

TESTIMONY OF GARY FRAZER, ASSISTANT DIRECTOR, ENDANGERED SPECIES, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, ON COLLABORATIVE SOLUTIONS TO WILDLIFE AND HABITAT MANAGEMENT, BEFORE THE U.S. SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS SUBCOMMITTEE ON WATER AND WILDLIFE

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Chairman Cardin and Members of the Subcommittee, I am Gary Frazer, Assistant Director for the Endangered Species program within the U.S. Fish and Wildlife Service (FWS). Thank you for the opportunity to be here today to testify on collaborative solutions to wildlife and habitat management. My testimony will focus on three innovative programs that allow the Service to partner with federal, state, and private entities to collaboratively conserve wildlife through habitat protection, restoration and management. These programs include the Coastal Program, the Partners for Fish and Wildlife Program, and Candidate Conservation within the Endangered Species Program.

The Department of the Interior (DOI) is a lead federal agency responsible for conserving and protecting the Nation's fish and wildlife resources, and the habitats upon which they depend. DOI has long recognized that successful protection, management and conservation of wildlife species depend on partnerships. Such cooperative conservation provides numerous benefits; including engaging the public and localities in stewardship, leveraging federal dollars, maintaining private property rights, and utilizing localized knowledge. Partnerships contribute significantly to our work.

Partnerships with local municipalities, private landowners, school groups, corporations and numerous other interests are important because fish and wildlife do not recognize political boundaries and jurisdictions. Partnering can avoid duplication of effort, provide for pooling of scarce resources, and promote coordinated, focused and consistent mutual efforts toward conservation and outdoor recreation successes.

For example, the FWS Coastal Program and Partners for Fish and Wildlife Program are voluntary, locally-based habitat protection and restoration programs. Through both programs, FWS works with willing partners on a landscape scale to protect, restore, and enhance priority habitats that support FWS trust species, including migratory birds, fish, marine mammals, threatened and endangered species, and species of international concern.

Through the Candidate Conservation program, the FWS, in partnership with State and Federal agencies, Tribes, private organizations, and landowners, works to reduce the threats to declining species and thus prevent the need for listing. By acting early before a species requires protection under the Endangered Species Act (ESA), DOI can maintain management flexibility for landowners and reduce the costs of recovery.

Our challenge is to apply these outstanding conservation programs within a strategic framework, so that they are integral elements of a national and international design. We are currently

building a network of partner-based Landscape Conservation Cooperatives to provide this capacity.

Coastal Program

More than half of the U.S. population lives in coastal counties that comprise only 17 percent of the contiguous United States. Coastal populations are projected to increase to 75 percent by 2025. Increasing development and corresponding human activity will put enormous pressure on coastal ecosystems. The Coastal Program was established in the Chesapeake Bay in 1985 to begin address this concern and the resulting impacts to fish and wildlife. Since its inception, the program has expanded to 23 priority coastal areas around the country, including the Great Lakes and the U.S. Commonwealths and Territories.

Through the Coastal Program, the FWS partners with coastal communities to conserve and restore coastal ecosystems for the benefit of fish, wildlife, and people. The program is designed to help conserve and recover FWS trust species by protecting, restoring and enhancing priority habitat in coastal areas.

The Coastal Program provides technical and financial support through a variety of partnerships with federal, state, and local governments, tribes, non-governmental organizations, academia, private enterprise, and private landowners to conduct coastal habitat assessments, and planning, protection, and restoration activities. One of the Coastal Program's greatest strengths is its "boots on the ground" approach to achieving conservation goals. The program is delivered through a network of locally-based field staff who possess expertise in habitat conservation and restoration. Through these partnerships, the program leverages a minimum of one federal dollar to four non-federal dollars.

The Coastal Program is implemented strategically with other FWS and partner programs, such as the National Wildlife Refuge System, the North American Waterfowl Management Plan, the National Fish Habitat Action Plan, the National Invasive Species Management Plan, and numerous threatened and endangered species recovery plans. Delivery of the Coastal Program is guided by five-year regional strategic plans that identify fish and wildlife conservation challenges, restoration priorities, geographic focal areas, and partnership opportunities. These plans are developed collaboratively with partners and integrate the goals and priorities of State Wildlife Action Plans, National Estuary Comprehensive Conservation and Management Plans, Special Area Management Plans, and other coastal ecosystem management plans.

The Coastal Program's impact in the Chesapeake Bay is indicative of its success. In the last five years, the FWS has worked with partners in the Chesapeake Bay and Coastal Bays watersheds to acquire over \$17 million in federal, state, local, and private funding to protect 5,000 acres of fish and wildlife habitat; restore 2,000 acres of coastal wetlands; restore 4,000 feet of shoreline; and restore 3 miles of stream and riparian habitats; and open over 40 miles of coastal streams and rivers through dam removals. The FWS manages the Maryland Nutria Project, which has eradicated the destructive invasive exotic nutria from over 150,000 acres of wetlands. The Chesapeake Bay Coastal Program is also engaged in restoring eel passage in the Potomac River,

assessing waterfowl populations and habitat, and conducting stream restoration trainings for hundreds of conservation professionals.

A recent Chesapeake Bay success story is the Hail Cove Living Shoreline Project at Eastern Neck National Wildlife Refuge in Kent County on the Eastern Shore. The FWS, Maryland Department of Natural Resources, Ducks Unlimited and the National Aquarium lead a partnership of 20 organizations, including Vulcan Materials Company, Washington College, and Rock Hall Elementary School, to restore 1,600 feet of shoreline, protecting over 200 acres of sea grass beds and wetlands that are one of the most important wintering areas for waterfowl in the Chesapeake Bay. This project included construction of reef habitat for oysters and mussels that are important food sources for diving ducks and Striped bass. The project was the recipient of a Coastal America Partnership Award, awarded by the President.

The Coastal Program also co-administers the National Coastal Wetlands Conservation Grant Program in concert with the FWS Wildlife and Sport Fish Restoration Program. The National Coastal Wetlands Conservation Grant Program annually provides grants to coastal states to acquire and restore coastal wetlands. Since 1992, the program has awarded nearly \$240 million to states to protect, restore, and enhance 260,000 acres of coastal wetlands. In 2010, the program awarded \$19.2 million to support 25 projects in 11 coastal states.

Partners for Fish and Wildlife Program

In carrying out our mission to conserve, protect, and enhance the Nation's fish, wildlife, and plants, the protection and management of the habitat on which they depend is essential. Over 60 percent of our Nation's fish and wildlife habitat is in private ownership, and therefore, it is imperative that DOI look for opportunities to partner with private landowners to protect species and enhance their habitat while working cooperatively with the landowners to maintain their private property rights.

To achieve this goal, the FWS established the Partners for Fish and Wildlife Program in 1987 under the broad authority of the Fish and Wildlife Coordination Act and the Fish and Wildlife Act of 1956. The Program began in the Midwest to restore wetlands on private lands that were severely degraded by agriculture, development, and recurring droughts. In 2006, thanks to the support of Members of Congress such as Senator Inhofe, the Partners for Fish and Wildlife Act was passed by Congress (Pub. L. 109-294), codifying the FWS's Partners Program.

The Partners for Fish and Wildlife Program is a voluntary, citizen and community-based stewardship program for fish and wildlife conservation. The program provides technical and financial assistance to private landowners for habitat improvement projects that benefit federal trust species, as well as provides technical assistance to other public and private entities regarding fish and wildlife restoration on private land. The program is based on the premise that fish and wildlife conservation is a responsibility shared by citizens and government. The program works directly with private landowners and communities to protect and conserve pristine habitat, and to restore degraded wetland, stream, grassland, and upland habitats.

Like the Coastal Program, the Partners Program is implemented strategically with other FWS and partner programs. Restoration and enhancement efforts are guided by regional strategic plans and support the objectives of other Service plans and programs. The Partners Program also collaborates with U.S. Department of Agriculture National Resources Conservation Service (NRCS), other federal programs, state agencies, tribal and local governments, non-governmental organizations, the private sector, and private landowner partners. Projects are often developed at a landscape scale priority geographic focus areas to maximize program resources. Most importantly, the views and involvement of stakeholders continue to provide valuable guidance.

The voluntary landowner agreements under the Partners Program also serve to strengthen the role of citizens in the public/private natural resource conservation partnership. In addition to providing benefits for the Nation's fish and wildlife resources, these initiatives are cost-effective and stretch the federal dollar by leveraging non-FWS dollars at a ratio of four to one.

Projects range in size and scope, depending on local needs and priorities and the goals of the landowner. For example, along the Warm Creek in Teton County Idaho, the Partners for Fish and Wildlife Program is working with a private landowner, Teton Regional Land Trust, and the NRCS to address habitat improvement needs for a variety of wildlife species. This project will create prime wintering and brood rearing habitat and will protect and improve an important migration corridor for wildlife. Species that will benefit from this project include Columbian sharp-tail grouse, trumpeter swans, waterfowl and other migratory birds and a variety of other species including deer, elk, and moose.

The Partners for Fish and Wildlife Program is also working to develop Schoolyard Habitat projects. These projects provide students with a powerful example of land stewardship and provide residents and local business with opportunities to get involved in creating and maintaining wildlife habitat. Students create these projects with technical assistance from the Partners for Fish and Wildlife Program for teacher training and project guidance. Students are fully engaged, from planning and design through planting, providing every student at a school the ability to observe, learn from, and experience nature, enhancing their connection to the outdoors and instilling a sense of environmental stewardship.

The Arthur Middleton Elementary School in Maryland transformed an unused part of their schoolyard and storm drain into a wetland that can also be used as an outdoor classroom. More than 600 students planted over 13,000 Maryland native plants, creating a wetland that will also be used as a teaching area, which will allow the students to conduct experiments, create art or write essays. The project provides a vegetative buffer and integrates into the County's effort to reduce pollutants that runoff from impervious surfaces into local waterways and the Chesapeake Bay. More than 600 schools have been involved in this program nationwide.

The Partners for Fish and Wildlife Program has grown tremendously since its inception and is recognized as a model in the new era of collaborative conservation. Over 42,000 private landowners throughout the country are currently involved with the program. The voluntary, incentive-based approach to restoring habitat on private lands has led to the restoration of more than 3 million acres of upland habitat and 975,000 acres of wetlands.

Candidate Conservation

Candidate species are those plant and animal species for which the FWS has enough information regarding their biological status and threats to propose protection under the Endangered Species Act (ESA), but whose listing is precluded by higher priority listing activities. Candidate species are not subject to the legal protections of the ESA. Therefore, DOI focuses on proactive conservation efforts for these species that can, in some cases, eliminate the need to list them under the ESA.

Implementing conservation efforts before species are listed and their habitats become highly imperiled increases the likelihood that simpler, more cost-effective conservation options are available and those conservation efforts will succeed. By taking early conservation actions before a species is listed, resource managers and property owners have more flexibility to manage these species and use their land.

One approach that is proving successful in benefiting candidate species is the development of formal voluntary conservation agreements. The FWS employs two types of volunteer agreements, Candidate Conservation Agreements (CCAs) and Candidate Conservation Agreements with Assurances (CCAAs). CCAs are agreements between the FWS and one or more parties who voluntarily commit to implement specific actions designed to remove or reduce threats to the covered species on federal and non-federal lands. To date, the FWS has entered into over 100 CCAs over the past 15 years, primarily with other federal agencies and states. Over 160 species of plants and animals have benefited from these agreements. Some CCAs have been sufficiently effective in removing threats that listing the covered species was ultimately not necessary. Federal, state and local governments, as well as tribes, private property owners, and other entities are currently participating in CCAs.

Conservation of candidate species on non-federal lands is also essential because many species rely heavily, or even entirely, on such lands. CCAAs address the concern of these landowners about potential future land use restrictions. A CCAA provides non-federal property owners who engage in voluntary conservation activities for a particular species with the assurance they will not be required to implement additional conservation measures. Should the species become listed in the future, additional resource use limitations will not be required unless they agree to such additional conservation actions. Currently, there are more than 100 CCAs signed with the FWS in 21 states and 15 multi-state agreements.

Both CCAs and CCAAs can apply to a single species or multiple species and vary widely in size, scope, structure, and complexity, and in the activities they address. These voluntary agreements reduce or remove identified threats that are imperiling the identified species. Examples of beneficial activities include reducing habitat fragmentation rates, restoring or enhancing habitat, expanding or establishing habitat connectivity, reestablishing populations or augmenting existing populations, and control of competitive, invasive plants or animals.

Recently the National Park Service and FWS prepared a CCA to cooperate on the conservation of Guadalupe fescue. Guadalupe fescue is a rare grass found only on one site in the United States - at Big Bend National Park in Texas. The agreement calls for monitoring the known population,

establishing a conservation team of experts for the species, educating staff and visitors, and monitoring and controlling exotic plants and animals. The plan also calls for cooperating with Mexico to conserve its known populations and search for new ones. Studies to determine the possible need for prescribed burns or other management activities to maintain and improve habitat will be conducted. The agreement also calls for performing genetic studies. In situations where a candidate or at-risk species is found on both non-Federal and Federal land, a CCA and a CCAA can be used in a complementary fashion to address threats and management needs on both ownerships. An example is the innovative New Mexico agreement for the lesser prairie-chicken and the sand dune lizard between the FWS and the Bureau of Land Management. The agencies and the Center of Excellence for Hazardous Materials Management are administering CCAs for oil and gas lease holders on federal lands and CCAAs for state and private landowners to benefit these two species. Partners are now taking actions to reduce or eliminate threats to both species on all land ownership types. In return, private landowners receive assurances that their operations will continue regardless of whether the species come under the protection of the ESA, and operators on federal lands will receive a greater degree of certainty that their operations will not change.

Several examples of CCAs and CCAAs include:

- In Idaho, the Soulen Ranch is proving that sheep and cattle can coexist with the southern Idaho ground squirrel on 43,000 acres. This 2002 CCAA with a single family led to a programmatic CCAA in 2005 for the same species that will facilitate other ranchers in four counties providing conservation management. Also in Idaho, the Idaho Department of State Lands has a 22-year CCAA for the Columbia spotted frog, another candidate species.
- On February 12, FWS approved the nation's first CCAA for the greater sage grouse in Washington, Adams, Gem, and Payette Counties, Idaho. This CCAA will be administered by the Idaho Department of Fish and Game and was the result of a cooperative effort undertaken by a voluntary "local working group" established to help conserve the sage grouse.
- The Oregon Department of Fish and Wildlife has a 20-year CCAA for the Columbian sharp-tailed grouse on 156 acres of land they manage. Also in Oregon, Three Mile Canyon Farms has an agreement for 25 years for three listed species and one candidate, the Washington ground squirrel on 95,000 acres.
- The State of Montana has a 50-year programmatic CCAA for the Western cutthroat trout on private land and is enrolling multiple ranchers under this umbrella agreement. Also in the State, multiple landowners are participating in a 20-year agreement for the fluvial Arctic grayling, a fish, on over 13,000 acres along the Missouri River. The Service's Partners for Fish and Wildlife Program has been a major facilitator of this agreement which is receiving substantial funding from the Natural Resources Conservation Service.
- The Three Forks CCAA will benefit the Colorado River cutthroat trout in Colorado and Wyoming for 10 years on 27 acres. The Four W Ranch in Wyoming has a 10-year

agreement for three listed bird species and a candidate mammal species, the black-tailed prairie dog, on 3370 acres.

Candidate Conservation Agreements are most successful when the threats that lead to candidate status are clearly understood and addressed early enough so that practical, economically feasible solutions can be implemented by interested land managers and owners. These voluntary cooperators must be willing to address threats, modify their management actions, and implement necessary conservation activities on the lands they control. Only in a few instances are the efforts of a single party sufficient to preventing listing of a candidate species.

Regional or range-wide conservation efforts that identify threats and essential management needs of a species are more likely to be comprehensive enough to prevent listing. Time, resources, and commitment are needed in order for candidate conservation agreements to be successful.

Safe Harbor Agreements

Safe Harbor Agreements are voluntary agreements with private and other non-federal landowners to improve habitat or otherwise aid the conservation of endangered or threatened species. Currently, the several hundred landowners who participate in these agreements have enrolled more than four million acres in such agreements. Many of these agreements are programmatic in nature, enrolling multiple landowners in programs administered by state agencies, resource conservation districts, conservation organizations, and other partners. Safe harbor agreements have contributed significantly to the ongoing recoveries of species such as the northern aplomado falcon and black-capped vireo in Texas, and the red-cockaded woodpecker in the Southeastern United States.

CONCLUSION

Strong partnerships are a cornerstone of DOI's work and mission. DOI welcomes the myriad of partners who share common goals and interests in conserving the nature of America. By building strong partnerships and initiating early and collaborative conservation efforts, DOI can best conserve endangered and threatened species and restore and protect the habitat upon which they depend.

Chairman Cardin and Subcommittee Members, DOI remains committed to building partnerships and collaborations with other federal, state, tribal, and local agencies, and other partners. We appreciate your interest in these issues and thank you again for the opportunity to appear before you today. I would be happy to respond to any questions you may have.