unbridled development and growth in a population base, I actually believe that we might be seeing one of the largest migrations of our population since some time ago that is coming to, particularly, our part of the Country. So, we know from a percentage standpoint many of those coming in have not necessarily had that experience, yet one of the beauties of our area is that we offer these natural resources that add to the quality of life.

So, I think the State agencies and, frankly, your Federal agencies as well, have been very supportive of promoting because they understand it really just takes that one generational change. I often hear from many of my peers, who may now live in a more urban environment, talk about the days that they would be with their grandparents and would fish or hunt, and they lost that. And I think once it is lost, it is lost forever.

So, my own family, I have the pleasure and privilege of being the father of three daughters, but I have made sure that they all have that opportunity and appreciate that, and I want to continue to send that—

Senator CARPER. Do you think of them as sportswomen?

Mr. MCSHANE. Pardon me, sir?

Senator CARPER. Sportswomen?

Mr. MCSHANE. Spokeswomen?

Senator CARPER. Sports. Sports. As opposed to sportsmen.

Mr. MCSHANE. Oh, excuse me. I am sorry, Ranking Member, I need to adjust my hearing aid, from being a long-time shooter.

They are sportswomen, and they take great pride in that.

Senator CARPER. Good.

Let me go to Eric. Same question. We are looking for consensus.

Mr. SCHWAAB. Thank you, Ranking Member Carper. I agree completely. I think there is strong consensus here that we not only need to continue to bolster the existing tools and mechanisms at the State and Federal levels, but that significant new funding is needed, much more diverse funding, and also dedicated long-term funding, we have heard that word come through clearly repeatedly, to ensure that both the State agencies and the Federal agencies have the consistency and the ability to address these big challenges that we have all spoken to.

Senator CARPER. All right, thanks.

I have to run up to another hearing. I am going to come back and try to come back while we still have time to maybe ask one more round of questions, Mr. Chairman. Thank you very much.

Senator BARRASSO. Senator Rounds.

Senator CARPER. Could I just say something? When I come back, one of the questions, just to telegraph my pitch, I am going to focus on funding, I am going to focus on especially leveraging Federal funding. Some of you mentioned this in your comments. In our day and age when our budget deficit for last year it was like \$750 billion; this year it is expected to be \$950 billion, and we are looking for ways to save money on the spending side and to leverage Federal money more effectively. So that is what I am going to ask. Thanks.

Senator BARRASSO. Senator Rounds.

Senator ROUNDS. Thank you, Mr. Chairman.

Deputy Director Kennedy, in your position you help coordinate implementation of Wyoming's State wildlife action plan. With any large-scale government program, planning ahead of time is critical to the execution of the plan. That is why I was very pleased to see Senator Rische introduce the Recovering America's Wildlife Act. Directing additional Federal funds to implementing State conservation plans now will save us from needing emergency funds later, when it may be too late to act.

My question is, at the State level, can you speak to the value of more consistent Federal funding for conservation?

Mr. KENNEDY. Mr. Chairman, Senator Rounds, certainly, as you mentioned, State wildlife action plans are critical plans, and they are not annual plans, as you know; these are multi-year plans that require multi-year funding, which makes inconsistent funding very difficult for us to implement. So, at the State level, in Wyoming, for example, we have 800 species of wildlife in Wyoming. We have 229 species right now with a special status, with the species of greatest conservation need designation.

I mentioned earlier in my testimony that looking at our current priorities right now, with our current budget in Wyoming, we have about \$6 million of discretionary money to meet the expectations and the needs of our constituents in Wyoming, and that is not a lot of money, so we don't have a lot of funding capacity to be able to spend on 229 species, let alone a few of those species. So, any additional funding that we could secure, multi-year type, stable, consistent funding to put toward our non-game program and our special status species and our State wildlife action plan would be critical.

Senator ROUNDS. So, if we could, No. 1, set up the program to where you would know, years in advance, that there was an ongoing funding program available, there would be a significant benefit to wildlife and to conservation on a State-by-State basis, particularly if the States were allowed to make some of those decisions themselves.

Is that of value to you, to be able to make the decisions on a State-by-State basis, and do you think that is the direction that we ought to be going?

Mr. KENNEDY. Mr. Chairman, Senator, absolutely. Absolutely. And I think the State wildlife agencies have a proven track record with respect to that. I think that the decisions that we make, we are as transparent as possible; we are involving other stakeholders. The partnerships that have been maintained and created by the State wildlife agencies to implement wildlife conservation in this Country have been unparalleled.

Senator ROUNDS. Some of us have expressed concern because, in the past—and I am going to ask several of you the same question. I am a firm believer that we should have an ongoing process in place so that States could understand and recognize and see the benefits of a continuing revenue source. But what concerns is it that we also address an issue which a lot of landowners out there have expressed concerns, and that is the Federal Government is not necessarily the best neighbor to have in the case of permit and easements, because once we get a permit and easement on some land, it would appear that the Federal Government then is not necessarily the best neighbor in the world.

Do you think there is a fair tradeoff to having something short of permanent easements restricted on land as a tradeoff to having ongoing revenue so that we are not changing the management decisions for generations to come? Is there a discussion there that needs to be held?

Mr. KENNEDY. Chairman Barrasso, Senator, I think there is a discussion to have. We certainly would welcome any discussion. Additional funding for easements, whether they are temporary or in perpetuity, I think there are times when those permanent easements make sense. And, of course, we are not going to move forward, the States don't move forward on easements without those willing landowners, and we are going to move forward on an easement on terms that are in agreement with the private landowner.

Senator ROUNDS. Would it be fair to say that perhaps more landowners could consider some easements if they were explained to them that they didn't have to be permanent and that we could do shorter term easements? CRP has worked because it is a 10-year



plan or less. But permanent easements, in a lot of cases people are saying now I am not sure I want the Federal Government to be a guaranteed neighbor of mine for generations to come, where the next generations are restricted in their determinations.

Once we get past the point where we start looking at ongoing permanent revenue sources, we kind of give up oversight, and I have a concern about it, but it is something that I would really like to see us address.

I am going to come to Mr. McShane. Mr. McShane, your crew, Ducks Unlimited, is one of the finest organizations out there when it comes to wetlands conservation and so forth. Do you think it is time we start addressing the issue? Because a lot of landowners out there are saying if it is a permanent issue, it has hurt my kids; we lose that direction.

Is it time we start making darn sure that they have explanations made that they don't have to necessarily do permanent easements in order to participate with the Federal Government or with the State government in providing for those conservation land areas?

Mr. MCSHANE. Mr. Chairman, Senator, I need to give you three perspectives on that in terms of the hats I wear: as a board member of Ducks Unlimited, but also as a former State agency chairman, and as a private landowner who is involved with properties under easement.

Certainly, the first is that they are all voluntary. So my expectation would be that the entity that is working with the landowner needs to be very clear with great clarity about what the program is being offered; that if in fact there are current programs, you identified CRP being one previously that had a shorter timeframe, but if it is a permanent easement, then I expect great clarity has been made, because this is an issue that we are starting to see in certain markets, where the second generational or if it was transactionally sold to another owner, that there just to be a great education that takes place about that.

In our area, most of our easements are going to be held by, generally, nonprofits, whether it is a local land trust or nature conservancy, or even Ducks Unlimited; and I think that they understand that expectation that has to be done. There are, obviously, some other programs that are already in place that allows shorter time, and I think if that is what the landowner is willing and really thinks is in their best interest, certainly we would encourage that be certainly offered to them.

But I stress again that this has always been a voluntary program to begin with and that great clarity and diligence. These are not transactions that generally take place. Even though I might have the most experience in my area of dealing with easements, it is still probably an 18-month transaction from start to actually closing on that before I can get that done, and I have spent some diligent time and, frankly, some good legal time on that.

Senator ROUNDS. Thank you. Thank you.

Mr. Chairman, thank you. I appreciate it. I just think it is really important that as we move forward with permanent funding, that we also talk about the need to make sure that we are not trying to make decisions for two and three generations ahead of us. But I really like the idea of coming up with a plan for a long-term pro-

gram to provide those States with some sort of a revenue source that they can count on year in and year out.

Thank you.

Senator BARRASSO. Thank you so much, Senator Rounds.

Senator BOOKER.

Senator BOOKER. Mr. Chairman, thank you very much. I am glad this Committee is focused really intensely on wildlife conservation because the situation is dire globally. We have lost about 50 percent of wildlife on the planet Earth in just the last 50 years. Reports are that about 1 in 6 species will go extinct or threatened with extinction in the next century, and today species are going extinct 1,000 times faster than natural extinction rates.

Mr. Schwaab, in your written testimony you speak to the massive potential for the loss of biodiversity in the way that I was just describing. Can you elaborate a little bit on that and can you explain how we are all interconnected and how that will very much affect, if not threaten, humans as well?

Mr. SCHWAAB. Thank you, Senator Booker. We only have a few minutes, but let me maybe perhaps reach and elaborate on one example that is in my written testimony and that I mentioned verbally, and that is the plight of monarch butterflies.

There has been a huge amount of attention to an estimated 90 percent declines in monarch butterflies across North America. This is a species that many of us grew up seeing sort of in our backyards during their annual migration north and south. There was a lot of concern that monarch butterflies were heading toward listing, and that led to both Federal and State agencies, as well as my former organization, National Fish and Wildlife Foundation, investing heavily in monarch butterfly restoration.

The important thing to mention is that not only is, as an iconic species, the loss of monarch butterfly in and of itself important, but the monarch butterfly is emblematic of lots of other pollinators, other butterfly species that we either know nothing about or know are in great decline or bee species that farmers across the Country depend upon for pollination services. So, the plight of these species is certainly important from an intrinsic perspective. But is also important from an economic perspective. And in the case of monarch butterflies we see an iconic species that really is, for lack of a better term, kind of a flagship species for a much broader array of species that we depend upon for important services.

Senator BOOKER. And that is really my point, that if pollinators are in crisis, the very existence of humanity is in crisis or the food systems are in crisis. This is a deeply interconnected biodiversity in this planet, not only in our Country, which leads me to the next question I have very quickly.

Are there a need, then, for us to be looking 50 years in the future and doing things now for State level conservation of at-risk species? Is additional funding really needed for the work that the Federal agencies are doing? I understand about State and local, but for the folks that are looking at the whole playing field, are additional resources needed to protect those species that are already ESA listed, and can you speak to that, in the 90 seconds you have left?

Mr. SCHWAAB. So, absolutely. Just very quickly, I think that is one of the values of State wildlife action plans not only at the State

level, but around the fact that they are developed very much in collaboration with Federal authorities at the U.S. Fish and Wildlife Service, with other agencies and the like, and they are able to look out 10 years or more to think about prioritization of some of the species of concern.

With respect to some of the species that are already listed, absolutely I think that not only, again, are they intrinsically valuable, but there are multiple examples around species that have drawn attention to broader ecosystems. The longleaf pine forests of the southeast, which are being restored by the thousands of acres as a result of attention that was brought to them initially around conservation of the red cockaded woodpecker, a listed species. So, continuing to invest over the long-term in those listed species not only lifts up those species, or at least prevents their further decline, but lifts up habitats and other species around them.

Senator BOOKER. Thank you.

Mr. Chairman, thank you very much.

Senator BARRASSO. Thank you.

Senator DUCKWORTH.

Senator DUCKWORTH. Thank you, Mr. Chairman.

I am going to go back to the monarch butterfly, since it is the State insect of Illinois. Who knew we had a State insect? But we do.

In Illinois, our State wildlife action plan seeks to protect dozens of species, ranging from bats and butterflies to birds and mussels. These conservation actions benefit both wildlife and people, as your conversation with my colleague from New Jersey covered, but, to reiterate what we have heard today so far, I believe that additional funding for these efforts, as well as for Federal agencies, will go a long way in Illinois and across America, which I think is what you are sort of getting at.

Right now, the U.S. Fish and Wildlife Service is studying whether to list the monarch butterfly as an endangered species. I understand that funding proposed in the Recovering America's Wildlife Act could play a critical role in helping recover a species, but unfortunately, though, there are thousands of species of greatest conservation need, and the Recovering America's Wildlife Act does not include a prioritization mechanism.

So, Mr. Schwaab, do you have any ideas of how this might better prioritize the most truly imperiled species? Such changes I think could help ensure that species like the monarch butterfly are prioritized across State lines. You mentioned State plans, but this butterfly migrates, so why is a butterfly that is known mostly for the great displays in Mexico, why is it a big deal for Illinois? Because we are one of the major stopping points on their migration route.

Can you talk about the efforts underway in my State, as well as how other States are prioritizing this and how we can better fund so that there is a comprehensive strategy and how we can better fund these strategies?

Mr. SCHWAAB. Thank you, Senator Duckworth. I think the monarch situation is an example where work at the State level goes hand-in-hand with Federal expertise and engagement because of the sort of expansive nature of that migration and the need to co-

ordinate across State lines. I do think that the State wildlife action planning process, most of which are in their second generation now, has demonstrated the ability of States not only to work within the State with stakeholders, but also to work with experts from academia, from the Federal agencies and other places to achieve the kind of prioritization that you speak to.

The last thing I would say is that a number of the States I know have worked not only to coordinate within their State or with relevant Federal agencies, but amongst themselves regionally. So, the Northeastern Association of Fish and Wildlife Agencies, each State agreed to pool a small amount of money to look at a cross-region analysis of their respective State wildlife action plans, and through that analysis they were able to identify species of common interest and achieve better coordination for maximum effectiveness and efficiency.

Senator DUCKWORTH. Thank you. So, do you think this bill should require that States use a portion of their funding to help recover threatened and endangered species as part of the Act?

Mr. SCHWAAB. I think that is a challenging question because the need is so great at the State level that to decide to sort of carve out a portion of those dollars specifically for already listed species could detract from the ability to get out in front of some of these other broader diversity challenges that we have.

In a perfect world, we would invest fully in executing recovery plans, investing in and executing recovery plans under the Endangered Species Act and we would allocate appropriate moneys both at the State level and at the Federal level to the broader diversity initiatives and needs that are out there.

Senator DUCKWORTH. OK. Thank you.

Associated with that, let's talk about funding for fighting invasive species. We have a real issue in Illinois. In fact, 62 percent of our wildlife species determined to be in greatest need of conservation are threatened at least in part because of invasive species, especially if you look at the fish and what is happening with the Asian carp population, decimating our native fishes.

Mr. Schwaab, how is combatting the threat from invasive species addressed in the Recovering America's Wildlife Act and, specifically, can Illinois use these funds to execute our strategy to combat invasive species found in our wildlife action plan? Because it is not just about conservation; it is also about combatting the invasive species, as well.

Mr. SCHWAAB. My understanding is most certainly, specifically as it relates to threats of targeted species within those State wildlife action plans. I know in my home State of Maryland there are funds that are expended under the existing State wildlife action plan process to address invasive species that imperil or otherwise threaten targeted species within that plan.

Senator DUCKWORTH. Thank you. I am over time.

Thank you, Mr. Chairman.

Senator BARRASSO. Well, thank you so very much.

I have just a couple more questions, and I think Senator Carper is coming back and we may have some other members joining us.

Mr. Kennedy, we have spoken in the past about all the great work Wyoming does in managing wildlife. This includes monitoring

populations carefully to detect issues and acting quickly to mitigate any harm. Many of these actions are directed by the State wildlife action plan, so can you talk a little bit about the current funding and implementation of the Wyoming State wildlife action plan and how that funding may differ from funds from general wildlife management and what the Game and Fish is doing in terms of prioritizing funding for species of concern?

We had former Governor Freudenthal here, we had current Governor Meade both talking about \$50 million being put in from State coffers in dealing with the grizzly bear in an effort to do everything right and then doing everything right and having a new listing, so can you just talk a little bit about the State responsibility and role in priorities?

Mr. KENNEDY. Certainly, Mr. Chairman. Thank you for the question. It speaks to the urgency of the funding need at the State level, for sure, with respect to sensitive species. I had talked about, a little bit ago, in Wyoming we have 800 species of wildlife, and we have talked about that before. We have 229 species that are listed as species of greatest conservation need in the State; there are 80 birds, 51 mammals, and 28 fish. That requires a lot of work.

And then I talked about, at the State level, the amount of funding we have to move around and adjust for certain priorities, and we simply don't have the capacity to put into the non-game program in the sensitive species. So, this funding that comes in, it is a similar model with respect to the current funding model with Pittman-Robertson. It can be used for those species that do not have a secure source of funding like P-R program currently has; would allow us to allocate significant dollars to our non-game program.

Right now we use very limited State wildlife grant funds for our State wildlife action plan. We did receive some general fund support in the last several years. We have lost that in Wyoming; we no longer receive any general fund support for any of our programs in the department. But that did assist in the past with respect to sensitive species. And we have, for the bulk of the funding going to our State wildlife action plan, it is Wyoming Game and Fish Commission funding.

Senator BARRASSO. Let me just take a temporary break, waiting for Senator Carper to return, unless either of you would like to comment on any of those topics we have just been discussing, Mr. McShane or Mr. Schwaab.

Mr. MCSHANE. Mr. Chairman, I would just say, as a private landowner, if the private landowner, in terms of our sustainable business plan and our operational plan for our land, that certainty and length of time is always prudent and certainly gives the incentive of why we are going to invest what we do, and I would simply submit that if the State wildlife agency has the same benefit of knowing that they are going to have a period of time, strategically I think it makes it a more efficient plan.

I would also just encourage that it be given flexibility to work with private landowners. Some private landowners, like myself, may have the resources to be able to do some of the work that is needed, but other landowners may not have those resources, and at times I think that we worry too much locally about whether that

is public funds or private funds at times, when really it is an ecological issue, and if you don't treat it there, it is going to just continue.

Senator BARRASSO. We have another Senator who has arrived.

Mr. Schwaab, anything quickly you want to add on that?

If not, then I am happy to turn to Senator Markey to continue with the questioning.

Senator MARKEY. Oh, great. Thank you. Thank you, Mr. Chairman. We welcome our witnesses.

Eric, it is good to see you again. I remember when you testified back in 2009 before the Select Committee on Energy Independence and Global Warming that I was chairing over in the House. At that time, you talked about the need to build community resilience to sea level rise by restoring natural shoreline buffers.

We already know that climate change is affecting our wildlife. Scientists estimate that the total number of mammals, birds, reptiles, amphibians, and fish has declined by more than 50 percent since 1970 and that climate change threatens to accelerate this crisis.

For example, in the Northeast, moose populations are declining due to climate change. Last winter, 70 percent of the moose cows died due to a booming tick population caused by a mild winter.

In your work as Director of the National Marine Fishery Service and Deputy Secretary of the Maryland Department of Natural Resources, how has and how will climate change affect wildlife?

Mr. SCHWAAB. Thank you, Mr. Chairman, Senator Markey. Thanks for that trip down memory lane. I guess this issue of climate resilience has not gone away.

Senator MARKEY. No.

Mr. SCHWAAB. I think that changing climates are affecting wildlife in all imaginable ways across the Country, from the loss of shoreline habitat in the case of places where we have had hardened shorelines that are now challenged by sea level rise and inundation events to some of the issues that we are facing in western forests and grasslands right now with respect to unusually dry conditions, coupled with trees that have been affected by insect infestations that have marched forward during mild winters, and, finally, last but not least, changing rainfall patterns that are presenting huge challenges for aquatic species in a lot of different ecosystems.

Senator MARKEY. What are the resiliency measures that we can put in place to protect wildlife, to help them cope with climate change?

Mr. SCHWAAB. They probably range dramatically across the scenarios that I just described, but when I was here in 2009, I suspect, I don't recall specifically, that I was probably talking about work that the State of Maryland was sponsoring to enhance resiliency in shorelines and, in fact, to sort of shift the burden of proof away from hardened shorelines in favor of more dependence on natural systems. We have seen that throughout the mid-Atlantic now being utilized very heavily to allow for sort of natural buffering of storm events both for wildlife, as well as for communities.

I think there is a lot of water planning that needs to happen in anticipation of changes that are underway in the fisheries arena,

Senator Markey, where you are also very familiar. Gulf of Maine, ground zero for warming oceans and responding to some of the changing migrations.

Senator MARKEY. What is going to happen to our lobster pod in Massachusetts, Cape Cod? They need cold water and, outside of the Arctic, we are the fastest warming body of water on the planet, so, as this water gets warmer and warmer, the cod and the lobster are looking for cold water, so they are heading to Maine and toward Canada, and we can see it. Our fishermen see it, our lobstermen see it. Talk about that a little bit.

Mr. SCHWAAB. Well, right. There are two fundamental responses. One is mitigation, and that requires a lot of attention. But despite whatever mitigation steps we might take, we have certain realities that are already set in motion. And adaptation, building resiliency into, again, not only our natural environments and the way that we protect our natural environments, but also use those natural environments in ways that can help protect coastal cities or even inland cities from inundation and flood events. It is a major sort of planning and reset responsibility in many places around the Country.

Senator MARKEY. We are starting to see fish species from Maryland coming up toward New England.

Mr. SCHWAAB. I am a Chesapeake Bay fishermen, so can you send them back?

Senator MARKEY. No, but that is happening.

Mr. SCHWAAB. Oh, absolutely, yes.

Senator MARKEY. Talk about that a little bit.

Mr. SCHWAAB. We have seen, it has been a big issue on the Atlantic coast, the migration of sort of the center of the summer flounder, the fluke population that has moved north and east, very well documented, creating great challenges for fisheries managers and fishermen on the coast.

You spoke to concerns about lobster. We already saw challenges in New England Sound and with the southern New England lobster population now. People are beginning to express concerns about the Gulf of Maine population. It goes on and on.

Senator MARKEY. Thank you.

Mr. Chairman, I very much appreciate it. Thank you.

Senator BARRASSO. Well, thank you. Thank you for your thoughtful questions.

I want to thank all of you for being here. I think Senator Carper has been delayed in another hearing, which is critical for his attendance, but I am very grateful that all of you would be here to share in a very collaborative way and a constructive way some of the things I think we can all do to deal with an issue that we think is very critical for our States, for our Country, and for the planet, so thanks so very much. I appreciate it.

Some of the other members may submit written questions, too. We ask that you respond promptly. They will all be part of the permanent record.

Thank you. This hearing is adjourned.

[Whereupon, at 11:24 a.m. the committee was adjourned.]



November 2, 2018

The Honorable John Barrasso, Chair  
 The Honorable Tom Carper, Ranking Member  
 Committee on Environment and Public Works  
 U.S. Senate  
 Washington, D.C. 20510

The Honorable Rob Bishop, Chair  
 The Honorable Raul Grijalva, Ranking Member  
 Committee on Natural Resources  
 U.S. House of Representatives  
 Washington, D.C. 20515

Dear Senators and Representatives:

The Southeastern Association of Fish and Wildlife Agencies (SEAFWA) is an organization representing 15 states, Puerto Rico and the United States Virgin Islands with the primary responsibility of managing and protecting fish and wildlife resources. We manage these resources on behalf of the millions of sportsmen, sportswomen, and citizens who appreciate and derive personal, professional and economic benefits from the conservation of these vital natural resources.

The SEAFWA expresses strong support for reauthorization of the North American Wetlands Conservation Act (NAWCA). Originally established in 1989, NAWCA is the most highly successful wetlands conservation program administered by the federal government. It is a non-regulatory, incentive-based program that works to build partnerships between public and private entities. For 30 years, NAWCA has been used effectively to protect, restore, and enhance wetlands and wetland-associated habitats throughout North America, providing benefits to waterfowl, other wildlife species and society by enhancing ecological goods and services (e.g., water quality, flood attenuation, groundwater recharge). NAWCA funds are estimated to have created, on average, nearly 7,500 jobs each year in the U.S., generating more than \$200 million in worker earnings each year.

The NAWCA has been credibly successful, encouraging federal, state and private partnerships to complete 2,644 projects on almost 33.4 million acres in all 50 states, areas of Canada, and areas of Mexico. More than 5,600 partners, including private landowners, industry, and state governments have worked together to conserve wildlife habitat through NAWCA grants. Federal NAWCA grants of \$1.48 billion have leveraged over \$4.34 billion in partner funds to positively affect 33.4 million acres of habitat.

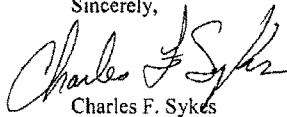


The Honorable John Barrasso  
The Honorable Tom Carper  
The Honorable Rob Bishop  
The Honorable Raul Grijalva

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Despite being reauthorized unanimously by Congress in 2006, NAWCA has not been reauthorized since 2012. It is essential this bipartisan program is reauthorized to ensure NAWCA continues to provide valuable benefits to wetlands, wildlife, people and the economy. SEAFWA respectfully asks for your swift action to reauthorize the program.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles F. Sykes".

Charles F. Sykes  
President

CFS:CH/wm

cc: SEAFWA Directors  
Curtis Hopkins, Executive Secretary, SEAFWA  
Bob Broscheid, Co-Chair AFWA International Relations Committee



November 2, 2018

The Honorable John Barrasso  
Chair, Committee on Environment and Public Works  
U.S. Senate  
307 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Tom Carper  
Ranking Member, Committee on Environment and Public Works  
U.S. Senate  
513 Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairman Barrasso and Ranking Member Carper:

The Southeastern Association of Fish and Wildlife Agencies (SEAFWA) is an organization representing 15 states, Puerto Rico and the United States Virgin Islands with the primary responsibility of managing and protecting fish and wildlife resources. We manage these resources on behalf of the millions of sportsmen, sportswomen, and citizens who appreciate and derive personal, professional and economic benefits from the conservation of these vital natural resources.

The SEAFWA has a proud tradition of caring for a diverse array of fish and wildlife important to our economy, our traditions, our communities, and our general well-being. While some of these species are thriving due to the good conservation work carried out by state agencies, outdoorsmen and women, and other partners, many more are facing growing challenges and are in steep decline – increasing their possibility of becoming endangered. The Recovering America's Wildlife Act, introduced recently as Senate Bill 3223 by Senators Risch (R-ID), Manchin (D-WV), Alexander (R-TN) and Heitkamp (D-ND), provides a new solution to preventing wildlife from becoming endangered. Please support preventative wildlife conservation funding by supporting the Recovering America's Wildlife Act in the Senate.

The Recovering America's Wildlife Act, if enacted, would authorize \$1.3 billion annually to the existing federal Wildlife Conservation and Restoration Program, using revenue from the development of energy and mineral resources on federal lands and waters. Without this much needed funding, our state fish and wildlife agencies will not be able to implement the proactive, voluntary, and incentive-based measures that have proven to prevent threatened and endangered species listings. At the request of Congress, every state has developed a State Wildlife Action Plan to assess the health of their state's fish and wildlife, and outline conservation actions necessary to sustain the more than 12,000 Species of Greatest Conservation Need. However, the current federal funding provides only a fraction of what states need to conserve these species, and to provide financial certainty to state agencies planning conservation efforts into the future, dedicated annual funding is necessary. The magnitude of the solution must match the magnitude of the challenge.

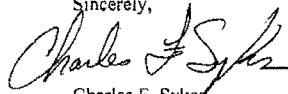
The Honorable John Barrasso  
The Honorable Tom Carper

November 2, 2018  
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The American public and the private sector expends hundreds of millions of dollars each year to restore federally listed threatened and endangered species. These expenses and disruptions can be avoided or greatly reduced through funding additional state-led proactive conservation measures. Healthy fish and wildlife populations fuel our state economies and provide recreational opportunities that are a part of our great American heritage. We know that proactive conservation is good for wildlife, good for taxpayers, and good for business.

We request your strong support for the Recovering America's Wildlife Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles F. Sykes". The signature is fluid and cursive, with the first name "Charles" being more prominent.

Charles F. Sykes  
President

CFS:CH/wm

cc: Curtis Hopkins, Executive Secretary, SEAFWA



Date: 15 November 2018

To: United States Senate Committee on Environment and Public Works

RE: Legislative hearing on "Examining Funding Needs to Wildlife Conservation, Recovery, and Management"

From: The Congressional Sportsmen's Foundation  
Jeffrey S. Crane  
President

Dear Chairman Barrasso, Ranking Member Carper, and members of the Committee:

The Congressional Sportsmen's Foundation (CSF) supports four bills that are being discussed during your Committee's legislative hearing on November 15, 2018 on "Examining Funding Needs to Wildlife Conservation, Recovery, and Management."

Established in 1989, CSF works with the Congressional Sportsmen's Caucus (CSC), the largest, most active bipartisan caucus on Capitol Hill. With nearly 300 Members of Congress from both the House and Senate, current Senate CSC Co-Chairs are Senators Jim Risch (ID) and Joe Manchin (WV), and Vice-Chairs are Senators Deb Fischer (NE) and Heidi Heitkamp (ND).

The following four pieces of legislation are critically important to ensuring a bright future for large-scale conservation efforts for fish, wildlife, and the habitats in which they depend on:

**S. 3223: Recovering America's Wildlife Act**

Introduced by Congressional Sportsmen's Caucus Co-Chairs Senators Risch and Manchin as well as CSC Vice-Chair Heidi Heitkamp, and CSC member Lamar Alexander, S. 3223 would authorize \$1.3 billion annually to help recover at-risk species. This legislation does not establish any new taxes or fees at the expense of businesses or taxpayers, but rather utilizes existing revenues that are generated from the development of energy and mineral resources on federal lands and waters for state fish and wildlife agencies (state agencies) to conduct proactive on the ground conservation projects. This important piece of legislation requires a 25% non-federal match to create better habitat for fish and wildlife, both game and non-game species. The funds made available under S. 3223, as well as the matching non-federal funds, would provide state agencies with the necessary resources to assist in the restoration and recovery of federally listed threatened and endangered species while also proactively preventing additional species from being

listed under the Endangered Species Act. This legislation will provide more certainty to private landowners, sportsmen and women, state agencies, as well as the businesses and consumers that depend on our nation's natural resources.

S. 3223 would provide funding for the authorized, but currently unfunded, Wildlife Conservation and Restoration subaccount of the Pittman-Robertson Act. This bipartisan, bicameral legislation was developed from the recommendations of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources. The Blue Ribbon Panel was co-chaired by former Wyoming Governor Dave Freudenthal along with the founder and CEO of Bass Pro Shops, Johnny Morris, and was made up of a wide array of national business and conservation leaders including representatives from the oil and gas industry, sportsmen's community, professional scientists, and wildlife enthusiasts.

The Recovering America's Wildlife Act will provide funds to state agencies to implement their Congressionally mandated State Wildlife Action Plans (SWAPs), which identify key fish and wildlife conservation needs in each state, territory, and the District of Columbia. Collectively, SWAPs have identified over 12,000 species across our nation that are considered "species of greatest conservation need," and are at-risk of becoming federally listed. The funds provided under Recovering America's Wildlife Act are complimentary to the existing financial contributions of hunters, anglers, recreational target shooters, and boaters, and will empower our state wildlife managers to get ahead of the endangered species backlog that may occur if adequate and sustained funding is not dedicated to this pressing problem. Funds provided under the Recovering America's Wildlife Act may be used to conduct, research, restoration, monitoring, and management needed to fully implement SWAPs. Currently, states only receive 5% of the funding needed to address the nearly 12,000 species of greatest conservation need.

#### **S. 1613: Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017**

Introduced by CSC Co-Chair Senator Jim Risch, the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017 is another bipartisan, bicameral piece of legislation critical to maintaining our nation's outdoor heritage. This legislation will clarify that one of the purposes of the Pittman-Robertson Fund is to provide and extend financial and technical assistance to the states for hunter and recreational shooter recruitment efforts.

The Pittman-Robertson Act directs existing excise taxes on firearms, ammunition, and archery equipment to state wildlife agencies for wildlife management, species and habitat conservation, scientific research, population monitoring, hunter education and hunting and target shooting access. Through these excise taxes and associated purchases of hunting licenses, archery enthusiasts, hunters, and recreational shooters are the nation's primary funders of wildlife conservation. Unfortunately, this "user-pays, public-benefits" system of conservation funding that benefits all citizens is in jeopardy.

In 1978, 16.2 million of the nation's 222 million citizens purchased a hunting license,

representing 7% of the U.S. population. Now, there are over 328 million people in the United States, 13.3 million of which are certified hunting license holders, or less than 4% of the nation's population. This steady decline in participation over the past four decades threatens not only America's hunting heritage, but also represents a fundamental challenge to maintaining funding streams that are vital to state-based wildlife conservation.

To confront this challenge, state wildlife agencies need added flexibility to use Pittman-Robertson funds to develop and implement strategies to recruit, retain, and reactivate the nation's next generation of hunters and target shooters, the primary objective of S. 1613. Doing so will ensure that America's sportsmen and women continue to serve as a crucial source of funding for wildlife conservation that benefits citizens in every state.

It is also worth noting that the Dingell-Johnson/Wallop-Breaux Sport Fish and Restoration and Boating Safety Trust already allows state agencies to use their apportioned funds for recruitment, education, and outreach of fishing and boating programs to the general public. This legislation will provide parity for state agencies to use Pittman-Robertson Funds for recruitment, retention, and reactivation (R3) as they are already doing on the fishing and boating side with Dingell-Johnson/Wallop-Breaux Funds. This legislation does not mandate a state agency use their funds for R3 efforts, but simply provides them the flexibility to do so as they judiciously see fit.

#### **North American Wetlands Conservation Act**

Originally passed in 1989 to help support the conservation efforts of the North American Waterfowl Management Plan, the North American Wetlands Conservation Act (NAWCA) provides matching grants to carry out wetland conservation projects in the United States, Canada, and Mexico. Since enactment, NAWCA has provided more than \$4 billion in grants and matching funds to provide funding for more than 2,000 projects spanning over 27 million acres in all 50 states. NAWCA requires that for every federal dollar contributed to the program, a non-federal source must equally match the \$1 federal contribution. However, the program is often matched at a rate of \$3 for every \$1 of federal money, a sign that conservation groups, including sportsmen and women, are willing to have skin in the game.

Prior to distribution of the funds, eligible proposals and grants are reviewed by the North American Wetlands Conservation Council, which ranks the projects and provides recommendations to the Migratory Bird Conservation Commission (MBCC) for approval. The MBCC is a seven-member panel currently made up of the following officials: Secretary of the Interior Ryan Zinke, Secretary of Agriculture Sonny Perdue, Environmental Protection Agency Acting Administrator Andrew Wheeler, Senator John Boozman, Senator Martin Heinrich, Congressman Rob Wittman, and Congressman Mike Thompson.

NAWCA is a non-regulatory, voluntary, collaborative fish and wildlife conservation program. This program furthers partnerships between willing private landowners, non-

governmental organizations and state and federal land managers to conserve habitat and is the epitome of a successful public-private partnership that is critically important to aquatic species, waterfowl, and the overall health of humans.

#### **Partners for Fish and Wildlife Program Reauthorization**

The Partners for Fish and Wildlife program supports private landowners who voluntarily commit to take actions benefitting federal trust wildlife such as migratory birds and threatened and endangered species. For more than 30 years, this important program has advanced conservation through cooperation amongst landowners, conservation groups, sportsmen and women and agribusiness to benefit wildlife and habitat.

Since 1987, the Partners for Fish and Wildlife program has completed more than 50,000 projects and restored 4 million upland acres, 1.5 million wetland acres, and over 12,000 miles of stream habitat. The Program has worked with over 45,000 private landowners and 5,000 partner organizations and has had a leveraging ratio of 4:1 wherein the return on investment of federal taxpayer dollars is maximized.

In summary, Recovering America's Wildlife Act, Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act, Reauthorization of the North American Wetlands Conservation Act, and Reauthorization of the Partners for Fish and Wildlife Program are common sense, non-controversial pieces of legislation with strong bipartisan support. These bills are good for the American economy, and our treasured lands and waters in addition to our nation's fish and wildlife. CSF would like to thank Chairman Barrasso, Ranking Member Carper, and the members of the Committee for holding a hearing on these critically important pieces of legislation. We look forward to working with to pass these bills out of Committee, out of the Senate, and enacted into law. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Crane", with a stylized flourish at the end.

Jeffrey S. Crane  
President



November 8, 2018

The Honorable John Barrasso  
Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

The Honorable Thomas Carper  
Ranking Member  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Chairman Barrasso and Ranking Member Carper,

The United States is facing an historic fish and wildlife conservation crisis that could alter future Americans' opportunities to benefit from our natural heritage. However, this challenge also presents an opportunity to address the dramatic decline of so many species of fish and wildlife and the habitats they depend on. Without much needed investments in proactive conservation, we could see widespread impacts on the fundamental life benefits provided by nature such as water purification and aquifer recharge, flood abatement, pollination, recreation and food and fiber production that are essential to human health. These species declines threaten Americans' quality of life, and our economy, and create regulatory uncertainty for businesses and industries, further impacting jobs and the health of our communities. Fortunately, solutions exist to reverse this decline and bolster our economy.

We write to respectfully request that the Senate Committee on Environment and Public Works (EPW) hold a hearing and markup to advance the *Recovering America's Wildlife Act* (S.3223), introduced in July by Senators Risch, Manchin, Alexander and Heitkamp. We believe this legislation is a key part of a critical solution towards addressing the imminent challenges facing America's fish and wildlife. Many of us came together to serve on the Blue Ribbon Panel on Sustaining America's Diverse Fish & Wildlife Resources, consisting of members representing the outdoor recreation industry, retail and manufacturing sector, energy and automotive industries, private landowners, educational institutions, hunters and anglers, other conservation groups, and state and federal fish and wildlife agencies. Together, our industries represent more than a trillion dollars of economic impact, millions of non-exportable jobs, and tens of millions of members, consumers and constituents across the country, all who rely on healthy fish and wildlife populations. Today we remain united in support of legislation implementing the Blue Ribbon Panel's recommendations as the Alliance for America's Fish & Wildlife.

The *Recovering America's Wildlife Act* will help recover species at risk by authorizing \$1.3 billion annually from existing royalty revenues generated by the development of energy and mineral resources on federal lands and waters. The funds will be apportioned to state fish and wildlife agencies (state



agencies) to implement proactive conservation programs. Specifically, S. 3223 would direct funds to the Wildlife Conservation and Restoration subaccount that was established pursuant to the *Pittman-Robertson Wildlife Restoration Act* of 1937. The funds will be leveraged using a twenty-five percent non-federal match and will also be utilized by new and existing public/private partnerships, many of which are already producing positive outcomes to conserve more fish, wildlife and habitat on the ground. Doing so will arm state agencies with the resources needed to assist in the restoration and recovery of federally listed threatened and endangered species like the Wood Bison, Red Knot and the Gopher Tortoise, while also preventing other species from being listed. Furthermore, this legislation will provide more certainty to landowners, sportsmen and women, outdoor recreation enthusiasts, retail businesses, the energy and manufacturing industries and many other stakeholder groups.

We further urge Congress to enact the *Recovering America's Wildlife Act* with mandatory funding, which would ensure financial certainty to states, and allow them to plan and implement multi-year conservation projects. The House version of this bill, H.R. 4647, includes a dedicated funding mechanism currently.

We applaud the leadership of this committee in your pursuit of solutions to our most pressing conservation challenges in a way that does not place an additional burden on taxpayers. This legislation utilizes an innovative approach to the conservation of our treasured natural resources while simultaneously strengthening our economy and saving federal dollars in the long-run. During a recent hearing in your committee on the *Successful State Conservation, Recovery, and Management of Wildlife*, there was a mention of the *Recovering America's Wildlife Act* as a path forward to securing the necessary resources to empower our state managers to get ahead of the endangered species backlog that may occur if adequate and sustained funding is not dedicated to this pressing problem. To continue this important discussion, we encourage your committee to hold a hearing and markup on S.3223.

Our nation has a proud history of addressing massive conservation challenges, including bringing species back from the brink of extinction by helping fund professional fish and wildlife management. This legislation presents the opportunity for Congress to provide future generations of Americans the same opportunities that we have had in our lifetimes to enjoy our treasured natural resources. Together we can build a brighter economic future that includes conservation of our fish and wildlife and helps sustain our communities. We the undersigned appreciate your consideration of our request for action on this important legislation.

Cc: Senate Majority Leader McConnell, Senate Minority Leader Schumer

Sincerely,

Members of the Alliance for America's Fish & Wildlife:

American Fisheries Society  
 American Sportfishing Association  
 Association of Fish & Wildlife Agencies

Audubon  
Audubon Connecticut  
Backcountry Hunters and Anglers  
Barry Conservation District  
Bass Pro Shops  
Bat Conservation International  
Big Game Conservation Association  
Cabela's  
The Connecticut Audubon Society  
Connecticut Department of Energy and Environmental Protection  
Connecticut Falconers Association  
Connecticut Ornithological Association  
Connecticut Waterfowlers Association  
Congressional Sportsmen's Foundation  
The Conservation Fund  
Cornell Lab of Ornithology  
Delta Waterfowl  
Ducks Unlimited  
Fisheries Advisory Council  
Forest Landowners Association  
Grand Valley State University, Department of Biology  
Hawk Mountain Sanctuary  
Hess Corporation  
Houston Safari Club  
Huron Pines  
Izaak Walton League of America  
Jacklin Rod and Gun Club, Inc.  
Kalamazoo Nature Center  
Kemp Design Services  
Lake Erie Islands Conservancy  
Mattabeseck Audubon Society  
Max McGraw Wildlife Foundation  
Montana Audubon  
National Alliance of Forest Owners  
National Association of State Foresters  
National Marine Manufacturers Association  
National Shooting Sports Foundation  
National Wild Turkey Federation  
National Wildlife Federation  
Nebraska Land Trust  
Outdoor Industry Association  
Pennsylvania Federation of Sportsmen's Clubs  
Pheasants Forever/Quail Forever  
Playa Lake Joint Venture  
Pure Fishing  
Put-in-Bay Township Park District  
Quality Deer Management Association  
REI Co-op

Richard Childress Racing  
Ruffed Grouse Society and American Woodcock Society  
Seven Mountains Audubon  
Shell  
Theodore Roosevelt Conservation Partnership  
Toyota  
Village of Middleville, MI  
White River Marine Group  
Wildlife Habitat Council  
Wildlife Management Institute  
The Wildlife Society  
Yellowstone River Parks Association

November 8, 2018

The Honorable John Barrasso  
Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

The Honorable Thomas Carper  
Ranking Member  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Chairman Barrasso and Ranking Member Carper,

On behalf of the millions of hunters, anglers, recreational target shooters, professional scientists, and outdoor enthusiasts our organizations represent, we write to request that the Senate Committee on Environment and Public Works (EPW) hold a hearing and markup on the *Recovering America's Wildlife Act* (S. 3223) this Congress. This bill will authorize funding for desperately needed resources to support state-based conservation and restoration of fish, wildlife, and their habitats to the direct benefit of sportsmen and women.

The *Recovering America's Wildlife Act* will help recover species at-risk by authorizing \$1.3 billion annually from existing royalty revenues generated by the development of energy and mineral resources on federal lands and waters for state fish and wildlife agencies (state agencies) to implement proactive conservation programs. The funds will be leveraged with state dollars and utilized by new and existing partnerships to create more fish, wildlife and habitat on the ground. Doing so will arm state agencies with the resources needed to assist in the restoration and recovery of federally listed threatened and endangered species while also preventing other species from being listed. Furthermore, this legislation will reduce the risk associated with an uncertain landscape helping private landowners, sportsmen and women, and the businesses that make a living off the land and water.

Specifically, S. 3223 would authorize funding for the Wildlife Conservation and Restoration subaccount, which was established pursuant to the *Federal Aid in Wildlife Restoration Act* (Pittman-Robertson Act) of 1937. This innovative approach stems from a recommendation of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources. Comprised of a wide array of national business and conservation leaders, the Blue Ribbon Panel remains united in support of legislation implementing the Blue Ribbon Panel's recommendations.

The undersigned organizations further urge Congress to enact *Recovering America's Wildlife Act* with mandatory funding, which would ensure financial certainty to states, and allow them to plan and implement multi-year conservation projects. The House version of this bill, H.R. 4647, includes a dedicated funding mechanism currently.

Each state, territory, and the District of Columbia is mandated by Congress to develop comprehensive State Wildlife Action Plans (SWAPs) to identify key fish and wildlife conservation needs. Collectively, SWAPs have identified over 12,000 species across our nation that are considered "species of greatest conservation need", and potentially at-risk of becoming threatened or endangered, complimentary to the contributions of hunters, anglers, recreational target shooters and boaters, the *Recovering America's Wildlife Act* will empower our state wildlife managers to get ahead of the endangered species backlog that may occur if adequate and sustained funding is not dedicated to this pressing problem.

Our nation is blessed with a diverse array of fish and wildlife and we have a proud history of bringing species back from the brink of extinction by helping fund professional fish and wildlife management. At various times during the 20<sup>th</sup> Century, species including bald eagles, peregrine falcons, elk, wood ducks, and pronghorn antelope were teetering on the edge of extinction—now they are thriving because Americans made conservation action a priority.

Today, we face a new wildlife crisis; one in which the magnitude of the solution must match the magnitude of the challenge. By prioritizing the *Recovering America's Wildlife Act*, this Congress will ensure that our fish, wildlife and proud outdoor recreation traditions and their associated national economic benefits will endure for the benefit of future generations. The *Recovering America's Wildlife Act* represents an historic opportunity to simultaneously benefit conservation, sportsmen and women, the economy and taxpayers.

To that end, we encourage your strong, bipartisan support for state wildlife agencies and look forward to working with you to support them through the legislative process this Congress.

Thank you in advance for your consideration of this request to take up S. 3223, and for your ongoing service on behalf of America's sporting-conservation community.

Sincerely,

American Woodcock Society  
 Archery Trade Association  
 Association of Fish and Wildlife Agencies  
 Boone and Crockett Club  
 Camp Fire Club of America  
 Congressional Sportsmen's Foundation  
 Conservation Force  
 Dallas Safari Club  
 Delta Waterfowl Foundation  
 Ducks Unlimited  
 Houston Safari Club  
 Izaak Walton League of America  
 Mule Deer Foundation  
 National Bobwhite Conservation Initiative  
 National Shooting Sports Foundation  
 National Wild Turkey Federation

National Wildlife Federation  
 North American Grouse Partnership  
 Orion - The Hunter's Institute  
 Pheasants Forever/Quail Forever  
 Pope and Young Club  
 Professional Outfitters and Guides of America  
 Quality Deer Management Association  
 Rocky Mountain Elk Foundation  
 Ruffed Grouse Society  
 Texas Wildlife Association  
 The Wildlife Society  
 Theodore Roosevelt Conservation Partnership  
 Whitetails Unlimited  
 Wild Sheep Foundation  
 Wildlife Forever  
 Wildlife Management Institute

Cc: Senate Majority Leader McConnell and Senate Minority Leader Schumer



November 14, 2018

The Honorable John Barrasso  
Chair  
Environment and Public Works Committee  
United States Senate  
Washington, D.C. 20510

The Honorable Thomas R. Carper  
Ranking Member  
Environment and Public Works Committee  
United States Senate  
Washington, D.C. 20510

Dear Chairman Barrasso, Ranking Member Carper,

Please accept the following written testimony regarding the November 15 oversight hearing titled “*Examining Funding Needs for Wildlife Conservation, Recovery, and Management*.” The Endangered Species Act has been severely underfunded by Congress for decades. In 1988, Congress required the wildlife agencies to provide cost estimates in each animal and plant’s recovery plan, yet Congress has *never* used the information in those recovery plans to guide funding for the Act.<sup>1</sup>

Based on these recovery plan cost estimates from the expert, career-scientists at the federal wildlife agencies, roughly \$2.3 billion per year is needed to fully fund the recovery of every animal and plant currently protected by the Endangered Species Act.<sup>2</sup> This is roughly the same amount of federal funding given to oil and gas companies to subsidize extraction of fossil fuels on public lands each year, and just 0.1% of the total given in tax cuts by the Republican majority to corporations and the wealthiest Americans during this Congress. We believe saving our natural heritage from extinction is worth this modest investment.

Instead, the U.S. Fish and Wildlife Service receives less than 80 million dollars per year for recovery of endangered species—just 3 percent of what is needed. Despite inadequate funding, the Endangered Species Act has been incredibly effective, saving more than 99% of the animals and plants under its care from extinction. If the Act had adequate funding, there is no question many more species could be fully recovered, but unfortunately, none of the witnesses chosen for this hearing will be discussing the funding needs of the 1,800 currently listed species.

We are also providing written testimony to strongly oppose the “Endangered Species Act Amendments of 2018.” The draft legislation is little more than a gift to polluters and special interests that have deliberately fomented a fraudulent, far-right myth that the Endangered Species Act isn’t meeting the

<sup>1</sup> See generally, 16 U.S.C. § 1533(f)(1)(B)(iii).

<sup>2</sup> See Attachment

recovery objective of the Act. The scientific data show that not only has the species and threatened animals and plants under its care, but it has put most of these species on a path to recovery or stabilized their precipitous declines.

Chairman Barrasso's legislation ignores a basic scientific fact — recovery of endangered species takes time. The Bald Eagle was one of the first species protected under the Endangered Species Act, but nonetheless it still took 40 years to recover the Bald Eagle nationwide before it was finally delisted in 2007.<sup>3</sup> At its lowest point, the North Atlantic Right Whale was reduced to around 270 individuals, including just 51 breeding females.<sup>4</sup> Right Whales only give birth to one calf every four years and do not begin to reproduce until they are at least 10 years old. As a result, scientists at the National Marine Fisheries Service believe that recovery of this magnificent whale will take centuries. The fact that we have not lost Right Whales to extinction is a testament to the effectiveness of the Endangered Species Act. But Chairman Barrasso's legislation would deem this conservation success a failure because Right Whales haven't arbitrarily been recovered already.

Indeed, nearly half of the plants and animals protected under the Endangered Species Act have been on the list of threatened and endangered species for less than 20 years. It is simply not biologically possible for most endangered animals and plants to have recovered in such a short amount of time. However, many species *are recovering* at the pace expected by scientists and at the rate predicted within their recovery plans. Chairman Barrasso's claim that the Endangered Species Act is not meeting the recovery mandate is simply false — it is ludicrous to demand that endangered species recover faster than what is biologically possible — and is not a rational basis for changing this highly effective law.

Chairman Barrasso's draft legislation would gut the Endangered Species Act and effectively put the States in charge of conserving all endangered animals and plants. It is worth remembering that under the United States' approach to wildlife management, it is the States that have the original responsibility to manage wildlife populations.<sup>5</sup> When wildlife is protected under the Endangered Species Act, it is because the States have *failed* to meet their duties and responsibility to be good stewards of the environment. The States fail to manage wildlife — and especially non-game species — because they do not provide sufficient resources to manage their wildlife and most states have inadequate legal mechanisms to protect them. In fact, the state of Wyoming does not have a state-level equivalent to the Endangered Species Act at all. Nor does Wyoming have *any* legal mechanism to protect plants within its boundaries. A recent study of state-level protections found that only 18 states provide protections to plants, even though plants make up a majority of the species protected by the Endangered Species Act.<sup>6</sup> If Chairman Barrasso's draft legislation were to become law, nearly 1000 endangered plants and animals would quickly be put back on a path to extinction.

<sup>3</sup> *Removing the Bald Eagle in the Lower 48 States From the List of Endangered and Threatened Wildlife*, 72 Fed. Reg. 37346 (July 9, 2007).

<sup>4</sup> Valdivia, A. S. Wolf, K. Kieran Suckling, 2018 *Marine mammals and sea turtles listed under the U.S. Endangered Species Act are recovering*, bioRxiv preprint first posted online May, 15, 2018; doi: <http://dx.doi.org/10.1101/319921>; see also, <https://www.fisheries.noaa.gov/species/north-atlantic-right-whale>

<sup>5</sup> *Geer v. Connecticut*, 161 U.S. 519 (1896).

<sup>6</sup> Camacho, A.E., M. Robinson-Dorn, A.C. Yildiz, T. Teegarden, *Assessing State Laws and Resources for Endangered Species Protection*, 47 *Envtl. L. Rep. News & Analysis* 10837, 10843 (2017).

We would like to make two additional observations regarding the draft legislation. First, according to the Congressional Budget Office, over 250 major laws have had their authorizations expire.<sup>7</sup> These expired laws cover approximate \$300 billion in spending, nearly half of the federal government's non-Defense discretionary spending. The disingenuous talking point that the Endangered Species Act must be "modernized" because its authorization has expired ignores the reality that this is true of hundreds of laws passed by Congress. If reauthorization is such an important concern, then we recommend the Environment and Public Works Committee pass a clean reauthorization of the Endangered Species Act to fully fund the law, without using it as an excuse to pursue an extreme partisan agenda to gut this critically important law.

Second, Chairman Barrasso's hearings surrounding his draft legislation — much like the recommendations of the Western Governors Association — have been little more than a dog-and-pony show designed to create the illusion of an inclusive process. The "recommendations" from the Western Governors Association (WGA) were not representative of the comments and recommendations made by those that participated in the many stakeholder meetings and events from 2015 to 2016. In fact, the official "recommendations" from the WGA on how to change the Endangered Species Act were sent to both the National Governor's Association and to Congress *before* the process for consideration input from stakeholders was complete. Likewise, Chairman Barrasso's staff invited representatives from the environmental community to discuss the draft legislation only in the context of an off-the-record event behind closed doors. Any feedback or input provided can be ignored, taken out of context, or manipulated purely for partisan gain.

Additionally, we would like to register our strong opposition to H.R.4647 — the Recovering America's Wildlife Act (RAWA), H.R.2591 — the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017, and S. 1514, the Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act.

The Recovering America's Wildlife Act is simply the wrong approach to getting funding for at risk animals and plant species because it further increases the dependency of conservation on the endless extraction of oil and gas from public lands and offshore waters. One of the largest single threats to our environment is climate change, and if we heed the warnings of the Intergovernmental Panel on Climate Change and are serious about protecting at risk animals and plants, then the United States needs to quickly phase out the use of fossil fuels.<sup>8</sup> Increasing our addiction to fossil fuels by inextricably linking conservation to fossil fuel development dooms both our climate and our wildlife to a bleak future. Protecting at risk species is the morally right thing to do, and if our country can afford enormous tax breaks for the richest corporations on the planet, then it can also afford to conserve our natural heritage.

Neither H.R. 2591 nor S. 1514 help conserve our natural heritage in any fashion and are not worthy of further discussion or review.

<sup>7</sup> Congressional Budget Office, 2016, *Unauthorized Appropriations and Expiring Authorizations*, available at: <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/51131-uaea-house2.pdf>

<sup>8</sup> IPCC 2018. Global Warming of 1.5°C: An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty, available at: [http://report.ipcc.ch/sr15/pdf/sr15\\_spm\\_final.pdf](http://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf)



Finally, we would like to note that in the years since Senator Barrasso has been chairman of the Environment and Public Works Committee, he has never explained how any of his legislative proposals would actually benefit a single, specific threatened or endangered plant or animal anywhere in the United States, let alone in Wyoming. None of the legislative proposals being considered at the November 15 hearing will not actually benefit the recovery of any currently-listed species. We request that the Chairman consider and reflect on this reality.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Hartl", with a long horizontal flourish extending to the right.

Brett Hartl  
Government Affairs Director  
Center for Biological Diversity

# SHORTCHANGED

Funding Needed to Save America's  
Most Endangered Species



Noah Greenwald, Brett Hartl, Loyal Mehrhoff, Jamie Pang  
Center for Biological Diversity

## EXECUTIVE SUMMARY

The Endangered Species Act has been tremendously successful, preventing the extinction of 99 percent of species under its protection and putting hundreds of species on the road to recovery. This success is particularly impressive considering the Act has been chronically and severely underfunded. In this report we examined spending on recovery of endangered species by the U.S. Fish and Wildlife Service and other federal agencies and states; we identified major shortfalls in funding for this crucial work. Our key findings:

- Twenty-five percent of species protected under the Act (377) received less than \$10,000 in recovery funding in 2014, the last year for which data is available.
- Forty-three species received less than \$1,000 each.
- The Service's annual budget for recovery of the more than 1,500 species under its care is currently \$82 million per year, which covers not much more than basic administrative functions.
- Based on a detailed analysis of federal recovery plans, we estimate that fully implementing recovery plans for all listed species managed by the Fish and Wildlife Service would require approximately \$2.3 billion per year, about the same amount that's given to oil and gas companies to subsidize extraction of fossil fuels on public lands and a tiny fraction of the roughly \$3.7 trillion federal budget in 2015.

We recommend increasing the Fish and Wildlife Service's annual appropriation for endangered species recovery from \$82 million in 2016 to approximately \$2.3 billion over the next 10 years. Such an increase would allow the Service to establish partnerships with universities, state wildlife agencies and conservation organizations to further endangered species recovery, a primary goal of the agency.

During this interim 10-year period where funding is below the recovery needs for most endangered species, we recommend ramping up funding to "extinction prevention programs," such as existing, successful programs to protect Hawaiian plants and Hawaiian land and tree snails. We recommend expansion of these two existing programs and establishment of three more for southeastern freshwater mussels, desert fish of the Southwest and North American butterflies. Together with Hawaiian plants and snails, these taxonomic groups include some of the most endangered species in the United States. Congress should fund each of these extinction prevention programs at \$25 million per year.

## I. INTRODUCTION

The purpose of the Endangered Species Act is not merely to save species from extinction, but ultimately to recover them to the point that the protections provided by the Act are no longer necessary.<sup>1</sup> For imperiled plants and animals, gaining protection as an endangered species is like getting an ambulance ride to the hospital emergency room. This first step is absolutely crucial to prevent extinction. But after being stabilized in the emergency room, endangered species need longer-term rehabilitation to achieve recovery.

The Endangered Species Act requires the Fish and Wildlife Service (terrestrial and freshwater species) and National Marine Fisheries Service (marine and anadromous species) to develop recovery plans detailing the estimated cost and actions necessary to recover each protected species.<sup>2</sup> Recovery plans, however, do not guarantee appropriation of the funding needed to carry out recovery actions, and lack of funding is often a primary limiting factor to recovery. Several studies have documented that progress toward recovery is directly correlated to recovery dollars.<sup>3</sup>

To determine the adequacy of current recovery funding for the Fish and Wildlife Service, we compared existing funding and expenditures with estimated recovery costs from recovery plans. We obtained information on existing funding from agency budgets and biennial reports to Congress produced by the Service, which detail endangered species expenditures made by all federal agencies and states. We focused primarily on funding for the Service and not the National Marine Fisheries Service because the former has responsibility for all but 87 of the more than 1,600 currently listed species and has been chronically underfunded.

To estimate the amount of funding needed annually to fully recover listed species, we compiled estimated recovery costs from all recovery plans produced in the last 10 years by the Fish and Wildlife Service. Our analysis shows that both appropriations and total expenditures for recovery of endangered species fall far short of what is needed to recover species. Not only must funding be substantially increased if we are to recover more endangered species, but this increased funding should be dedicated specifically to the actions specified in federal recovery plans.

## II. U.S. FISH AND WILDLIFE SERVICE ENDANGERED SPECIES FUNDING

The Fish and Wildlife Service receives annual appropriations from Congress for its endangered species programs to fund the full range of endangered species activities: listing, consultation, recovery, law enforcement and others. In 2016 the Service was allocated \$234 million for the entire endangered species program, including listing, Section 7 consultations, habitat conservation plans, candidate conservation and recovery.<sup>4</sup> This level of funding barely allows the agency to carry out the basic activities required under the Endangered Species Act.<sup>5</sup>

1 16 U.S.C. § 1532(3) (defining “conservation” as “the use of all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this Act are no longer necessary.”).

2 16 U.S.C. § 1533(f)(1)(B).

3 See e.g., Julie K. Miller, et. al., *The Endangered Species Act: Dollars and Sense?* BioScience 52(2) at 163-168, available at <http://bioscience.oxfordjournals.org/content/52/2/163.full> (“[S]pecies that have higher proportional spending have an improved chance of achieving a status of improving or stable... Our current scenario is akin to starving hospitalized patients ... and then grilling the doctors about why more patients are not recovering.”)

4 FY 2017 USFWS BUDGET JUSTIFICATION at BG-1

5 While the Service requested an additional \$6 million for fiscal year 2017 (a total of \$251 million), this represents an increase of only 7 percent from last year for the more than 1500 species the agency is responsible for, including over 200 species having been added to the endangered list in the past five years. This means the Service's budget continues to be flat or declining. In contrast, the National Marine Fisheries Service is only responsible for 87 domestic species, and requested an additional \$31.2 million for its implementation of the Act.

The agency, for example, has long had a backlog of hundreds of species awaiting listing decisions. Due to lack of staffing, there have also been persistent delays in completion of Section 7 consultations to analyze the impacts of federal actions on listed species.<sup>6</sup> While the endangered species budget has increased since 1995, it peaked in 2010 and has since declined by 18 percent (Figure 1). During this same time frame, the number of listed species overseen by the Service has grown by nearly 50 percent.

Within its overall endangered species funding, the Service does have a specific budget for species recovery, which in 2016 was \$82 million.<sup>7</sup> This funding primarily covers agency staff to coordinate recovery activities, development of recovery plans and recovery tracking, such as production of 5-year reviews. Even for these critical activities, however, the funding level is inadequate and the Service still has not completed recovery plans for 343 (22 percent) of the 1,586 listed species and another 58 have only draft plans. As with overall endangered species funding, the budget for recovery has increased over the past 20 years, but funding peaked in 2010 and has since declined by 10 percent (Figure 1). At current funding levels, there is little capacity for the agency to implement recovery activities, even for the most critically endangered species.

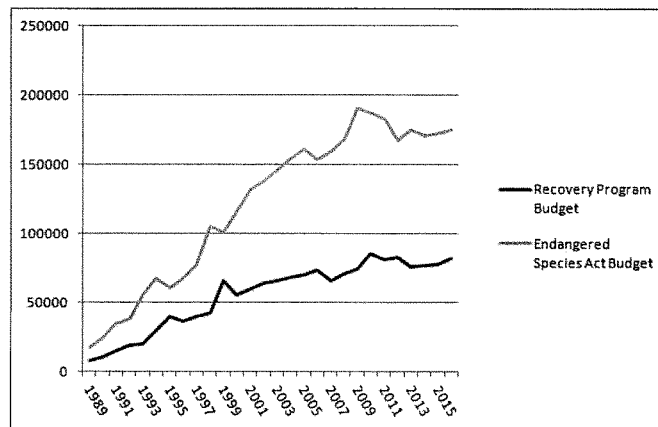


Figure 1. Total U.S. Fish and Wildlife Service endangered species and recovery budgets in thousands of dollars.

### III. EXISTING ENDANGERED SPECIES EXPENDITURES

In 1988 Congress required the Fish and Wildlife Service to annually report “reasonably identifiable” expenditures by federal agencies and states for the conservation of threatened and endangered species.<sup>8</sup> These reports consistently show that a small minority of species receive the majority of endangered species expenditures. It is noteworthy that a large proportion of species that benefit from expenditures by other federal and state agencies are species under the jurisdiction of the National Marine Fisheries Service. As detailed below in greater detail, this disparity in funding illustrates the challenges in moving most of the endangered species managed by the Fish and Wildlife Service toward recovery.

<sup>6</sup> See e.g. *Candidate Notice of Review*, 79 Fed. Reg. 72450 (Dec. 5, 2014) (146 species were added, awaiting listing decisions); Gov’t Accountability Office Report (GAO-09-550), *The U.S. Fish and Wildlife Service Has Incomplete Information about Effects on Listed Species from Section 7 Consultations* (May 21, 2009) (the Service’s lack of a systematic means of tracking monitoring reports and biological consultations is linked to their budget).

<sup>7</sup> FY 2017 USFWS BUDGET JUSTIFICATION at BG-1.

<sup>8</sup> See An Act to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992, and for other purposes, P.L. 100-478, 102 Stat. 2306 (Oct. 7, 1988).

In 2014 federal and state agencies spent approximately \$1.3 billion on endangered species, not including land expenditures. More than 60 percent of these dollars, or nearly \$747 million, went to just 35 species, a majority of which are affected by large federal water projects and in many cases under the jurisdiction of the National Marine Fisheries Service. Indeed, of the 50 species that received the most expenditures in 2014, 32 (64 percent) are overseen by the National Marine Fisheries Service. In total the 76 species under National Marine Fisheries Service jurisdiction with reported expenditures in 2014 received 51 percent of all expenditures, leaving the remainder to be split among more than 1,500 species under the Fish and Wildlife Service's jurisdiction. It is thus no surprise that 1 in 4 species received less than \$10,000 in expenditures in 2014.

A primary reason that such a small number of species receive the lion's share of funding is that they are affected by actions carried out or authorized by large federal agencies — agencies that are required by the Act to ensure that their actions do not jeopardize the continued existence of threatened and endangered species.<sup>9</sup> For example, 25 of the 35 species that receive the majority of expenditures are affected by large federal water projects, including 14 species of anadromous fish impacted by the many dams in the Columbia River system (Table 1).<sup>10</sup> Not surprisingly, the Bonneville Power Administration, the operator of the Columbia River dams, and the Army Corps of Engineers, which manages dam operations and other water projects across the country, had the first- and second-highest endangered species expenditures — \$230 million and \$225 million respectively — of any federal agencies in 2014.<sup>11</sup>

The substantial expenditures of the Bonneville Power Administration and Army Corps are as much to provide mitigation and allow the dams and other water projects to stay in place as they are to ensure recovery of impacted endangered species. Nonetheless, such expenditures have accomplished much toward securing a future for these species.<sup>12</sup> In the four states of the Columbia Basin, for example, stream restoration has occurred on more tributary stream miles than the length of the Columbia and Willamette rivers combined, and such efforts have been found to improve salmon numbers.<sup>13</sup> Other endangered species would certainly benefit from expenditure of such substantial resources, particularly if directed toward actions called for in their recovery plans.

In addition to the \$1.3 billion in direct conservation spending in 2014, approximately \$122 million was spent on land acquisition for 219 species.<sup>14</sup> Of this total \$112.4 million dollars was spent by federal agencies (93 percent) and \$9.5 million was spent by states (7 percent).<sup>15</sup> Species that benefited from significant land acquisition dollars in 2014 include the Florida panther, wood stork and Audubon's crested caracara, reflecting the fact that development in Florida is a major threat to endangered species and the cost of acquiring habitat in such areas is very high (Table 2). Within taxonomic groups fish benefited the most from land acquisitions, with nearly \$40 million in land acquisitions. Mussels, insects and flowering plants received the least funding for land acquisition, with these three groups being given just \$5 million despite accounting for more than half of the species protected under the Endangered Species Act.

The species benefiting from land acquisition vary year to year, but an examination of the past several years revealed that a number of species appear to benefit from large land-acquisition expenditures in multiple years.

<sup>9</sup> 16 U.S.C. § 1536(a).

<sup>10</sup> FY 2014 EXPENDITURES at 80-85.

<sup>11</sup> *Id.* at 255, 257.

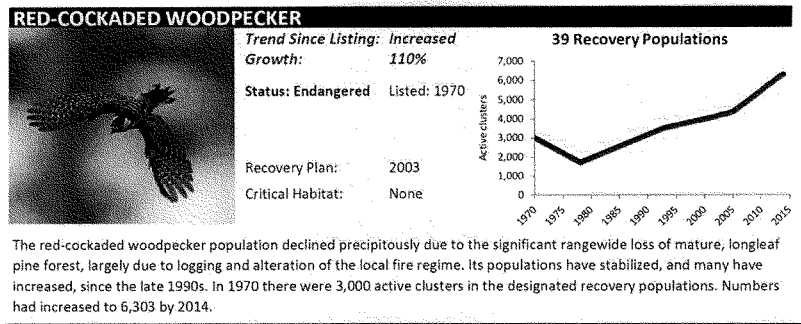
<sup>12</sup> The Bonneville Power Administration, for example, spends roughly 3 million dollars per year barging young salmon around dams that block their path to the ocean. See e.g. *Army Corps Decision Against Dam Removal Could Cost Taxpayers Billions and Drive Salmon to Extinction* (Feb. 20, 2002), available at: <http://www.taxpayer.net/library/article/army-corps-decision-against-dam-removal-could-cost-taxpayers-billions-and-d>.

<sup>13</sup> Bonneville Power Administration and Bureau of Reclamation. 2013. BENEFITS OF TRIBUTARY HABITAT IMPROVEMENT IN THE COLUMBIA RIVER BASIN RESULTS OF RESEARCH, MONITORING AND EVALUATION, 2007-2012. Available at: <https://www.salmonrecovery.gov/docs/Trib%20Benefits.pdf>

<sup>14</sup> FY 2014 EXPENDITURES at 132-142.

<sup>15</sup> *Id.*

There can be no question that land acquisition is critical to protecting and recovering endangered species. One of the species that most benefited from land acquisitions in 2013 and 2014, at a combined total of \$5.7 million, was the red-cockaded woodpecker, which because of a combination of land acquisition and active management on the part of a number of federal agencies has been on the increase..



Roughly 5 percent of total expenditures, or just under \$59 million, was allocated by state agencies to the conservation of approximately 380 species in 2014. Much of this funding is likely of federal origin, including dollars that have been passed onto the states as grants pursuant to Section 6 of the Act or via the Pittman Robertson Act. As with federal expenditures, the majority of funds went to a small number of species, with just 30 species receiving 80 percent of state expenditures. The remaining 350 species received just \$12 million dollars in state funding with 225 species receiving \$10,000 or less. More than 1,150 species received nothing at all. Many, if not most, states expend considerably more resources on game species than they do on non-game or endangered species.<sup>16</sup>

In sum, predominantly federal agencies spend more than \$1 billion on endangered species annually, but most of these dollars go toward a relatively small number of species that are affected by large federal projects, and in many cases are directed toward mitigation rather than recovery actions called for in federal recovery plans. Congressional appropriations to the Service for endangered species are not sufficient to allow substantial spending on actions called for in species' recovery plans. These facts highlight the crux of the problem, namely federal recovery plans identify actions needed to recover species, but there is no dedicated funding or personnel to carry out the overwhelming majority of these actions.

#### IV. ESTIMATING FUNDING NEEDED TO FULLY FUND ENDANGERED SPECIES RECOVERY

The Fish and Wildlife Service implements interim guidelines developed for recovery planning in 2004.<sup>17</sup> These guidelines require recovery plans to estimate costs for each recovery action, include costs on an annual basis for the first five years and estimate the total cost of recovery. We analyzed cost estimates contained in all recovery plans the Fish and Wildlife Service has published since issuance of this guidance in order to obtain standardized estimates of the median cost of recovery per species and, ultimately, to provide an estimated annual appropriation needed to implement recovery plans.

From 2005-2015 the Fish and Wildlife Service produced 78 recovery plans covering 150 species. We used the information in

<sup>16</sup> See, for example, <http://www.opb.org/news/article/wildlife-neglected-with-little-support-conservation-efforts-falter-at-oregon-fish-and-wildlife/>

<sup>17</sup> National Marine Fisheries Service and U.S. Fish and Wildlife Service, *Interim Endangered and Threatened Species Recovery Planning Guidance Version 1.3* (October 2004), available at [http://www.fws.gov/ENDANGERED/esalibrary/pdf/NMFS-FWS\\_Recovery\\_Planning\\_Guidance.pdf](http://www.fws.gov/ENDANGERED/esalibrary/pdf/NMFS-FWS_Recovery_Planning_Guidance.pdf).

these plans to obtain a single-year estimate of how much it would cost to implement recovery actions called for in recovery plans for these 150 species. To determine this, we first used the recovery cost estimates for 2015 if the plan included such information. Where such information was not available, we used the average cost estimates for the first 3-5 years of recovery plan implementation. If neither piece of information was available in the plan, we used the total cost of recovery of the species divided by the total number of years estimated for recovery, which is included in each recovery plan.

The median single-year estimate to recover these 150 species was roughly \$1.5 million. Using this figure to extrapolate to all 1,586 listed species, we estimate that an annual appropriation of roughly \$2.3 billion would be sufficient to implement recovery plans for currently listed species. This is a substantial increase over what the Fish and Wildlife Service receives currently, but is a relatively modest sum in terms of federal programs.

The average total cost for fully recovering individual endangered species was roughly \$104 million spread across 10 to 50 years depending on length to recovery specified in plans. Given that the outcome is the survival and recovery of a unique species that once lost, can never be brought back, this, too, is a very modest sum.

## V. RECOMMENDATIONS

Recovery plans provide a readily available source of the best scientific information to determine the funding and resource needs to ensure recovery for all currently listed species. But to date these plans have not been used for this purpose by either the Fish and Wildlife Service or Congress in the annual appropriations process. Instead, the agency routinely requests, and Congress grants, far less than what is needed to implement the Endangered Species Act. The longer a species is in crisis without substantial recovery effort, the more expensive full recovery becomes. Ensuring sufficient funding will make recovery more likely, prevent further species decline and help more species ultimately be delisted.

To rectify this situation, we recommend a dramatic increase in funding over the next 10 years for the Fish and Wildlife Service's recovery program, from \$82 million a year to approximately \$2.3 billion a year. This money should be specifically targeted to implementation of recovery plans.

The Fish and Wildlife Service could use these additional funds both internally to fund staff to update recovery plans and interact with recovery teams and externally to fund universities, state agencies and private conservation organizations to carry out recovery actions, which would serve to build partnerships for endangered species conservation — a long-term goal of the Service. Although it is not likely under the current Congress or incoming administration, we sincerely hope this report will begin a discussion that leads to a substantial increase in funding for recovery of endangered species.

In the interim when funding remains below recovery needs, we recommend that the Service adopt the use of taxon-specific efforts modelled on the Hawaii Plant Extinction Prevention Program. This highly successful and cost-effective program focuses emergency actions, captive propagation and reintroduction efforts on those species closest to the brink of extinction — the 238 Hawaiian plants that have 50 or fewer individuals left in the wild. More than 200 of the rarest plant species in the world receive emergency-room actions under this program, with a highly efficient annual cost of less than \$5,000 per species — though sadly this program has recently been the victim of significant budget cuts.<sup>18</sup> Recently a similar program has also been established for highly imperiled Hawaiian land and tree snails. As many as 90 percent of the 750 endemic Hawaiian snails may have already gone extinct.<sup>19</sup> Congress should fund expansion of these programs and establishment of three additional extinction prevention programs, as described below.

<sup>18</sup> See Plant Extinction Prevention Program, About Us <http://www.pepphi.org/about-pepp.html> (last accessed October 15, 2016)

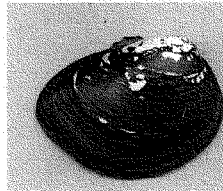
<sup>19</sup> See State of Hawaii, Division of Forestry and Wildlife, Native Ecosystems Protection & Management <http://dlnr.hawaii.gov/ecosystems/hip/sep/> (last accessed October 15, 2016).



The threatened Laguna Beach live forever (*Dudleya stonifera*), a tenacious cliff-dwelling succulent endemic to southwest Orange County, Calif., may not live for much longer if it continues to receive no funding. This species received only \$86 in 2012 and zero dollars in 2013 and 2014. The plant grows exclusively on sandstone cliffs, mostly in coastal sage scrub habitat. It is threatened by urban development, climate change, invasive species and habitat loss. As of 2010 there were only six known populations. Photo by Ron Vanderhoff, California Native Plant Society



**Southeast freshwater mussels.** North America has the highest diversity of freshwater mussels in the world, but unfortunately much of this diversity is threatened. Freshwater mussels are the most endangered group of organisms in the United States, with nearly 70 percent being at risk of extinction. Pollution and dams have deteriorated water quality and separated mussels from the host fish on which their survival depends. Thirty-eight species of mussel have already gone extinct, and another dozen are likely gone. Many additional species survive only in small isolated populations that will be lost without intensive captive-breeding and reintroduction efforts. The scientific expertise now exists to save these species, but the Service lacks the funding to collect and propagate the surviving individuals of all the species that are spiraling toward extinction. In 2014 total expenditures on 85 species of endangered freshwater mussels was approximately \$11.4 million, or just 0.8 percent of total expenditures, and some critically endangered mussel species received only \$100 in recovery funding.



**The endangered black clubshell** The endangered black clubshell (*Pleurobema curtum*) has remained endangered throughout its range since 1987, with next to no attention from the Service.

Historically this freshwater mussel species was known from the Tombigbee River in Alabama. The species declined due to dams, sand and gravel mining, diversion of water flows for municipal use, water sedimentation and algal blooms. The black clubshell has not been seen since 1991 and immediately needs comprehensive surveys and captive propagation if it still exists. It received only \$100 in funding from the Service in 2014.<sup>20</sup> Photo by Robert Jones, Mississippi Museum of Natural Science.

**North American butterflies.** Of all the endangered species in the United States, butterflies are one of the fastest declining groups, with several species on the verge of extinction. The Mount Charleston blue butterfly, Miami blue butterfly and Lange's metalmark, for example, all have worldwide populations of fewer than 100 individuals. These and other species would benefit from captive propagation and habitat restoration well beyond what is currently occurring. In 2014 total expenditures on the 21 protected butterfly species was only \$5.3 million, or just 0.4 percent of all expenditures.



The endangered **Mount Charleston blue butterfly** (*Plebejus shasta charlestonensis*) is down to just three confirmed locations, totaling fewer than 300 acres of habitat high atop the Spring Mountains outside Las Vegas, Nev. The exact number of butterflies remaining is unknown, but typically surveyors can only find a handful, indicating populations are exceedingly small. The butterfly faces threats from recreational development, fire suppression, collection and climate change. Despite the severity of the situation, the Mount Charleston blue butterfly received only \$700 in 2014 and zero dollars in 2013, the year it was protected under the Act.

<sup>20</sup> IUCN Red List, *Pleurobema curtum*, available at <http://www.iucnredlist.org/details/17666/0>.

## HAWAII'S EXTINCTION PREVENTION PROGRAMS

Hawaii has more endangered species than any other state, including a whopping 386 plants that make up one-quarter of all species protected under the Endangered Species Act. Many of these plants are barely hanging on in remote, difficult-to-reach cliffs and ravines where they are safe from human development and introduced pigs, goats, deer and mouflon sheep cannot reach them. In the 1990s an innovative partnership between the U.S. Fish and Wildlife Service, the state of Hawaii and the University of Hawaii was started to save Hawaiian plants with fewer than 50 individuals remaining in the wild, an unfortunate category that currently includes 238 species. This "Plant Extinction Prevention Program" has already saved dozens of species from extinction and helped reintroduce more than 110 species into native forests. Unfortunately the Fish and Wildlife Service recently cut funding for the program by 31 percent, resulting in a reduction from \$4,750 per species to \$3,300 per species — a cut that will severely reduce efforts to save these unique, at-risk Hawaiian plants.

Recently a similar program has been established to prevent extinctions of another exceptionally at-risk group of species: terrestrial snails. Up to 90 percent of Hawaii's 750 known terrestrial snails have already been lost to extinction. The primary threats to these animals are habitat loss and predation by introduced animals such as rosey snails, rats and chameleons. Modeled after the emergency plant protection program, the Snail Extinction Prevention Program focuses on preventing the extinction of the 50 most at-risk species. This program also utilizes captive propagation, emergency field actions and reintroductions. One species has already been reintroduced into the wild, six populations have been relocated to more secure habitat, and four species are maintained solely in captivity. In 2017 all the remaining wild individuals of four additional species will be brought into captivity.



**Hibiscadelphus woodii**, a member of the hibiscus family known only from the Kalalau Valley rim on the island of Kauai. The last known plant of this species died in 2012, though one immature plant may remain. The primary driver of its extinction was browsing by introduced feral goats. Photo by Ken Wood.



**Oahu tree snail** (*Achatinella fuscobasis*). A highly endangered snail found only on the island of Oahu, Hawaii. The Hawaii Snail Extinction Prevention program is actively working to save this unique species. Photo by David Sischo.

**Southwest freshwater fish.** The unique and highly endemic fish fauna of the Southwest and greater Colorado River Basin have been decimated by a century of habitat degradation and non-native fish introductions. Presently 42 fish species are either endangered or threatened, and most have experienced drastic abundance and range reductions. At least one species is extinct. Non-native fish species dominate most fish communities, and include at least 67 introduced species.<sup>21</sup> Controlling and removing these non-native species, even in just those areas necessary for recovery of the many endangered fish and other aquatic species, would be a massive effort requiring substantially more funds than currently allocated. These introductions have been facilitated by drastic habitat modification, which favors non-native species over native species.<sup>22</sup> A majority of waters in the Southwest are now regulated with associated changes in the hydrograph, channel geomorphology, water temperatures and mineral and sediment concentrations. These changes have been compounded by groundwater pumping and diversion that reduce flows, and habitat altering activities, such as livestock grazing, construction of roads, channelization and mining. Together these factors constitute a massive assault on the integrity of aquatic ecosystems in the Southwest that are imperiling most native fish species, as well as many native amphibians and reptiles, invertebrates and birds dependent on the Southwest's precious desert rivers. In 2014 just \$9.2 million was spent on these 42 fish, or just 0.6 percent of all expenditures. As with total expenditures, a substantial proportion of these expenditures were spent on the small number of fish affected by dams on the Colorado River or other major federal projects. Twenty-one of the species received less than \$100,000 dollars and six received less than \$10,000 dollars.

## CONCLUSIONS

The Endangered Species Act has been successfully protecting and recovering America's most imperiled species for more than 40 years. Thousands of dedicated state, federal and local government employees, conservation organizations, corporations, landowners and concerned citizens have been working tirelessly and — as this report points out — on shoestring budgets to save and restore hundreds of species that are on the brink of extinction. In many cases this hard work has paid off. Most of our protected birds are doing much better now than when they were listed.<sup>23</sup> Much remains to be done, however, to prevent the extinction of hundreds of other species, especially less charismatic plants, snails, mollusks, butterflies and highly endemic freshwater fish. We can save these and other species facing extinction with modest amounts of funding if we make it a conservation priority.

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<sup>21</sup> Carlson, C. A. and R. T. Muth. 1989. *The Colorado River: lifeline of the American*

*Southwest*. Proceedings of the international large river symposium, Can. Spec. Publ. Fish. Aquat. Sci. 106.

<sup>22</sup> Rinne, J.N., et. al. 1998. *Fish community structure in the Verde River, Arizona, 1974-1997*. Hydrology and Water Resources in Arizona and the Southwest 28:75-80.

<sup>23</sup> A Wild Success. <http://www.esasuccess.org/2016/report.html>.

**Table 1.** Species that received more than \$10 million in expenditures in 2014, accounting for more than 60 percent of total endangered species spending (not including land acquisition).

Rank	Species	Status	Species Total	Agency
1	Pallid sturgeon ( <i>Scaphirhynchus albus</i> ) - Entire	E	\$68,778,575	FWS
2	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Snake River Basin DPS	T	\$52,178,312	NMFS
3	Chinook salmon ( <i>Oncorhynchus tshawytscha</i> ) - Snake River spring/summer-run ESU	T	\$49,199,036	NMFS
4	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Middle Columbia River DPS	T	\$48,512,887	NMFS
5	Chinook salmon ( <i>Oncorhynchus tshawytscha</i> ) - Lower Columbia River ESU	T	\$42,525,708	NMFS
6	Chinook salmon ( <i>Oncorhynchus tshawytscha</i> ) - Snake River fall-run ESU	T	\$35,442,077	NMFS
7	Bull trout ( <i>Salvelinus confluentus</i> )	T	\$35,194,738	FWS
8	Chinook salmon ( <i>Oncorhynchus tshawytscha</i> ) - Upper Columbia spring-run ESU	E	\$33,836,557	NMFS
9	Desert tortoise ( <i>Gopherus agassizii</i> )	T	\$33,677,623	FWS
10	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Upper Columbia River DPS	T	\$31,683,743	NMFS
11	Stellar sea lion ( <i>Eumetopias jubatus</i> ) - Western DPS	E	\$30,472,348	NMFS
12	Red-cockaded woodpecker ( <i>Picoides borealis</i> )	E	\$28,091,150	FWS
13	Southwestern willow flycatcher ( <i>Empidonax traillii extimus</i> )	E	\$23,157,345	FWS
14	Sockeye salmon ( <i>Oncorhynchus nerka</i> ) - Snake River ESU	E	\$22,780,787	NMFS
15	Chinook salmon ( <i>Oncorhynchus tshawytscha</i> ) - Puget Sound ESU	T	\$21,124,534	NMFS
16	Chinook salmon ( <i>Oncorhynchus tshawytscha</i> ) - Upper Willamette River ESU	T	\$17,631,540	NMFS
17	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Lower Columbia River DPS	T	\$15,808,309	NMFS
18	Indiana bat ( <i>Myotis sodalis</i> )	E	\$15,192,756	FWS
19	Coho salmon ( <i>Oncorhynchus kisutch</i> ) - Lower Columbia River ESU	T	\$14,539,618	NMFS
20	Humpback chub ( <i>Gila cypha</i> )	E	\$13,409,098	FWS
21	Northern spotted owl ( <i>Strix occidentalis caurina</i> )	T	\$13,396,766	FWS
22	Coho salmon ( <i>Oncorhynchus kisutch</i> ) - Southern Oregon - Northern California Coast ESU	T	\$12,797,817	NMFS
23	Delta smelt ( <i>Hypomesus transpacificus</i> )	T	\$11,960,799	FWS
24	Piping plover ( <i>Charadrius melodus</i> ) - except Great Lakes watershed	T	\$11,685,179	FWS
25	Chum salmon ( <i>Oncorhynchus keta</i> ) - Columbia River ESU	T	\$11,329,733	NMFS
26	White sturgeon ( <i>Acipenser transmontanus</i> )	E	\$10,544,074	FWS
27	North Atlantic right whale ( <i>Eubalaena glacialis</i> )	E	\$10,207,748	NMFS
28	Razorback sucker ( <i>Xyrauchen texanus</i> )	E	\$9,539,766	FWS
29	Least tern ( <i>Sterna antillarum</i> ) - interior population	E	\$9,334,565	FWS
30	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Puget Sound DPS	T	\$9,321,316	NMFS

31	Rio Grande silvery minnow ( <i>Hybognathus amarus</i> )	E	\$9,223,652	FWS
32	Loggerhead sea turtle ( <i>Caretta caretta</i> ) - Northwest Atlantic Ocean DPS	T	\$8,660,093	NMFS
33	Atlantic salmon ( <i>Salmo salar</i> ) - Gulf of Maine DPS	E	\$8,621,892	NMFS
34	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Upper Willamette River DPS	T	\$8,429,010	NMFS
35	California red-legged frog ( <i>Rana draytonii</i> )	T	\$8,087,462	FWS

Table 2. 20 species that received the most expenditures on land acquisition in 2014.

Rank	Species	Status	USFWS Total	Federal Total	States Total	Species Total
1	White sturgeon ( <i>Acipenser transmontanus</i> )	E	\$0	\$12,256,564	\$0	\$12,256,564
2	Wood stork ( <i>Mycteria americana</i> )	T	\$1,149,467	\$9,500,000	\$0	\$10,649,467
3	Louisiana black bear ( <i>Ursus americanus luteolus</i> )	T	\$2,476,836	\$5,102,900	\$0	\$7,579,736
4	Florida panther ( <i>Puma concolor coryi</i> )	E	\$0	\$6,500,000	\$0	\$6,500,000
5	Bull trout ( <i>Salvelinus confluentus</i> )	T	\$71,000	\$4,766,580	\$1,208,617	\$6,046,197
6	Rio Grande silvery minnow ( <i>Hybognathus amarus</i> )	E	\$0	\$6,000,000	\$0	\$6,000,000
7	Audubon's crested caracara ( <i>Polyborus plancus audubonii</i> )	T	\$783	\$5,000,000	\$0	\$5,000,783
8	Indiana bat ( <i>Myotis sodalis</i> )	E	\$1,223,238	\$2,935,700	\$0	\$4,158,938
9	Bog turtle ( <i>Clemmys muhlenbergii</i> )	T	\$653,500	\$3,368,840	\$0	\$4,022,340
10	Steelhead ( <i>Oncorhynchus mykiss</i> ) - Middle Columbia River DPS	T	\$0	\$3,296,683	\$0	\$3,296,683
11	Red-cockaded woodpecker ( <i>Picoides borealis</i> )	E	\$3,046,058	\$2,000	\$21,931	\$3,069,989
12	Piping plover ( <i>Charadrius melodus</i> )	T	\$2,109,189	\$0	\$0	\$2,109,189
13	Sockeye salmon ( <i>Oncorhynchus nerka</i> ) - Snake River ESU	E	\$0	\$2,023,115	\$0	\$2,023,115
14	Everglade snail kite ( <i>Rostrhamus sociabilis plumbeus</i> )	E	\$0	\$2,000,000	\$0	\$2,000,000
15	Delmarva Peninsula fox squirrel ( <i>Sciurus niger cinereus</i> )	E	\$1,005,000	\$770,000	\$0	\$1,775,000
16	Northern spotted owl ( <i>Strix occidentalis caurina</i> )	T	\$0	\$1,264,000	\$366,035	\$1,630,035
17	American alligator ( <i>Alligator mississippiensis</i> )	SAT	\$0	\$1,500,000	\$0	\$1,500,000
18	Desert tortoise ( <i>Gopherus agassizii</i> )	T	\$0	\$0	\$1,400,000	\$1,400,000
19	West Indian manatee ( <i>Trichechus manatus</i> )	E	\$1,302,044	\$0	\$0	\$1,302,044
20	Kemp's ridley sea turtle ( <i>Lepidochelys kempii</i> )	E	\$1,210,434	\$0	\$0	\$1,210,434



**National Wildlife Federation**  
National Advocacy Center  
1200 G Street NW, Suite 900 • Washington, DC 20005 • 202-797-6800

November 14, 2018

Dear Chairman Barrasso and Ranking Member Carper,

On behalf of the National Wildlife Federation and our more than six million members, thank you for holding a hearing on the bipartisan Recovering America's Wildlife Act. Mandatory, dedicated funding for state fish and wildlife agencies is essential to addressing the crisis facing our nation's iconic fish and wildlife species.

Healthy wildlife populations are an inextricable part of the \$887 billion dollar outdoor economy and to the experiences of the hundreds of millions of Americans who enjoy our unrivalled public lands and waters. Yet, while our nation is blessed with a diverse array of fish and wildlife, nearly 1,500 wildlife species are listed as threatened or endangered under the Endangered Species Act and many more are in steep decline. More than one-third of all wildlife species—more than 12,000 in total—are in need of proactive conservation.

The Recovering America's Wildlife Act (S. 3223, H.R. 4647) will help recover at-risk fish and wildlife populations by making \$1.3 billion annually available for state wildlife programs, from a portion of annual energy and mineral revenues from federal lands and waters. As recommended by the broad coalition that sat on the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, the legislation funds the implementation of congressionally-mandated State Wildlife Action Plans, which outline specific conservation actions necessary to recover and sustain healthy fish and wildlife populations.

The Blue Ribbon Panel specifically recommended that funds be dedicated to provide consistent and sufficient levels of funding, and their recommendation mirrors the Pittman-Robertson and Dingell-Johnson Acts – a dedicated funding model that was essential to recovering some of our nation's most iconic wildlife species like the pronghorn, wild turkey, and striped bass. It can take decades of concerted effort to recover a species once it is on the brink. This was true for the bald eagle and the Delmarva fox squirrel and nearly any other species. Mandatory, dedicated funding is the essential ingredient to ensure success. The magnitude of the solution must match the magnitude of the challenge.

The Recovering America's Wildlife Act is built upon the premise that the best way to save America's wildlife is through collaborative, proactive, on-the-ground habitat restoration work before species are in trouble. As the adage goes, an ounce of prevention is worth a pound of cure. The Recovering America's Wildlife Act will provide resources to every state fish and wildlife agency to implement their State Wildlife Action Plans, restore populations of at-risk species, and recover species that land on the Endangered Species list. Taking measures to restore species before they are on the brink of extinction and ensuring healthy populations will save taxpayer resources and also allow businesses and their community partners to operate with more regulatory certainty and reduced risk. This proactive approach to conservation is good for wildlife, good for people, and good for business.

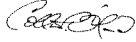
Uniting all Americans to ensure wildlife thrive in a rapidly changing world.

nwf.org

The Recovering America's Wildlife Act, which enjoys bipartisan support, will protect America's burgeoning outdoor economy and our proud outdoor and wildlife heritage. We urge the Committee to prioritize this important investment in our nation's wildlife for the enjoyment of current and future generations.

Thank you for all this Committee continues to do for conservation. The National Wildlife Federation stands ready to help in any way.

Sincerely,

A handwritten signature in black ink, appearing to read "Collin O'Mara".

Collin O'Mara  
President and CEO  
National Wildlife Federation

Alabama Wildlife Federation • Arkansas Wildlife Federation • Association of Northwest Steelheaders  
 Conservation Coalition of Oklahoma • Delaware Nature Society • Environment Council of Rhode Island  
 Environmental Council of New York • Environmental League of Massachusetts • Iowa Wildlife Federation • Kansas  
 Wildlife Federation • Mississippi Wildlife Federation • National Aquarium • Nebraska Wildlife Federation  
 New Jersey Audubon • Prairie Rivers Network • South Dakota Wildlife Federation  
 Vermont Natural Resources Council • West Virginia Rivers Coalition • Wyoming Wildlife Federation  
 National Wildlife Federation

November 14, 2018

The Hon. John Barrasso  
 Chairman  
 Committee on Environment & Public Works  
 United States Senate  
 Washington, D.C. 20510

The Hon. Thomas Carper  
 Ranking Member  
 Committee on Environment & Public Works  
 United States Senate  
 Washington, D.C. 20510

Dear Chairman Barrasso and Ranking Member Carper,

Our organizations collectively represent hundreds of thousands of wildlife conservationists, including hunters, anglers, birdwatchers, wildlife managers, educators and everyday Americans. We also work with affiliate organizations in other states and nationally to collectively form the National Wildlife Federation, a broad coalition of millions of Americans who cherish our nation's diverse array of fish and wildlife.

Our nation is blessed with a diverse array of fish and wildlife. Over the last century, our state and federal wildlife managers have recovered many of our most treasured fish and wildlife species through the protection of habitat and science-based management. Unfortunately, many of our fish and wildlife are still at risk. Today, nearly 1,500 wildlife species are listed as threatened or endangered under the Endangered Species Act and many more are facing increasing challenges and are in steep decline. In fact, more than one-third of all wildlife species—more than 12,000 in total—are in need of conservation.

The Recovering America's Wildlife Act (S. 3223, H.R. 4647) will help recover at-risk fish and wildlife populations by providing \$1.3 billion annually into the existing Wildlife Conservation and Restoration Program. As recommended by the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, the legislation funds the implementation of the congressionally-mandated state wildlife action plans, which outline specific conservation actions necessary to recover and sustain healthy fish and wildlife populations.

The Recovering America's Wildlife Act will provide resources to every state fish and wildlife agency to implement their state wildlife action plan and recover species on the Endangered Species List as well as increase populations of at-risk species to preclude the need for future listings. We know this approach will work, because it follows the model of the highly-successful State Wildlife Grants program. Over the last 18 years, this program has demonstrated the effectiveness of collaborative, on the ground conservation before species become endangered.



Recovery of imperiled wildlife has helped alleviate pressure for restrictive and often expensive regulatory protections under the Endangered Species Act. As the adage goes, an ounce of prevention is worth a pound of cure.

Reliable, dedicated funding is crucial to the success of wildlife conservation efforts. It can take years of work to restore habitats, build relationships with private landowners, and recover species populations. The House version of the Recovering America's Wildlife Action (H.R. 4647) includes dedicated funding for the WCRP from a portion of revenues received from the development of energy and mineral resources on federal lands and waters. This funding would operate alongside the Land and Water Conservation Fund and the proposed National Parks Infrastructure Fund, supporting wildlife conservation without diminishing either of those other important programs. We strongly urge you to include similar dedicated funding in the Senate bill (S. 3223) or any wildlife conservation legislation.

America has a proud history of bringing fish and wildlife back from the brink of extinction through professional wildlife management. A century ago, prized game species like elk, wood ducks, pronghorns, and striped bass were at risk of extinction—now they are thriving largely due to user fees provided by hunters and anglers. Today, America faces a new wildlife crisis and one in which the magnitude of the solution matched the magnitude of the challenge.

As President Theodore Roosevelt once said, "The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired in value." The challenges facing America's fish and wildlife today are daunting, but a solution is in your hands. The House version of the Recovering America's Wildlife Act (H.R. 4647) is cosponsored by more than 110 Members of both parties. The Senate bill (S. 3223) also enjoys bipartisan support. In this deeply polarized time, anything that attracts this much bipartisan support deserves to move forward. Thank you for taking action on this pressing national priority.

Sincerely,

Alabama Wildlife Federation	Mississippi Wildlife Federation
Arkansas Wildlife Federation	National Aquarium
Association of Northwest Steelheads	Nebraska Wildlife Federation
Conservation Coalition of Oklahoma	New Jersey Audubon
Delaware Nature Society	Prairie Rivers Network
Environment Council of Rhode Island	South Dakota Wildlife Federation
Environmental Advocates of New York	Vermont Natural Resources Council
Environmental League of Massachusetts	West Virginia Rivers Coalition
Iowa Wildlife Federation	Wyoming Wildlife Federation
Kansas Wildlife Federation	National Wildlife Federation



The voice of fish and wildlife agencies

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Fax: 202-350-9869  
Email: [info@fishwildlife.org](mailto:info@fishwildlife.org)

#### Statement for the Record

Submitted by the Association of Fish and Wildlife Agencies  
to the Senate Committee on Environment and Public Works for an Oversight Hearing  
held Thursday, November 15, 2018 on

*"Examining State Funding Needs for Wildlife Conservation, Recovery, and Management"*

Thank you, Chairman Barrasso and Ranking Member Carper, for the opportunity to share with you the Association of Fish and Wildlife Agencies' (Association) perspectives on state funding needs for wildlife conservation, recovery and management. The Association's mission, which has not changed significantly from our founding in 1902, is to protect state agency authority to conserve and manage the fish and wildlife within their borders, and all 50 state fish and wildlife agencies (states) are members. In meeting that goal, we strive to facilitate cooperation between state and federal agencies, conservation NGOs, and private landowners to conserve our nation's fish, wildlife and their habitats.

States have the primary legal authority for the conservation and management of fish and wildlife within their borders, including on most federal lands. This is grounded in the tenth amendment to the United States Constitution as well as the Public Trust Doctrine. Fish and wildlife conservation was one of "The powers not delegated to the United States by the Constitution, [and thus] are reserved to the States respectively, or to the people." Only Congress can give a federal agency authority to preempt the states' authority for management of fish and wildlife, and then only for certain federal actions. Congress has repeatedly affirmed that authority to manage fish and wildlife rests with the states for the benefit of the public and future generations.

Over the decades the states have matured in expertise, sophistication, capacity, and experience. Once solely focused on enforcement of game harvest laws and regulations, today they continue to do that and much, much more. They are on the ground, in communities, and on the front lines of most species conservation issues. Citizens, businesses, and landowners are more likely to reach out first to states for assistance with a species concern, even with federally listed species, and the states find ways to step up and help often finding innovative ways to fund their conservation actions and efforts like specialty license plates and donations. They leverage federal dollars and their many partnerships to manage and enhance habitats, share capacity, and deliver technical assistance to private landowners to improve the status of many species across the country. The public expects the states to manage all fish and wildlife species as a public trust resource and assets for future generations, and they are doing all they can with what they have, but the fiscal resources at hand today are not enough to proactively address today's conservation complexities and growing challenges. The states are still missing the flexibility to adequately communicate with hunters and recreational target shooters and are still missing the dedicated fiscal resources needed to proactively conserve the diverse array of all fish and wildlife within their borders. The Association appreciates the committee's sincere interest in understanding the fiscal

needs of the states, and many of these challenges can be addressed by current legislation referred to this committee.

The essential role that our natural resources play in American's quality of life and economic prosperity is all too often overlooked. These resources are the lifeblood of many communities and continue as important job and revenue generators at state and national levels. According to the 2017 Outdoor Industry Association report, every year Americans spend more on outdoor recreation (\$887 billion) than they do on pharmaceuticals and fuel, combined (\$770 billion). More Americans are employed by outdoor recreation jobs than those in education, computer technology, insurance and finance, and construction. The outdoor recreation economy generates \$124.5 billion in local, state and federal tax revenues each year. Spending on hunting alone supports more American jobs (195,000) than the combined workforces of Apple and Microsoft (130,000). Access to high quality recreation opportunities drives our economy and continues to be a quality-of-life index criterion, and a key decision point for choosing a location for many of our most productive American industries and contributors to our GDP. All these economic benefits would not exist without healthy fish and wildlife and the habitats they depend on for survival, just as we do. The *Recovering America's Wildlife Act* recognizes and builds a path forward for this synergy to continue to sustain our high quality of life and our economic prosperity together into the future.

#### **Recovering America's Wildlife Act (S3223/HR4647)**

Today, we are facing an historic fish and wildlife challenge that could alter future Americans' opportunities to benefit from these resources. Scientists estimate that one-third of wildlife species in the United States are at risk of becoming threatened or endangered unless we pursue proactive, collaborative efforts to accelerate their recovery. The dramatic decline of so many species of diverse wildlife and the habitats they depend on has an adverse effect on fundamental life benefits provided by nature such as water purification and aquifer recharge, flood abatement, pollination, recreation, and food and fiber production that are essential to human health. These species declines threaten Americans' quality of life, as well as our national economy and create costly regulatory uncertainty for businesses, industries, and communities further impacting jobs and the health and economic well-being of our communities. Foreseeing the disconcerting events ahead, the states and the Association acted.

In 2014, prompted by the growing threats to our natural resources, the Association convened a Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, which was co-chaired by Governor Dave Freudenthal (WY) and Bass Pro Shops founder and CEO John L. Morris and included executives from major corporations and leadership from the nation's leading non-governmental conservation organizations. The panel validated the serious need for a more complete funding model that enables states to more fully deliver conservation actions for all fish and wildlife. The Wildlife Restoration Program and the Sport Fish Restoration and Boating Safety Trust Fund are essential and successful in providing reliable and dedicated funding to states for the conservation and management of species that are hunted and fished, respectively, and are responsible for the recovery of these species, some of which were on the brink of extinction. There is no concomitant, dedicated funding source to states for the conservation and management of the full array of species, many of which are trending toward needing a safety net to assist in their stabilization and recovery. States need a dedicated funding source commensurate with their broad conservation missions to restore, conserve, and manage these at-risk species that comprise the lists of species of greatest conservation need compiled by states. We need an innovative funding solution to address a nation-wide fish and wildlife conservation crisis that has the potential to impact all aspects of our American traditions and natural heritage, our economy, and our quality of life.

To accomplish this goal, the Panel recommended a sweeping initiative to dedicate \$1.3 billion annually to the Wildlife Conservation Restoration Program, an existing subaccount under the Pittman-Robertson Wildlife Restoration Program, for states to effectively implement state wildlife action plans. Congress requires each state and U.S. territory to develop a state wildlife action plan – a proactive, comprehensive conservation strategy which examines species’ health and recommends actions to conserve fish, wildlife and vital habitats before they become more rare and in need of additional protections. These plans are unique to each state and are developed with participation from the public. Because fiscal resources to implement these plans are limited, states often rank or prioritize species and/or habitats most in need of conservation attention. Factors that contribute to a how a state determines a species’ prioritization and listing as a state species of greatest conservation need (SCGN) include, but are not limited to, the following examples: status as a candidate, threatened or endangered species under the state and/or federal ESA; imminent threat of extinction within the state; subspecies, distinct population segments, and ecological significant units of high conservation concern; an endemic to the state or regionally endemic, range restricted, or geographically disjunct species; threats that have significant impacts to multiple species and their habitats that are driving species toward listing and/or extirpation, whether or not the species are already listed; current or trending habitat factors, changes, and impacts that adversely affect species, pushing them toward listing; and where substantial rangewide declines have been documented or other compelling reasons existed to justify the species’ inclusion as a SCGN. Congress has provided a helping hand for these efforts by funding development of state wildlife action plans through the State and Tribal Wildlife Grants Program. We are grateful for this recognition of the value of state-based conservation, but we are only able to scratch the surface with this level of support. Without additional resources to reverse the growing list of species declines and possible listings, it is a growing federal and fiscal burden on taxpayers, states, industries and communities.

The panel has since expanded into the Alliance for America’s Fish and Wildlife (Alliance), representing members from the outdoor recreation retail and manufacturing sector, the energy and automotive industries, private landowners, educational institutions, sportsmen’s and other conservation organizations, and states. United by a shared vision and a common purpose, the unprecedented Alliance stands ready to work with you and with Congress to enact and implement this unique solution to the nation’s fish and wildlife crisis.

The Association thanks Senators Risch (ID), Manchin (WV), Alexander (TN) and Heitkamp (ND) and Representatives Jeff Fortenberry (NE) and Debbie Dingell (MI) for understanding the gravity of our growing wildlife crisis and for introducing bipartisan, legislative solutions to make a meaningful investment in this important, state-led conservation work – *the Recovering America’s Wildlife Act (S3223/HR4647)*. This legacy legislation is an opportunity to provide a proactive solution that leverages public/private partnerships and brings stakeholders together to reduce potentially costly regulatory burdens and uncertainties and provide economic benefits to our citizens and businesses. Additionally, this legislation is complementary to existing natural resource conservation and outdoor recreation programs and proposes to redirect \$1.3 billion in existing energy and mineral revenues generated from onshore and offshore federal lands and waters to invest in the health and management of habitats and landscapes upon which our citizens and all our fish and wildlife depend.

*The Recovering America’s Wildlife Act* would provide critical resources to states to sustainably lead proactive, voluntary, incentive-based conservation efforts that have proven effective in stabilizing wildlife populations to preclude the need to list species under the federal Endangered Species Act (ESA). The states have shown that addressing the life needs and habitat requirements of declining species across their range before they reach the point where additional protections may be needed, is the more prudent, economically, and biologically sound approach to managing species trending toward listing.

States can use the funds to ameliorate threats and risks to species and their habitats like controlling invasive species like cheatgrass and addressing devastating diseases of bats like White-Nose Syndrome. It would also enable the states to work with private landowners to implement voluntary conservation and management actions without requiring public access, keeping private lands private. Funds provided to the states through this legislation would be leveraged with non-federal match, creating opportunities for new and expanded successful partnerships. The funds would be apportioned to each state based 50% on its proportion of land area and 50% on its proportion of people according to the US Census. The District of Columbia and US territories would also receive funding from the program.

In addition to providing critical resources to proactively manage all fish and wildlife species, the *Recovering America's Wildlife Act* also provides states with the ability to communicate and work with the public through wildlife conservation education efforts. The Act allows the states to create and implement wildlife conservation education programs and projects, including public outreach intended to foster natural resource stewardship, and work with the public, industries and communities to develop local wildlife conservation solutions. Further, the legislation advances wildlife-associated recreation projects by allowing states to use up to 10% of a state's apportionment to meet the growing demand for outdoor activities associated with fish and wildlife including but not limited to hunting, fishing, wildlife observation and photography; wildlife viewing areas, blinds, and platforms; water trails and access; and trails, trail heads and access for such projects. Having a place to go to recreate outdoors is one of the leading challenges to outdoor recreation participation. Outdoor recreation is a part of our great natural heritage—our identity as Americans, and we want to make certain that this natural heritage exists in the same or better condition for future Americans by nurturing a conservation ethic and investing in our natural resources.

We know this is a substantial commitment and investment, but rest assured that the states and their conservation partners are committed to conserving the full array of America's fish and wildlife, and excited to report their conservation outcomes and progress to their citizens and Congress. Investing in the *Recovering America's Wildlife Act* will provide economic returns to state, local and federal governments in the form of decreased tax payer expenditures associated with species listings and associated regulations, increased opportunity for wildlife-dependent recreation, growth in the outdoor recreation economy, and increases in associated jobs.

Last month this committee held a hearing about state conservation success stories. States across the country have proven track records and many success stories about reversing species' population declines and bringing them back from the brink of extinction. The states work within their boundaries to conserve endemic species and across state boundaries and across the range of species. Here are a few examples:

- Over the course of 22 years, Oregon Department of Fish and Wildlife led the recovery efforts of the *Oregon chub* working in concert with local interests. On March 15, 2015, it was the first fish ever to be delisted under the ESA.
- Wyoming, Montana, and Idaho worked together to identify important life history information and movement patterns of the North American wolverine. Through their cooperative actions across the range, the FWS determined that protections of the ESA were not warranted.
- Home to the Greater Sage-Grouse, eleven western states (ND, SD, MT, WY, CO, UT, NV, CA, ID, OR, and WA) developed and implemented individual state conservation plans and strategies that collectively led to a not warranted listing determination under the ESA. These plans still serve to drive conservation of the species and its habitats, avoidance and management of threats, and mitigation actions.
- The New England Cottontail Regional Initiative is another excellent example of how multiple states worked together in partnership with FWS, other federal agencies and conservation

partners across state boundaries to recover an imperiled species and preclude the need for listing it under the ESA. This was a heroic 10-year proactive conservation strategy across six New England states (ME, NH, NY, CT, MA, RI). They coordinated and orchestrated implementation of habitat management regimes in 31 of 47 Focal Areas with targets as fine as the parcel level. More than \$41.6 million in grants was obtained and dedicated to conserving this candidate species, and because of their conservation actions on the ground across the range of this species, the New England Cottontail Regional Initiative was successful, and protections of the ESA were not warranted.

- The Lesser Prairie Chicken Range-wide Plan developed by Texas, Oklahoma, Kansas, New Mexico and Colorado successfully deployed voluntary conservation actions on private lands to protect and improve habitat for the Lesser Prairie Chicken. Energy companies, states, nonprofits, and others successfully implemented conservation actions and ongoing strategies such that protections of the ESA were not warranted.
- Alabama ranks first in aquatic biodiversity in the United States. It has more species of freshwater fishes, mussels, snails, and crayfish than anywhere else on the continent. The Alabama Wildlife and Freshwater Fisheries Division is leading the way on management and recovery of these aquatic species through their work at the Alabama Aquatic Biodiversity Center (AABC), which is the largest state non-game recovery program of its kind in the United States. The AABC promotes the conservation, restoration and recovery of rare freshwater species in state waters where future generations will benefit from the clean water initiatives these unique species can promote.

Every success story is directly related to the states' and their partners' dedication, steady efforts, and commitments to achieving a shared goal. Species management and recovery require dedicated funding to afford states the ability to craft and implement a multiyear species conservation plan with the human capacity and expertise needed to assess the population status, determine causes of decline, ameliorate threats and risks affecting the species and its habitats, restore and enhance those habitats and populations, monitor responses to management actions, and adjust course as necessary to achieve success. Inconsistent funding from year to year can compromise every critical step of this process and lead to prolonged recovery times and even failure. Most species recovery efforts take a decade or more as evidenced by the time-lapsed from a federal species listing to delisting.

While we know the prospect of enacting legislation that provides dedicated funding may be a challenging prospect for some members of Congress, we also know it is truly the best solution to the fish and wildlife conservation crisis we face today. Not all mandatory funding is created equal and not all programs with such funding grow federal expenditures over time. In fact, *Recovering America's Wildlife Act* should save taxpayer dollars over time by precluding the need to list species under the ESA. Congress may authorize an infrastructure project today only to have the actual cost increase significantly by the time the project is ready to break ground in the future, and this isn't a blank check that gets larger every year without consent from Congress. From a budgeting perspective, dedicated funding is the most fiscally conservative approach to managing both the nation's financial resources and our fish and wildlife. Further, Congress has already prescribed under the existing authority of the Wildlife Conservation and Restoration Program the uses of funds which requires involvement from the public, has fiscal accountability and financial leveraging already built into the program, and requires progress reporting to stakeholders and Congress.

Each species that is precluded from listing under the ESA will save millions of dollars incurred through the state and federal agencies' staffs time and processes of processing data and federal notices for petitions, listing determinations, critical habitat designations, potential 4(d) rules, consultations and permits, and more time and money needed to create and implement conservation tools such as Safe

Harbor Agreements and Habitat Conservation Plans. And while species listed under the ESA need these fiscal and human resources, it is more affordable to deploy proactive, voluntary conservation actions that will preclude the need to list species under the ESA and thus over the long-term reduce federal expenditures while increasing our ability to recover species before it is more biologically and ecologically difficult. The old adage is true in this case -- an ounce of prevention is worth a pound of cure.

The states respectfully ask this Committee and other members of Congress to support dedicated funding for the *Recovering America's Wildlife Act*. States have a proven track record of recovering species with dedicated funding as evidenced by over 80 years of success through the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act. The states can build upon their current efforts to conserve the full array of diverse fish and wildlife, together with their conservation partners and private landowners, if afforded the opportunity. The Association respectfully asks you to help enact the *Recovering America's Wildlife Act* this Congress with dedicated funding.

**Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act (HR2591/S1613)**

This bill neither seeks a new source of federal funding nor imparts a federal mandate of any kind. Rather, this bill simply gives states the flexibility to address today's priority problems using existing funds from the Pittman-Robertson Wildlife Restoration Fund (P-R).

Since 1937, sportsmen and women have been the driving force for conservation funding in the United States. Over \$10 billion have been collected through the P-R from hunters and recreational target shooters, and apportioned to states to fund wildlife conservation, habitat acquisition and management, public access, hunter education and safety, and shooting ranges affiliated with hunter safety programs. This program has unquestionably served as the lifeblood for wildlife conservation in this nation for more than 80 years. Despite P-R's magnanimous success, the allowable uses for funding under this program must be updated to accommodate modern challenges unimaginable in 1937, if we are to adequately secure our wildlife conservation and natural heritage future.

For the past several decades, the number of licensed hunters across the United States (U.S.) has been on a steady and precipitous decline. More recently, the preliminary results of the 2016 National Survey of Fishing, Hunting and Wildlife-Associated Recreation released by the U.S. Fish and Wildlife Service (FWS) indicate that hunting has declined by 16 percent since 2011. This equates to a reduction of 2.2 million hunters over the 5-year period. Previously, over the period from 1980 to 2011, a decline of 3.7 million hunters occurred. These numbers indicate that there are now approximately 11.5 million active hunters in the United States. Additionally, the average age of Americans purchasing hunting licenses is steadily rising thus further detailing the lack of recruitment and retention. This recent accelerated decline is alarming and should be viewed as a wakeup call to not only states, industry, and conservation groups, but sportsmen and women everywhere. While there are many contributing factors to the participation decline noted above, these overarching impacts on our human population have made it more difficult for the public to participate in hunting and recreational target shooting as public access, time, and available resources are all strained.

It is now more important than ever that we address the changing dynamic to meet the needs of the modern sportsperson. Without increasing taxes or existing user fees, this legislation will ensure user-pay funding of wildlife conservation for future generations. Specifically, the bill clarifies that a purpose of the fund is to extend assistance to the states for the promotion of hunting and recreational target shooting, and that state expenditures may include spending for the outreach, communication, education and promotion of hunting and recreational target shooting. To better communicate with today's sportspersons, the legislation would allow states to use modern communication methods to inform and educate hunters and recreational target shooters like our agency currently does for fishing and boating,

creating parity. Constituents expect the states to use modern methods and means to communicate with them, but much of these activities are currently prohibited under current law and considered “public relations.” Moreover, the ability to communicate with our resident and non-resident hunters is imperative to more proactively prevent and slow the spread of Chronic Wasting Disease (CWD) across the nation. Many hunters still do not know about CWD, if it is present where they are hunting, precautions they should take if it is, how CWD is transmitted, or other important aspects of the disease.

The Association respectfully requests that Congress enact this legislation this session. States must have the ability to communicate better with the hunting public and together do what we can to control CWD. Finally, the bill would expand the Multistate Conservation Grant Program to include \$5 million in recreational target shooter recruitment grants that promote state implementation of a national hunting and shooting sport recruitment program. In the interest of time with few legislative days left, we respectfully request the committee move this legislation forward as soon as possible and enact it this Congress.

The Association thanks the Chairman and Ranking Member’s work on the *Hunting Heritage and Environmental Preservation for Wildlife Act (HELP Act)*. That Association supports passage of the *HELP Act* and the many provisions contained therein, including returning management authority of wolves in the Great Lakes and Wyoming back to the states. The FWS has testified before Congress that gray wolves are recovered and should no longer be listed under the ESA. We appreciate Congress’s recognition of this fact and actions to address the issue.

#### **National Fish Habitat Conservation Through Partnerships Act**

The Association strongly supports the National Fish Habitat Conservation Through Partnerships Act and greatly appreciates and benefits from the great collaborative fish habitat work that occurs through the 20 fish habitat partnerships nationwide. A partnership of state agency staff, conservation organizations, and local communities the program strategically leverages state and local resources and capacities to address fish and fish habitat conservation needs through collaborative restoration, conservation, and habitat enhancement efforts. I appreciate the committee’s work on this important piece of legislation and its inclusion in the *HELP Act*, and we look forward to its enactment.

#### **North American Wetlands Conservation Act**

The Association strongly supports reauthorization of the *North American Wetlands Conservation Act* as proposed in the *HELP Act*. This is another highly collaborative program that leverages state, federal, private and nonprofit funds to protect, restore, enhance and manage wetland habitat for migratory birds and other wildlife. These are the same wetlands we all depend on for clean water, flood attenuation, aquifer recharge, and healthy environments. Further, for each federal dollar, one partner dollar must be matched, but every federal NAWCA dollar is usually tripled by partners at the state and local levels making this a highly efficient program. We thank the committee for your leadership in reauthorizing this important program.

The Association also supports enactment of the *Wildlife Innovation and Longevity Driver Act (WILD Act)*, the proposed innovative incentives to solve complex wildlife challenges, reauthorization of the Partners for Fish and Wildlife Program, and improvements to the Fish and Wildlife Coordination Act included therein.

#### **Partners for Fish and Wildlife Conservation**

The Association continues to support reauthorization of the *Partners for Fish and Wildlife Program* as proposed in the *WILD Act* which passed this Committee and passed the Senate by unanimous consent. This highly successful program is an integral part of collaborative fish and wildlife conservation efforts



with private landowners and the FWS across the country and has been one of the cornerstone programs used by private landowners for conserving listed species. The program is well-received by private landowners and agricultural producers, is solution-oriented, doesn't remove lands from the county's tax rolls, and cooperatively enhances fish and wildlife habitats for many declining, at-risk, and listed species. We thank the Chairman, Ranking Member and members of the committee for your leadership in reauthorizing this important program.

#### **Fish & Wildlife Coordination Amendment**

The Association deeply appreciates efforts to improve state and federal coordination under the *Fish and Wildlife Coordination Act*. Aquatic invasive species (AIS) are a serious problem for all states, and we must work together to reduce and eliminate any new introductions of AIS and better control and manage the AIS currently within the United States. We welcome the amendment proposed in the *WILD Act* and look forward to working with this Committee next year to further explore additional ways to improve state-federal coordination under this Act.

#### **Endangered Species Act Amendments of 2018**

The *Recovering America's Wildlife Act* also would provide the states with the option of enhancing their engagement in federally listed species recovery efforts such as with recovery planning and recovery plan implementation. Limited agency capacity, current species priorities, or a focus on recovering candidate species, and precluding listings may take precedence over recovering listed species for some states. However, many others would welcome the opportunity to constructively exercise their concurrent authority for management of species listed under the ESA and exercise cooperative federalism principles.

It is difficult to assess the costs of time and efforts required to manage and recover federally listed species. It seems to vary significantly depending on how wide ranging a species is, how much information already exists on a species' life history and status, and how many people and agencies require coordination assistance throughout the ESA processes. We suspect the federal agencies have estimated costs associated with the federal register notice (FRN) processes, which could be up to six FRNs per species listed. But costs do not stop there – there are federal agency coordination efforts, consultations, permits, technical assistance, development and implementation tools, recovery plan development and implementation, status reviews and assessments, and other actions for which federal cost estimates collectively remain elusive. However, these are real actions that without adequate funding slow not just the federal processes but also the pace at which recovery can occur and, in some instances, likely prolongs the time needed to achieve recovery and delist a species. This undoubtedly leads to increased costs over time and even compromises our ability to successfully recover some species. In some instances, we can identify some of the states' costs for recovery efforts, but much of the federal and conservation partner details are unavailable. Florida estimated they raised and spent \$44 million to help recover and downlist the West Indian manatee from endangered to threatened, which does not include funds used by the federal agencies on manatee recovery efforts. Here are few more examples of states' dedication and efforts to recover species.

Moving north along the East Coast, Delmarva Fox Squirrels in the Mid-Atlantic were delisted in 2015 due to the great work of Maryland, Delaware, Virginia and Pennsylvania over the course of 48 years. They worked closely with federal, industry, academic and conservation partners, and most importantly private landowners. In this case, a listed species was recovered predominately on private lands without the use of a Habitat Conservation Plan or Safe Harbor Agreements. That is a testament to the trust and value of state's relationships with families and communities when they work side-by-side to recover America's wildlife, but the collective costs incurred by all parties and associated with recovery over the course of 48 years is impossible to calculate.

Over the course of 22 years, Oregon Department of Fish and Wildlife (ODFW) led the recovery efforts of the *Oregon chub*. The ODFW biologists worked in concert with local nonprofits, private landowners, Tribes, multiple federal agencies and others grow the struggling fish population from fewer than 1,000 individuals in eight known populations in the wild to over 140,000 *chub* in 80 populations along the Willamette River and its tributaries. On February 17, 2015, the *Oregon chub* was the first fish ever to be delisted under the ESA.

Piping plovers are small, stocky shorebirds that nest on sandy coastal beaches and dunes. They are listed as threatened by the state of Massachusetts and by the FWS. Knowing the needs of Massachusetts' wildlife, the importance of the states' beaches to local economies and citizens' natural heritage, and the difficulties associated with successfully balancing all these issues with a federally listed species, the Massachusetts Division of Fisheries and Wildlife (MassWildlife) took the lead in writing and implementing the Habitat Conservation Plan (HCP) for recovering piping plovers in Massachusetts with a variety of stakeholders from coastal communities and the FWS. The FWS approved the HCP in July 2016, and since then MassWildlife advances piping plover recovery efforts; maintains and improves public access, recreational opportunities, and economic activity associated with the state's beaches; and streamlines the state and federal permitting process into a one-stop-shopping experience for its citizens and businesses. In 1986 there were only 140 breeding pairs of piping plovers in Massachusetts and today there are close to 700 breeding pairs because of the collaborative efforts of beach managers, private landowners and MassWildlife.

Once federally listed in 1967, the bald eagle was delisted 40 years later in 2007, after the states pulled together with the FWS across the range to protect nesting pairs, address threats to survival, and restore the bald eagle to healthy population levels across the lower 48 states.

Thank you for considering the perspectives of the Association. We look forward to working with you to enact these important pieces of legislation as soon as possible. If you have any questions, please direct them to the Association's Government Affairs Director, Mrs. Jen Mock Schaeffer, at [jenmock@fishwildlife.org](mailto:jenmock@fishwildlife.org).



# THE WILDLIFE SOCIETY

*Leaders in Wildlife Science, Management and Conservation*

DATE: 15 November 2018

TO: U.S. Senate, Committee on Environment and Public Works

RE: Oversight Hearing on Examining Funding Needs for Wildlife Conservation, Recovery, and Management: Recovering America's Wildlife Act (S. 3223), Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017 (S. 1613)

FROM: The Wildlife Society  
Darren A. Miller, PhD, CWB®  
President

Dear Chairman Barrasso, Ranking Member Carper, and members of the Senate Environment and Public Works Committee:

Thank you for holding a hearing today on funding needs for federal, state, and government partners working to implement wildlife conservation, recovery, and management efforts. The Wildlife Society (TWS; [www.wildlife.org](http://www.wildlife.org)) appreciates the committee's focus on where and how funds can be most appropriately used to advance effective, on-the-ground conservation work.

The Wildlife Society was founded in 1937 and is a non-profit professional society representing over 15,000 wildlife biologists and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitat through science-based management and conservation.

We understand this committee will be discussing elements of several pieces of legislation during today's oversight hearing on *Examining Funding Needs for Wildlife Conservation, Recovery, and Management*. We wish to speak generally on the issue of wildlife conservation and management funding, and specifically to two bills: Recovering America's Wildlife Act (S. 3223) and Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017 (S. 1613). Both S. 3223 and S. 1613 would amend portions of the Federal Aid in Wildlife Restoration Act, known as the Pittman-Robertson Act (16 U.S.C. 669-669k), and would directly affect wildlife restoration funding for state fish and wildlife agencies, adjusting a model that has largely supported much of the wildlife conservation success in the U.S.

## **Wildlife Conservation, Recovery, and Management Funding**

Wildlife conservation funding at the federal level, including grants provided through programs such as the North American Wetlands Conservation Act, the Partners for Fish and Wildlife program, and the Migratory Bird Joint Ventures, provide private cooperators and landowners with needed tools to work in partnership with the federal government on the shared goal of

voluntary, non-regulatory conservation. The Wildlife Society strongly supports the continued reauthorization and adequate funding of these programs.

Funds targeted more directly to partnerships with states, including the ESA's Cooperative Endangered Species Conservation Fund, the State and Tribal Wildlife Grants program, and the USGS Cooperative Fish and Wildlife Research Units program, allow states to use actionable science for conserving priority and at-risk species in partnership, and in consultation, with federal actions. The Wildlife Society encourages discussion today on the important work conducted by state agencies through these existing funding mechanisms.

State fish and wildlife agency work is completed in tandem with federal agency programs that manage and conserve fish and wildlife species on our nation's public lands. These programs, which include the BLM's Wildlife and Fisheries program and the USFWS National Wildlife Refuge System, are both chronically underfunded and deserve further exploration by the Committee on their efforts to balance conservation needs of common and at-risk species alongside multiple land-use needs of the American public.

#### **S. 3223**

#### **"Recovering America's Wildlife Act"**

**The Wildlife Society strongly supports S. 3223**, and requests a **dedicated funding mechanism** is added to the bill text to provide the certainty state fish and wildlife agencies need to confidently implement multi-year projects that will help avoid cost-intensive measures that can also limit conservation options, such as Endangered Species Act listings.

The Recovering America's Wildlife Act would **provide up to \$1.3 billion annually from existing energy and mineral revenues** on federal lands and waters to the front lines of conservation, enabling fish and wildlife professionals in state fish and wildlife agencies to build on their histories of conservation success. With this funding, wildlife professionals in state agencies would be able to implement the proactive, non-regulatory, strategic conservation efforts outlined in their respective State Wildlife Action Plans. States and state conservation partners would provide a 25% non-federal match, which would generate greater third-party engagement in voluntary wildlife conservation efforts. Funds would be apportioned annually to states based on their land area and population.

More than 12,000 Species of Greatest Conservation Need have been identified in the congressionally required State Wildlife Action Plans. These species have been recognized as urgently needing conservation and monitoring action to ensure federal Endangered Species listings are precluded. Investing in conservation efforts now will allow our public trust wildlife to remain abundant and under state jurisdiction, without the need of federal regulations and drastic, expensive efforts to restore their populations. Success stories of species prevented from listing already exist based directly on actions stemming from State Wildlife Action Plans.

**We strongly encourage the committee to work towards a markup on this legislation. We further urge the committee to include a dedicated funding mechanism during markup**, as exists in the House version of the legislation (H.R. 4647), to provide wildlife professionals with a

stable and predictable funding source to proactively and cost effectively keep common species common for the enjoyment of all Americans.

#### **S. 1613**

##### **“Modernizing the Pittman-Robertson Fund for Tomorrow’s Needs Act of 2017”**

Aligned with our support for increasing proactive wildlife conservation funding to states, The Wildlife Society **urges the Committee to advance S. 1613 with changes that will retain the focus of Section 4(b) funds for use in science-based wildlife restoration, management and conservation.**

**The Wildlife Society endorses the hunter and recreational shooter recruitment and retention efforts supported by S. 1613**, including the explicit opening of Section 4(c) and Section 10 Hunter Education accounts for hunter and shooter marketing and recruitment and shooting range development. These provisions would allow substantial amounts of money to states (>\$150 million FY2017) looking to carry out the intended goals of this legislation. States are already using Section 10 funds for some of these activities, and extending the language to include Section 4(c) funds is a commonsense measure that would provide increased funding to help sustain hunting and shooting sports, which generate large amounts of funding for wildlife conservation and restoration activities.

However, during this hearing and during any potential markup of this legislation, we urge the Committee to consider changes that would further empower state fish and wildlife agency directors and their staff to continue implementing science-based management and conservation:

- **Removing language in Sec. 4(a) of this bill that would permit up to 25% of Pittman-Robertson Section 4(b) Wildlife Restoration funds annually to be used for hunter and shooter marketing, recruitment, and shooting range development activities.**
- **Adding language to Sec. 5 of this bill that clarifies the “public relations” activities that would now be permitted as a result of this legislation should be limited to only such efforts specific to the state fish and wildlife agency.**
- Voting the amended bill out of Committee favorably.

Since the passage of the Pittman-Robertson Act in 1937, more than \$17 billion (inflation adjusted) in funds have been allocated to states through this bill, primarily for the conservation and management of all bird and mammal species, regardless of whether or not they are hunted. These funds come from federal excise taxes on firearms, ammunition, bows, and arrows, and are also used for funding state hunter education programs, shooting range enhancement, and multistate conservation grants. Through Section 4(b) and associated state conservation dollars, wildlife professionals have been successful in restoring suites of bird and mammal species, including such iconic species as white-tailed deer, bighorn sheep, and wild turkey as part of state public trust obligations.

Despite this success, all states list numerous bird and mammal species on their lists of Species of Greatest Conservation Need and thus recognize the need to continue efforts to restore and sustain populations of wild birds and mammals for the benefit of the American public. Pressure on state

agencies to use Section 4(b) funds on activities other than on-the-ground wildlife conservation and management could lead to a reduction in science-based wildlife management and research capacity for state wildlife agencies. Based on FY2017 apportionments, this bill could result in more than \$160 million in funding from Section 4(b), funds that are currently used by all state agencies for essential wildlife restoration and management efforts, being made available for hunter and shooter recruitment activities. While state agencies are not likely to direct all of those funds to non-conservation activities, **the changes in this legislation provide an opportunity for external pressures to influence the use of these funds in a manner that does not prioritize wildlife conservation and management needs.**

We share the concerns held among the bill's supporters regarding the decline in the numbers of hunters, and recognize the need to stem that decline and reverse the trend. S. 1613 would make great strides in ensuring continuation of hunting and shooting sports, along with advancing public relation activities that benefit wildlife conservation. The Wildlife Society urges advancement of S. 1613 and the removal of language modifying Section 4(b) Pittman-Roberson funding to continue to provide state wildlife professionals with the only secure funding mechanism for wildlife conservation in the U.S., arguably the most successful system in the world.

The issue of adequate and targeted wildlife conservation funding is of great importance to The Wildlife Society, and we appreciate the Committee dedicating this time to an issue of such priority to our members. Please contact Caroline Murphy, AWB® (cmurphy@wildlife.org; 301-897-9770 x 308), government relations program coordinator at The Wildlife Society, with any questions or comments regarding this testimony.

Sincerely,



Darren A. Miller, PhD, CWB®  
President

**Business and Conservation Interests Support Dedicated  
Funding to Recover America's Fish and Wildlife**

We, the undersigned, support preventing fish and wildlife from becoming endangered by dedicating \$1.3 billion annually into the federal Wildlife Conservation and Restoration Program, using existing revenue from the development of energy and mineral resources on federal lands and waters. We support this recommendation of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources, comprised of national business and conservation leaders.

Our nation has been blessed with a diverse array of fish and wildlife. While some of these species are thriving, many more are facing increasing challenges and are in steep decline – increasing their possibility of becoming endangered. State fish and wildlife agencies have identified 12,000 species nationwide in need of proactive conservation action.

At the request of Congress, every state has developed a State Wildlife Action Plan to assess the health of their state's fish and wildlife and outline conservation actions necessary to sustain them. Collectively, these action plans have identified these 12,000 species and formed a nationwide strategy to prevent them from becoming endangered. However, the current federal State Wildlife Grants program is funded at only a fraction of what states need to conserve these species. State fish and wildlife biologists estimate that it would cost \$1.3 billion annually to implement 75 percent of these actions. The magnitude of the solution must match the magnitude of the challenge.

America has a proud history of bringing fish and wildlife back from the brink of extinction through professional wildlife management. A century ago, prized game species like elk, wood ducks, pronghorns, and striped bass were at risk of extinction—now they are thriving due largely to user fees provided by hunters and anglers. Today we face a new conservation crisis as emerging diseases, invasive species, habitat loss, and extreme weather threaten many wildlife populations at a scale inconceivable just a few decades ago.

This growing wildlife crisis poses a threat to America's vibrant outdoor economy. Hunters, anglers, birders, hikers, campers, and backyard wildlife watchers have created a fast growing outdoor consumer base that depends on healthy wildlife populations. Today, the outdoor economy contributes \$887 billion to our national economy annually, creates 7.6 million direct jobs, and generates \$124.5 billion in federal, state, and local tax revenue.

Further, by preventing the decline of species so that they do not require the stricter protections of the ESA, other businesses will be able to operate with more regulatory certainty and reduced risk. As the decline of numerous species and their habitats across the country worsens, preemptive action can reverse this trend and keep species from the critical, yet often costly, "emergency room" measures required by the ESA. Proactive conservation is good for wildlife, good for taxpayers, and good for business. We support the protection of our nation's precious fish and wildlife heritage by supporting efforts to direct dedicated funding into the Wildlife Conservation and Restoration Program.

Sincerely,

[Sign the letter by clicking here!](#)

**Business and Conservation Interests Support Dedicated  
Funding to Recover America's Fish and Wildlife**

<b>National and Regional</b>	National Wild Turkey Federation
Allegheny Highlands Alliance	Nature Abounds
American Bird Conservancy	NatureServe
American Birding Association	North American Bluebird Society, Purple Mar-
American Fisheries Society	tin Conservation Association
American Fly Fishing Trade Association	Northeast Section of The Wildlife Society
American Littoral Society	Northwest Section of The Wildlife Society
American Society of Ichthyologists and Herpe-	Pheasants Forever
tologists	Ramseur Records
American Ornithological Society	Southern Environmental Law Center
Artemis Sportswomen	Southeast Section of The Wildlife Society
Association of Field Ornithologists	Southeastern Fishes Council
Association of National Estuary Programs	The Avett Brothers
Association of Zoos & Aquariums	The Raptor Trust
Backcountry Hunters and Anglers	The Conservation Fund
Bass Pro Shops	The Wildlife Society
Bat Conservation International	Theodore Roosevelt Conservation Partnership
BookKeeping Express	Trout Unlimited
Born Free USA	Quail and Upland Wildlife Federation
Central Mountains & Plains Section of The	Quality Deer Management
Wildlife Society	Western Section of The Wildlife Society
Congressional Sportsmen's Foundation	Wildlife Forever
Cornell Lab of Ornithology	Wildlife Habitat Council
Delta Waterfowl Foundation	Yellowstone to Yukon Conservation Initiative
DJ Case & Associates	
Greater Yellowstone Coalition	<b>National Wildlife Federation Affiliates</b>
Izaak Walton League of America	Alabama Wildlife Federation
Maryland-Delaware Chapter of The Wildlife So-	Arizona Wildlife Federation
ciet	Arkansas Wildlife Federation
National Audubon Society	Association of Northwest Steelheaders
National Bobwhite Conservation Initiative	Colorado Wildlife Federation
National Wildlife Federation	Connecticut Forest & Park Association



Conservation Coalition of Oklahoma  
 Conservation Council for Hawai'i  
 Conservation Federation of Missouri  
 Conservation Northwest  
 Delaware Nature Society  
 Earth Conservation Corps  
 Environmental Council of Rhode Island  
 Florida Wildlife Federation  
 Georgia Wildlife Federation  
 Idaho Wildlife Federation  
 Indiana Wildlife Federation  
 Iowa Wildlife Federation  
 Kansas Wildlife Federation  
 Kentucky Waterways Alliance  
 Louisiana Wildlife Federation  
 Minnesota Conservation Federation  
 Mississippi Wildlife Federation  
 Montana Wildlife Federation  
 National Aquarium  
 Nebraska Wildlife Federation  
 Nevada Wildlife Federation  
 New Hampshire Audubon  
 New Jersey Audubon  
 New Mexico Wildlife Federation  
 North Carolina Wildlife Federation  
 North Dakota Wildlife Federation  
 Ohio Conservation Federation  
 PennFuture  
 Planning and Conservation League (CA)  
 Prairie Rivers Network  
 Sociedad Ornitológica Puertorriqueña Inc.  
 South Carolina Wildlife Federation  
 South Dakota Wildlife Federation  
 Tennessee Wildlife Federation  
 Texas Conservation Alliance

Vermont Natural Resources Council  
 Virgin Islands Conservation Society  
 West Virginia Rivers Coalition  
 Wyoming Wildlife Federation  
 Wisconsin Wildlife Federation

#### **Alabama**

Alabama B.A.S.S. Nation  
 Alabama Wildlife Federation  
 Auburn University  
 Pelican Coast Conservancy  
 Pritchett Environmental & Property Law LLC

#### **Alaska**

American Fisheries Society, International Association of Great Lakes Research  
 Alaska Nature Guides  
 Alaska Survival  
 Alaska Wild Harvest, LLC  
 American Fisheries Society, Alaska Chapter  
 Audubon Alaska  
 City of Whittier Alaska  
 Paper Gold Publishing  
 Susitna River Coalition  
 Talkeetna Spinach Bread  
 The Wildlife Society, Alaska Chapter  
 University of Alaska, Anchorage  
 University of Alaska, Fairbanks  
 West Hair Studio

#### **Arizona**

American Fisheries Society, Arizona Chapter  
 American Fisheries Society, Arizona-New Mexico Chapter  
 Arizona Antelope Foundation

Arizona Backcountry Hunters & Anglers  
 Arizona Council of Trout Unlimited  
 Arizona Elk Society  
 Arizona Mule Deer Organization  
 Arizona Wildlife Federation  
 Audubon Arizona  
 Borderlands Brewing Company  
 Catalina Brewing Company  
 Coconino Sportsmen  
 Desert Rivers Audubon Society  
 O.S.H.O. Brewing  
 Prison Hill Brewing Company  
 Sahara Painting, Inc.  
 Sonoran Audubon Society Chapter  
 Sprague's Sports LLC  
 Strategic Planning Consultants, LLC  
 Town & Country General Contractors  
 Trout Unlimited Zane Grey Chapter  
 Ware Farms, LLC  
 Wren House Brewing Company  
 Yuma Rod & Gun Club

**\*Arkansas**

*The following organizations were also included in a state-specific letter.*

American Fisheries Society, Arkansas Chapter  
 AR Sierra Club  
 Arkansas Interfaith Power & Light  
 Arkansas Natural Sky Association  
 Arkansas Public Policy Panel  
 Arkansas State Chapter National Wild Turkey Federation  
 Arkansas State University  
 Arkansas Wildlife Federation  
 Audubon Arkansas  
 Beaver Watershed Alliance

Best Pallets, Inc.  
 Black OPS Calls  
 Branded Branos  
 Building Plastics Inc.  
 Byrd's Adventure Center  
 Charles S. Buckner Real Estate Appraisals  
 Cornerstone Club, LLC  
 Creative Ideas  
 Entegrity  
 Friends of White River National Wildlife Refuge  
 Fowl Smokin' Swine Catering  
 Ozark Society  
 Ozarks Water Watch  
 Pine Ridge Gardens  
 Quail Forever, Arkansas Chapter  
 Quality Deer Management Association  
 River Valley Mulch, Inc.  
 RNT Calls  
 Robert Huston Productions  
 RW Standage Fisheries Services  
 The Arkansas Fly Fishers  
 The Wildlife Society, Arkansas Chapter  
 Van Buren School District  
 Westark Wildlife Conservation Club  
 White River Waterkeeper

**California**

Alpine Historical Society  
 American Fisheries Society, California-Nevada Chapter  
 American Fisheries Society, Santa Cruz-Monterey Bay Area Subunit  
 Audubon California  
 California Chapter of Backcountry Hunters & Anglers

California Department of Water Resources  
 California Invasive Plant Council  
 California Oaks  
 California Wildlife Foundation/California Oaks  
 ECOSLO-Environmental Center of San Luis  
 Obispo  
 Endangered Habitats League  
 Foothill Conservancy  
 Giving Tree Club  
 Highway Safety Stewards  
 Humboldt State University  
 Institute for Bird Populations  
 Kern Audubon Society  
 National University  
 Natural Solutions for Advocacy  
 Planning and Conservation League  
 Point Blue Conservation Science  
 River Partners  
 Sacramento River Watershed Program  
 Sacramento Zoo  
 Santa Ana Watershed Association  
 Save the American River Association  
 Sierra Nevada Alliance  
 The Wildlife Society, Bay Area Chapter  
 University of California, Berkeley  
 University of California, Davis  
 Western Sonoma County Rural Alliance

#### **Colorado**

American Fisheries Society, Colorado/ Wyoming Chapter  
 Anglers Covey  
 Black Canyon Audubon Society  
 Butterfly Pavilion  
 Colorado State University

Colorado Tackle Pro  
 Colorado Trout Unlimited  
 Colorado Wildlife Federation  
 DVK Expeditions  
 Horse & Dragon Brewery  
 Muley Fanatic Foundation of Colorado  
 One Earth Future  
 Pierce Lending, LLC  
 Pikes Peak Outfitters  
 Pikes Peak Recreation Alliance  
 RepYourWater  
 The Wildlife Society, Colorado Chapter  
 Vet Voice Foundation  
 Wild Zora Foods, LLC

#### **Connecticut**

Audubon Connecticut  
 Branford Land Trust  
 City of Stamford  
 Connecticut Audubon Society  
 Connecticut Forest & Park Association  
 Connecticut Land Conservation Council  
 Connecticut Ornithological Society  
 International Dark-Sky Association  
 New Haven Bird Club  
 Park Watershed  
 University of Connecticut  
 Woodcock Nature Center  
 Wildlife in Crisis

#### **Delaware**

American Fisheries Society, Mid-Atlantic Chapter  
 Anchor QEA LLC  
 Citizens' Climate Lobby, Lower Delaware

Delaware Center for the Inland Bays  
 Delaware Interfaith Power & Light  
 Delaware Nature Society  
 Delaware's Statewide Ecological Extinction  
 Task Force  
 Delaware Wild Lands  
 Delmarva Ornithological Society  
 Green Watch Institute Foundation  
 Inland Bays Foundation  
 League of Women Voters of Sussex County, DE  
 Protecting our Indian River  
 University of Delaware

#### **Florida**

American Fisheries Society Florida Atlantic  
 University  
 Audubon Florida  
 Bluewater Bay Community Wildlife Habitat  
 Bream Fisherman Association  
 Citizens for a Scenic Florida  
 Emerald Coastkeeper, Inc.  
 Environmental Consulting  
 Florida Fish and Wildlife Conservation Com-  
 mission  
 Florida International University  
 Florida Wildlife Corridor  
 Florida Wildlife Federation  
 Guy Harvey Magazine  
 Kemp Design Services  
 Panhandle Watershed Alliance  
 Smithsonian Tropical Research Institute  
 The Wildlife Society, Florida Chapter  
 University of Florida  
 University of South Florida

#### **Georgia**

Coosa River Basin Initiative/Upper Coosa  
 Riverkeeper  
 Fort Valley State University  
 Georgia Bat Working Group  
 Georgia River Network  
 Georgia Wildlife Federation  
 Johns Creek Community Wildlife Habitat  
 The Wildlife Society, Georgia Chapter  
 The Wildlife Society, UGA Student Chapter

#### **Hawaii**

Conservation Council for Hawai'i

#### **Idaho**

Ada County Fish and Game League  
 American Birding Association\*  
 American Fisheries Society, Idaho Chapter  
 American Fly Fishing Trade Association\*  
 Archery Idaho  
 Attorney at Law  
 Big Creek Ranch  
 Friends of MK Nature Center  
 Golden Eagle Audubon Society  
 Idaho Backcountry Hunters and Anglers  
 Idaho Chukar Foundation  
 Idaho Deer Alliance  
 Idaho Department of Fish and Game  
 Idaho Fish & Wildlife Foundation  
 Idaho Hunters Education Association  
 Idaho Outdoor Business Council  
 Idaho State Bowhunters  
 Idaho Trappers Association  
 Idaho Wild Sheep Foundation  
 Idaho Wildlife Federation

JD High Country Outfitters  
 Palouse Land Trust  
 Portneuf Resource Council  
 Portneuf Valley Audubon Society  
 RIO Products  
 Safari Club International Idaho Chapter  
 Southwest Idaho Fishing  
 The Wildlife Society, Idaho Chapter  
 Trout Hunt  
 University of Idaho  
 Waterworks-Lamson  
 Western Bear Foundation  
 Yellowstone to Yukon Conservation Initiative\*

#### **Illinois**

American Fisheries Society, Illinois Chapter  
 Anita Purves Nature Center, Urbana Park District  
 Bird Conservation Network  
 Blue Boutique  
 Citizens' Greener Evanston  
 Douglas-Hart Nature Center  
 Eastern Illinois University  
 Illinois Environmental Council Education Fund  
 Illinois Humane  
 Illinois Ornithological Society  
 Finest Home Inspection  
 Fisheries Conservation Foundation\*  
 Little River Research & Design  
 Openlands  
 Peoria Audubon Society  
 Prairie Land Conservancy  
 Prairie Rivers Network  
 Southern Illinois University  
 Techline

The Conservation Foundation  
 The Friends of Volo Bog State Natural Area  
 The Wetlands Initiative  
 The Wildlife Society, Illinois Chapter  
 University of Illinois Urbana-Champaign

#### **Indiana**

American Fisheries Society, Ball State Chapter  
 American Fisheries Society, Indiana Chapter  
 Amos Butler Audubon Society  
 Coal Creek Chapter of Pheasants Forever  
 DJ Case & Associates\*  
 F.C. Tucker Company, Inc.  
 Indiana Audubon Society, Inc.  
 Indiana Department of Natural Resources  
 Indiana Wildlife Federation  
 Mark Stevens MD, PLLC/Mark Stevens Family Farms, LLC  
 New Alsace Conservation Club, Inc.

#### **Iowa**

American Fisheries Society, Iowa Chapter  
 Blank Park Zoo  
 Bur Oak Land Trust  
 Iowa Conservation Education Coalition  
 Iowa's County Conservation System  
 Iowa Raptor Project  
 Iowa Wildlife Federation  
 Page County Conservation Board  
 Raptor Resource Project  
 Tallgrass Prairie Audubon Society  
 Ty Smedes Nature Photography

**Kansas**

American Fisheries Society, Kansas Chapter  
 Audubon of Kansas  
 Honey Bunny Ranch  
 Jayhawk Audubon Society  
 Kansas Alliance for Wetlands and Streams  
 Kansas Chapter of The Wildlife Society  
 Kansas State University  
 Kansas Wildlife Federation  
 Smoky Hills Audubon Society  
 Topeka Audubon Society

**Kentucky**

Fisheries and Oceans Canada  
 Kentucky Waterways Alliance  
 The Wildlife Society, Kentucky Chapter

**Louisiana**

American Society of Ichthyologists and Herpetologists\*  
 American Sportsmen Against Poachers  
 Audubon Louisiana  
 Avoyelles Wildlife Federation  
 Bill Lewis Lures  
 Biological Surveys, Inc.  
 Black Bear Conservation Coalition  
 Cajun Catch Seafood  
 Cajun Fishing Adventures  
 Catch Dat Charters  
 Center for Sustainable Engagement and Development  
 Creative Cajun Cooking  
 Commission on Stewardship of the Environment of the Louisiana Interchurch Conference  
 Diez Signs LLC

East Ascension Sportsman's League  
 Faulks Game Calls  
 First Grace United Methodist Church  
 Friends of Black Bayou Lake, NWR  
 Gorman Brothers Appliances  
 Grant Ridge Golf Course  
 Gulf Restoration Network  
 Haydel Calls  
 LA Marsh Guide Service  
 Lake Pontchartrain Basin Foundation  
 Levees.org  
 Louisiana Wildlife Federation  
 Mansura Volunteer Fire Department  
 Marsh Rat Guide Service  
 Meraux Foundation  
 MQVN Community Development Corporation  
 Orleans Audubon Society  
 Rapides Wildlife Association  
 Salter's Jiggin Pole  
 Southwings  
 Spot On Fishing Adventures  
 Tagging Memories  
 The Outdoor Kitchen Show  
 The Shreveport Society for Nature Study, Inc.  
 Bird Study Group  
 Venice Charters  
 Zion Travelers Cooperative Center

**Maine**

Natural Resource Council of Maine  
 The Wildlife Society, Maine Chapter  
 University of Maine  
 Wildlife Consulting, LLC, COO

**Maryland**

Association of Zoos & Aquariums\*  
 Audubon Maryland-D.C.  
 Audubon Naturalist Society  
 Baltimore Trees Trust  
 Cecil Land Use Association  
 Chesapeake Wildlife Heritage  
 Elk Creeks Watershed  
 Friends of Lower Beaverdam Creek  
 Friends of St Clements Bay  
 Izaak Walton League of America\*  
 Lower Shore Land Trust  
 Maryland Conservation Council  
 Maryland Native Plant Society  
 The Mattawoman Watershed Society  
 National Aquarium  
 Rock Creek Conservancy  
 Savage River Watershed Association  
 Southern Maryland Audubon Society  
 The Wildlife Society, Maryland Chapter

**Massachusetts**

American Fisheries Society, Southern New England Chapter  
 American Fisheries Society, UMass Amherst Student Sub-unit  
 Association of Field Ornithologists\*  
 Mass Audubon  
 University of Massachusetts, Dartmouth  
 Wetland Strategies and Solutions, LLC

**Michigan**

American Fisheries Society, Michigan Chapter  
 Backcountry Hunters & Anglers, Michigan Chapter

Barry Conservation District  
 Buckleys Mountainside Canoes  
 Central Michigan University  
 Grand Valley State University Annis Water Resources Institute  
 Island Charters Mi, LLC  
 Island View Resort Cedarville  
 Lifestyle Lost  
 Littlest Sidekick Outfitters  
 LSSU Fish and Wildlife Club  
 Michigan Department of Natural Resources  
 Michigan State University  
 Michigan United Conservation Clubs  
 True NORTH Trout Guide Service  
 Tomahawk Archers

**Minnesota**

American Fisheries Society, Minnesota Chapter  
 Audubon Minnesota  
 Minnesota Chapter of Backcountry Hunters & Anglers  
 Minnesota Conservation Federation  
 The Wildlife Society, Minnesota Chapter  
 University of Minnesota-Twin Cities  
 Wildlife Forever\*

**Mississippi**

American Fisheries Society, Mississippi Chapter  
 Audubon Mississippi  
 Mississippi Wildlife Federation  
 Rural Property Rights Association of Mississippi  
 The Wildlife Society, Mississippi Chapter

**Missouri**

American Fisheries Society, Missouri Chapter  
 Audubon Missouri  
 Bass Pro Shops\*  
 Burroughs Audubon Society of Greater Kansas City  
 Conservation Federation of Missouri  
 Forest & Woodland Association of Missouri  
 Mississippi Valley Duck Hunters Association  
 Missouri Bird Conservation Initiative  
 Missouri Chapter, Walnut Council  
 Missouri Conservation Pioneers  
 Missouri Hunter Education Instructor's Association  
 Missouri Native Seed Association  
 Missouri Outdoor Communicators  
 Missouri Prairie Foundation  
 Missouri River Bird Observatory  
 Missouri Stream Team Watershed Council  
 Missouri Trappers Association  
 Mo Grouse Chapter of QUWF  
 Mockingbird Hill Farm  
 Quail and Upland Wildlife Federation\*  
 River Bluffs Audubon Society  
 St. Louis Audubon  
 University of Missouri Fisheries & Aquatic Science Society  
 University of Missouri Wildlife and Fisheries Science Graduate Student Organization  
 Wild Bird Rehabilitation

**Montana**

American Fisheries Society, Montana Chapter  
 Bear Creek Council  
 Bitterroot Audubon

Five Valleys Audubon Society  
 Flathead Wildlife Inc.  
 Gallatin Wildlife Association  
 Greater Yellowstone Coalition  
 Headwaters Montana, Inc.  
 Hellgate Hunters and Anglers  
 HydroSolutions  
 Last Chance Audubon Society  
 Laurel Rod & Gun Club  
 Montana Audubon  
 Montana Conservation Voters Education Fund  
 Montana Trout Unlimited  
 Montana Wildlife Federation  
 Pintler Audubon Society  
 Sacajawea Audubon Society  
 Sweetwater Travel  
 The Wildlife Society, Montana Chapter  
 Turner Endangered Species Fund  
 Upper Missouri Breaks Audubon  
 Winter Wildlands Alliance  
 Yellowstone to Yukon Conservation Initiative\*  
 Yellowstone Valley Audubon Society

**Nebraska**

American Fisheries Society, Nebraska Chapter  
 Audubon Nebraska  
 Nebraska Wildlife Federation  
 The Wildlife Society, Nebraska Chapter  
 University of Nebraska-Lincoln

**Nevada**

American Fisheries Society, Nevada Chapter  
 Equine Legacy Ranch  
 Friends of Nevada Wilderness  
 Nevada Chapter of The Wildlife Society



Nevada Wildlife Association  
Nevada Wildlife Federation  
NoBearHuntNV.org

#### **New Hampshire**

Bear-Paw Regional Greenways  
Ecosystem Management Consultants  
ErgoSoft Americas, Inc.  
Ibis Wildlife Consulting  
Loon Preservation Committee  
Moosewood Ecological LLC  
New Hampshire Audubon

#### **New Jersey**

American Littoral Society\*  
Archeological Society of New Jersey  
Citizens United to Protect the Maurice River  
and Its Tributaries, Inc.  
Cohansey Watershed  
Conserve Wildlife Foundation of New Jersey  
Essex County Beekeepers Society  
Fyke Nature Association  
New Jersey Audubon  
New Jersey Conservation Foundation  
New Jersey Outdoor Alliance  
New Jersey State Federation of Women's Clubs  
of GFWC  
New Jersey Bluebird Society  
New Jersey Division of the Allegheny Society of  
American Foresters  
North American Bluebird Society, Purple Mar-  
tin Conservation Association\*  
North Jersey RC&D  
NY/NJ Baykeeper  
Raritan Headwaters

Ruffed Grouse Society New Jersey Chapter  
Save Barnegat Bay  
Pheasants Forever, South Jersey Chapter  
South Jersey Land & Water Trust  
South Jersey Wheelmen  
The Raptor Trust\*  
Trout Unlimited, Central New Jersey Chapter  
Trout Unlimited, Fred S. Burroughs North Jer-  
sey Chapter  
Wildlife Center Friends, Inc

#### **New Mexico**

American Fisheries Society, Arizona-New Mex-  
ico Chapter  
American Fisheries Society, New Mexico State  
University  
Audubon New Mexico  
Design 2211 Graphic Arts  
First Presbyterian Church  
JACO Outfitters, LLC  
Las Cruces Green Chamber of Commerce  
Matkat Pottery  
New Mexico Chapter of Backcountry Hunters &  
Anglers  
New Mexico Interfaith Power and Light  
New Mexico Sportsmen  
New Mexico Wilderness Alliance  
New Mexico Wildlife Federation  
Nuestra Tierra Conservation Project  
Pueblo of Santa Ana  
RESULTS-Santa Fe and Health Action NM  
Sierra Club, Northern New Mexico Group  
Southwest Environmental Center  
Taos Mesa Brewing  
TNRC, LLC

\*National organization

Trout Unlimited, New Mexico Chapter

### **New York**

American Fisheries Society, New York Chapter

Audubon New York

Audubon Society of the Capital Region

Basha Kill Area Association

Bronx River-Sound Shore Audubon Society

Central Westchester Audubon Society

Cornell Lab of Ornithology\*

Delaware-Otsego Audubon Society

Environmental Advocates of New York

Environmental Consulting

Genesee Valley Audubon Society

New York Audubon

New York Chapter of Backcountry Hunters & Anglers

New York Chapter of the Wildlife Society

New York League of Conservation Voters

Onondaga Audubon

Orange County Audubon Society, Inc.

Quaker Boys, Inc.

Saw Mill River Audubon

Stony Brook University

SUNY-ESF

The City University of New York

### **\*North Carolina**

*The following organizations were included in a letter sent to North Carolina's congressional delegation. The full letter can be viewed, [here](#).*

Alamance County Wildlife Club

Albermarle Conservation and Wildlife Chapter (Elizabeth City)

Albemarle Sound Delta Waterfowl (Elizabeth City)

American Fisheries Society, North Carolina Chapter

Arts & Science Council of Charlotte-Mecklenburg

Audubon North Carolina

Bird House on the Greenway

Box Turtle Collaborative

Cabarrus Brewing Company

Carolina Raptor Center

Carolina Thread Trail

Carolina Wetlands Association

Charlotte Reconnecting Ourselves with Nature

Coco F.A.R.M

Concord Engineering & Surveying, Inc.

Concord Wildlife Alliance

Coastal Carolina Delta Waterfowl (Bayboro)

Coastal Carolina Riverwatch

Coastal Wildlife Refuge Society

Community Alliance for Wildlife (Charlotte)

Cornerstone Cabarrus, LLC

Criterion Investors

Crystal Coast Waterkeeper

Discovery Place Nature

Discovery Place Science Edgemont, Ltd.

Duke Energy

Fish & Wildlife Conservation Council

Field to Cottage Nursery

Friends of Pocosin Lakes National Wildlife Refuge

Gaston County Piedmont Area Wildlife Stewards

Grandfather Mountain Stewardship Foundation

Greathorn Development

Green Acres Family Farms, LLC

Hygeia Marketing Corp.

Habitat and Wildlife Keepers (Matthews)	Pamlico Albemarle Wildlife Conservationists (Washington)
HoneyBee Realty	Piedmont Bird Club
Johnston County Wildlife Association	Plastic Ocean Project, Inc.
Julie Jones Team, Realtors (Cornelius)	Ramseur Records*
Karen Beasley Sea Turtle Hospital	Ridgeline Development Corporation
Kirk Palmer & Thigpen, P.A.	Rocky Pee Dee, LLC
Lake James Area Wildlife and Nature Society	Rocky River Trout Unlimited
Lake Norman Delta Waterfowl	Sandhills Rod and Gun Club
Lake Norman Rod and Gun Club	Smokey Mountain Sportsmen Association
Lake Norman Wildlife Conservationists	Solace Salon & Spa (Concord)
Law Offices of Robert M. Critz, P.A.	South East NC Delta Waterfowl (Wilmington)
Lee County Wildlife Club	South Wake Conservationists (Holly Springs)
Magnolia Coffee Company	Southern Piedmont Delta Waterfowl (Albemarle)
Mecklenburg Audubon Society	Stallings Nature and Wildlife Chapter
Middle Neuse River Delta Waterfowl (Smithfield)	StreetFare Farm
Moccasin Gap Delta Waterfowl (Roxboro)	T. Gilbert Pearson Audubon Society
Mountain Wild! (Asheville)	Table Rock Trout Unlimited
NC Delta Waterfowl Foundation	Team Honeycutt, Realtors
NC Falconers Guild	Tesh-Troxler Landscapes & Designs, Inc.
NC Herpetological Society	The Avett Brothers*
NC Hunters for the Hungry	The Carolina Hawking Club
NC National Wild Turkey Federation	The Conservation Fund
NC Partners for Reptile and Amphibian Conservation	The Land Trust for Central North Carolina
NC State Advisory Council Quality Deer Management Association	The North Carolina Chapter of The Wildlife Society
North American Land Trust	The Sedgefield Hunt
North Carolina BASS Nation	The Woodlands at Davidson Development Company
North Carolina Camouflage Coalition	Town Creek Delta Waterfowl (Tarboro)
North Carolina State University Student Fisheries Society	Triad Delta Waterfowl (Winston Salem)
North Carolina Wildlife Federation	Triangle Delta Waterfowl
North Central Branch QDMA (Roxboro)	Triangle Fly Fishers
Neuse River Hawks	Trips for Kids Charlotte

\*National organization

Twenty-six Acres Brewing Company  
 Quail and Upland Wildlife Federation  
 Wake County Wildlife Club  
 WakeNature Preserves Partnership  
 Watery Swamp Hunt Club  
 Wild Horse Adventure Tours  
 Woodbridge Company

#### **North Dakota**

Audubon Dakota  
 Badlands Conservation Alliance  
 Cass County Wildlife Club  
 North Dakota Chapter of Backcountry Hunters  
 & Anglers  
 North Dakota Chapter of The Wildlife Society  
 North Dakota Wildlife Federation  
 Stutsman County Wildlife Federation

#### **Ohio**

Appalachia Ohio Alliance  
 Arc of Appalachia  
 Black Swamp Bird Observatory  
 Brukner Nature Center  
 Buckeye Trail Association  
 Canton Audubon Society  
 Case Western Reserve University  
 Cincinnati Wild Flower Preservation Society  
 City of Dayton, Dept. of Water  
 Cleveland MetroParks  
 Cleveland Museum of Natural History  
 Columbus and Franklin County MetroParks  
 Columbus Zoo and Aquarium  
 Dayton Area Wild Ones  
 Dayton Society of Natural History  
 Delaware County Ohio Bird Club

Doan Brook Watershed Partner  
 Earth Expressions  
 Five Rivers MetroParks  
 Friends of the Ravines  
 Friends of the Scioto River  
 Gardenopolis Cleveland  
 Geauga Park District  
 Genus Loci, Inc.  
 Greater Dayton Partners for the Environment  
 Lake Erie Islands Conservancy  
 Lake Metroparks  
 League of Ohio Sportsmen  
 Little Miami River Kleeners  
 Little Miami Watershed Network  
 Lonetree Consulting  
 Miami County Park District  
 Miami Soil & Water Conservation District  
 Muskingum University  
 Ohio Biodiversity Conservation Partnership,  
 The Ohio State University  
 Ohio Biological Survey  
 Ohio Conservation Federation  
 Ohio Environmental Council  
 Ohio State University-Ohio Biodiversity Con-  
 servation Partnership  
 Ohio Wildlife Management Association  
 Olmsted Falls Garden Club  
 Parrot Promo Essentials  
 Society for the Study of Amphibians and Rep-  
 tiles  
 Sugarcreek Township Trustee  
 Summit Metro Parks  
 Tecumseh Land Trust  
 The College of Wooster  
 The Ohio State University Aquatic Ecology Lab

The Toledo Zoo

The Wilds

**\*Oklahoma**

*The following organizations were also included in a state-specific letter.*

2101 Strategies

Abuelita's Restaurant

Antioch Energy

Caddo Creek Energy

CG Printing

Chapter 2 Hoke's Designs

Conservation Coalition of Oklahoma

Core Extreme Sports

Eastside Quick Mart

GG Printing

Griffin and Associates

Guyutes

Hoey Construction

Kids Club

Krown Carpet Cleaning LLC

Latham Consulting Group

Lawrence Capital

Lazer Ops OKC

Moon River Studio Art Gallery

Native Boy Productions

Oklahoma Automatic Door

Oklahoma State University

Quick Mart

Red Clay Capital

Six Mile Line Winery

Straight from Heavenly Bakery

Summerside Vineyard and Winery

Talents Group

Tulsa Bird Dog Association

Twisted Cork

Uniform Experts

Vero's Bounce House Rentals

**Oregon**

American Fisheries Society, Oregon Chapter

Anderson's Outdoors

Association of Northwest Steelheaders

Astoria Sportfishing

BC Angling Supply

Bill Monroe Outdoors

Bob Rees' Fishing Guide Service

Daric Moore Building Arts

David Johnson's Guide Service

Day One Outdoors

Double G Guide Service

Ferris Landscaping

Fight Club Guide Service

Fish the Swing Guide Service

FishEng Products

Flying Fish Co.

Grant's Outdoor Adventures

In the Zone Sportfishing

It's All Good Guide Service

Joe Domenico Insurance Agency

JT's NW Guide Service

Kevin Hendrickson Music

Tom Kelly, Labor Commissioner, State of Oregon

Nancy Slavin, LLC

Neil Kelly Remodeling

North Coast River Guides

Northwest Angling Experience

Northwest Fishing Adventures

Northwest Guides and Anglers Association

Representative Ken Helm, Oregon State Legislature  
 Okulitch and Associates  
 Organic Earthly Delights  
 Oregon Department of Fish and Wildlife  
 Oregon Fish and Wildlife Commission  
 Oregon State Legislature  
 Oregon State University  
 Outdoor Project  
 Pacific Coast Federation of Fishermen's Association  
 Paradise Guide Service  
 Peck's Guide Service  
 Public Purposes, LLC  
 Ritchie Services  
 River Trail Outfitters  
 Ron Chamness Auctions  
 Salem (OR) Audubon Society  
 SandC Rod Racks  
 Skylen Freet Guided Sportfishing, LLC  
 Steel Deals, LLC  
 T & S Guide Service  
 Tim Wilson Sells Homes, LLC  
 We Win, LLC  
 Western Fishing Adventures  
 World Class Fishing

#### **Pennsylvania**

Audubon Pennsylvania  
 Aquashicola/Pohopoco Watershed Conservancy  
 Bucks County Audubon Society  
 Conococheague Audubon Society  
 Delaware Highlands Conservancy  
 Delaware Valley University

Elk Creeks Watershed Association  
 Greater Wyoming Valley Audubon Society  
 Hawk Mountain Sanctuary Association  
 Lehigh Valley Audubon Society  
 Mehoopany Creek Watershed Association  
 Natural Areas Association  
 PennFuture  
 Penn State University  
 Pennsylvania Chapter of Backcountry Hunters and Anglers  
 Pennsylvania Chapter of The Wildlife Society  
 Pennsylvania Council of Churches  
 Pennsylvania Federation of Sportsmen's Clubs  
 Pennsylvania Wildlife Federation  
 Seven Mountains Audubon  
 Southeast Montgomery County Trout Unlimited #468  
 Trout Unlimited, Valley Forge Chapter  
 Trout Unlimited, Western Pocono Chapter  
 Quality Deer Management\*  
 Quittapahilla Audubon Society  
 Wyncote Audubon Society

#### **Puerto Rico**

Puerto Rico DNER  
 Sociedad Ornitológica Puertorriqueña Inc.  
 University of Puerto Rico, Rio Piedras Campus

#### **Rhode Island**

Audubon Society of Rhode Island  
 Environmental Council of Rhode Island  
 Friends of the Moshassuck and Moshassuck-critters  
 Grow Smart RI  
 Mercy Ecology

\*National organization

Rhode Island Land Trust Council

### **South Carolina**

Audubon South Carolina

Clemson University

Nomad Clothing

South Carolina Wildlife Federation

The Wildlife Society, South Carolina Chapter

### **South Dakota**

29-90 Sportsman's Club

American Fisheries Society, South Dakota Chapter

Brookings Wildlife Federation

Dakota Sportsman Inc.

Friends of the Big Sioux River

High Plains Wildlife Association

Northern Prairies Land Trust

South Dakota Wildlife Federation

Sportsman's Club of Brown County

### **Tennessee**

American Fisheries Society, Tennessee Chapter  
Austin Peay State University Student Chapter  
of The Wildlife Society

Avery Outdoors

BirdWorks Consulting

Charlie's Garage

Conservation Fisheries, Inc.

Delta Waterfowl Foundation\*

Final Flight Outfitters, Inc.

Greg A. Vital Center for Natural Resources and  
Conservation at Cleveland State

Harpeth River Watershed Association

Houston High School Trap Team

K Gregg Consulting

McMinnville-Warren County Chamber of Commerce

Middle Tennessee State University Center for  
Environmental Education & Center for Cedar &  
Glades Studies

Mill Creek Watershed Association

National Bobwhite Conservation Initiative\*

Obed Watershed Community Association

R&R Fly Fishing

Richland Creek Watershed Alliance

Rough Country Outdoors Hunting Club

South Chickamauga Creek Greenway Alliance

Southern Environmental Law Center\*

Southern States Electric Company, Inc.

Stephens Seed and Supply

Strikes King Lures

Tennessee Chapter of The Wildlife Society

Tennessee Chapter Sierra Club

Tennessee Citizens for Wilderness Planning

Tennessee Clean Water Network

Tennessee Conservation Voters

Tennessee Environmental Council

Tennessee Interfaith Power and Light

Tennessee Ornithological Society

Tennessee Parks and Greenways Foundation

Tennessee Tech University

Tennessee Wildlife Federation

The Conservation Fund, Tennessee Chapter

The Wolf River Conservancy

Towee Boats

University of Tennessee Martin Student Chapter  
of The Wildlife Society

University of Tennessee Student Chapter of the  
Wildlife & Fisheries Society, Knoxville

**Texas**

American Fisheries Society, Texas A&M University Corpus Christi Student Subunit	Hill Country Alliance
American Fisheries Society, Texas Chapter	Houston Audubon
Arlington Conservation Council	Houston Safari Club
Audubon Texas	Houston Wilderness
Bat Conservation International*	Houston Zoo
Bayou City Waterkeeper	Klay
Bexar Audubon Society	Memorial Park Conservancy
Borderlands Research Institute	Native Plant Society of Texas
Caesar Kleberg Wildlife Research Institute	Native Plant Society of Texas, San Antonio Chapter
Cable-Shaw Industries, Inc.	Pharr- San Juan- Alamo Independent School District
Coastal Prairie Partnership	Pines and Prairies Land Trust
Crosstimbers Ranch Wildlife Center	Riverside Nature Center Association
Dallas Down River Club	San Antonio Conservation Society
Dallas Safari Club	San Antonio Interfaith Environmental Network
DFW Wildlife Coalition, Inc.	Save Barton Creek Association
Deuelduke, Ltd	Student Chapter of The Wildlife Society
East Texas Woods & Waters Foundation	TAMU-CC AFS Student Subunit
Environmental Survey Consulting	Tarleton State University
Fins and Fluke	Tarleton State University Student Chapter of The Wildlife Society
Friends of the Rio Bosque Wetlands Park	Texas Chapter of Backcountry Hunters & Anglers
Friends of the Brazos River	Texas Chapter of the Wildlife Society
Friends of the Fort Worth Nature Center and Refuge	Texas Conservation Alliance
Friends United for a Safe Environment (FUSE, Inc.)	Texas Foundation for Conservation
Fort Worth Audubon Society	Texas Land Trust Council
Fortis International Automotive, Inc.	Texas League of Conservation Voters
Fortis International Energy, Ltd.	Texas Native Cats
Fortis International, Inc.	Texas Society for Ecological Restoration
Fortis International Management, Inc.	Texas Tech University
Galveston Bay Foundation	Texas Wildlife Association
Galveston Island Nature Tourism Council	The National Bobcat Rescue and Research Center
Greater Edwards Aquifer Alliance	

\*National organization



Turtle Island Restoration Network  
 Welder Wildlife Federation  
 Wild Oasis  
 Wimberley Valley Watershed Association

#### **United States Virgin Islands**

Virgin Islands Conservation Society

#### **Utah**

American Fisheries Society, Utah Chapter  
 Conserve Southwest Utah  
 Grand Staircase Escalante Partners  
 Tooele County Wildlife Federation  
 Utah Chapter of Backcountry Hunters & Anglers  
 Utah State University  
 Wild Utah Project

#### **Vermont**

Audubon Vermont  
 Vermont Natural Resources Council

#### **Virginia**

American Fisheries Society\*  
 American Fisheries Society, Virginia Chapter  
 Bayside Researchers  
 Friends of Accotink Creek  
 National Wildlife Federation  
 NatureServe\*  
 Radford University  
 Richmond Audubon Society  
 The Conservation Fund\*  
 The Wildlife Society, Virginia Chapter  
 Trout Unlimited\*  
 Virginia Commonwealth University

Virginia Eastern Shore Land Trust  
 Virginia Tech  
 Wild Virginia

#### **Washington**

Audubon Washington  
 Brandon's Guide Service  
 Conservation Northwest  
 Dan Ponciano Guide Service  
 EarthCorps  
 Heavy Hitter Guide Service LLC  
 Mt. Baker Group WA Chapter Sierra Club  
 Obsession Fishing Guide Service  
 Pilchuck Audubon Society  
 Polly Dyer Cascadia Great Old Broads for Wilderness  
 Puget Sound Bird Observatory  
 Save Our Wild Salmon Coalition  
 Seattle Aquarium  
 Sierra Club – Loo Wit Group  
 Skagit Audubon Society  
 South Fork Research, Inc.  
 The Guide's Forecast  
 The Lands Council  
 University of Washington  
 Washington Chapter of Backcountry Hunters and Anglers  
 Washington Chapter of The Wildlife Society  
 Washington Environmental Council  
 Weed Warriors Nature Stewards Program  
 Wolf Haven International  
 Woodland Park Zoo

\*National organization

**Washington, DC**

American Bird Conservancy\*  
 Audubon Naturalist Society  
 Designgreen, LLC  
 Earth Conservation Corps  
 Interfaith Power & Light (Washington, DC, Maryland, and Northern Virginia)  
 Theodore Roosevelt Conservation Partnership\*

**West Virginia**

American Fisheries Society, West Virginia Chapter  
 Friends of the Cheat, Inc.  
 West Virginia Highlands Conservancy  
 West Virginia Rivers Coalition  
 West Virginia University

**Wisconsin**

Fishing Has No Boundaries Inc.  
 Wisconsin Chapter of Backcountry Hunters & Anglers  
 Wisconsin Wildlife Federation

Sauk County Sportsman's Alliance

**Wyoming**

Artemis\*  
 Audubon Rockies  
 Back Country Horsemen Wyoming Chapter  
 Bowhunters of Wyoming  
 Brushback Wildlife Tours  
 EcoTour Adventures  
 Greater Yellowstone Coalition\*  
 Muley Fanatic Foundation  
 Pheasants Forever, Wyoming Chapter  
 Theodore Roosevelt Conservation Partnership, Wyoming Chapter  
 Trout Unlimited, Wyoming Chapter  
 Western Bear Foundation  
 Wind River Outdoor Company  
 Wyoming Outfitters and Guides Association  
 Wyoming Wild Sheep Foundation  
 Wyoming Wildlife Federation

