

Testimony of Mr. Collin O'Mara
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Before the U.S. Senate Committee on Environment and Public Works
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Chairman Carper, Ranking Member Capito, and members of the committee, on behalf of the National Wildlife Federation, our 52 state and territorial affiliates and our more than 6 million members, thank you for the honor of testifying before you today, as both the CEO of America's largest wildlife conservation organization and the former Secretary of Natural Resources and Environmental Control for the State of Delaware.

First, let me congratulate this committee on the passage of the bipartisan Infrastructure Investment and Jobs Act, which made historic investments in clean water, habitat restoration, reclamation, resilience and connectivity, environmental justice, and clean energy innovation. The bipartisan work of this committee provided the centerpiece of that package, and the Federation is grateful to Chairman Carper, Ranking Member Capito, and all of the members of the Committee for your tremendous leadership on the bill and its many natural infrastructure provisions.

I also want to thank you for your consistent bipartisan support of investments in wildlife recovery, especially species listed under the Endangered Species Act—whether through the Build Back Better Act, annual appropriations bills, disaster response measures, the American Conservation Enhancement Act, the Recovering America's Wildlife Act, or other legislation.

America's wildlife is in crisis. Consideration of the Recovering America's Wildlife Act could not come at a more critical time and we are incredibly grateful for the support of the 16 Senate Republicans and 16 Senate Democrats who are currently co-sponsors, including several members of the Committee.

Right now, more than one-third of species of wildlife, fish, and plants face heightened risks of extinction. Wildlife are facing intense and interwoven threats: habitats are increasingly fragmented and degraded, invasive species and wildlife diseases are spreading, new sources of pollution are emerging, and extreme wildfires, droughts, heatwaves, flooding, and hurricanes are ravaging the landscape. Climate change is only accelerating the decline of species from our backyards to the backcountry. In addition, the world is contending with a zoonotic disease that has killed nearly 800,000 Americans and more than 4 million people globally and crippled economies. It's never been a more important time to address the escalating wildlife crisis.

The Recovering America's Wildlife Act is a solution that matches the magnitude of the crisis. The bill empowers States, Territories, and Tribes to recover declining wildlife populations through proactive and collaborative implementation of Congressionally-mandated Wildlife Action Plans. By funding the full implementation of these collaboratively developed plans, we will have the best opportunity to prevent species from declining to the point where federal protections are warranted under the Endangered Species Act and increase their populations to

healthy levels, while accelerating the recovery of species already listed as endangered or threatened. Rather than raising new taxes or promulgating new regulations, the Recovering America's Wildlife Act incorporates a funding mechanism that leverages undesignated environmental and natural resource civil and criminal fines, fees, and penalties that the federal government collects and matches them with contributions from states, conservation partners, and other stakeholders. And the bill builds upon robust existing accountability practices and adds additional reporting requirements to ensure all resources are well spent.

Investments in wildlife conservation through the Recovering America's Wildlife Act will also be good for people. When we save wildlife, we save ourselves. We create well-paying local jobs across the country, support healthier communities for people, reduce regulatory uncertainty for businesses and costs for taxpayers, strengthen the nearly \$887 billion outdoor economy and support millions of jobs—all of which contributes to creating a better future and preserving our wildlife heritage for future generations.

This legislation has the support of the full spectrum of the conservation community, including hunting, fishing, conservation, and environmental organizations. It is widely supported by the relevant federal, state, and territorial fish and wildlife agencies. Importantly, it is broadly and deeply supported by Native American Tribes who have been conservation and wildlife stewards without consistent, dedicated funding. The Recovering America's Wildlife Act has the support of outdoor and natural resource businesses, and communities throughout the country. It is supported by numerous aquariums and zoos, which often work with state and federal wildlife agencies and Tribes to save and restore wildlife populations through captive breeding, re-introductions, research, responses to threats like diseases, education, and other strategies.

The Recovering America's Wildlife Act marks the best chance we have had in decades to win the race against extinction. Strong support in the Senate, strong support in the House for a companion bill (137 bipartisan cosponsors on H.R. 2773), and strong support from the Biden administration makes this Congress our best opportunity to pass this critical conservation legislation into law. The longer we wait to act, the more expensive and difficult the crisis becomes to solve. We urge all members of this Committee to lend their support and commit to passing this urgently needed bill as soon as possible.

America's Wildlife Crisis: The Sixth Mass Extinction

In 2018, the National Wildlife Federation, in partnership with The Wildlife Society and American Fisheries Society, published a report on "Reversing America's Wildlife Crisis," which explores the extraordinary richness and precarious state of America's flora and fauna. That study documented that more than one-third of U.S. plant and animal species are at heightened risk of extinction and more than 150 U.S. species already are extinct. More than 40 percent of our native freshwater fish species are rare or imperiled and more than 60 percent of America's freshwater mussels are imperiled or vulnerable with another 10 percent already extinct. Amphibian populations, which are sensitive environmental indicators, are declining at a rate of 4 percent a year, and native pollinators like butterflies and bees are experiencing precipitous declines, including the Monarch butterfly whose populations have dropped by nearly 90 percent.

The ongoing nature of this crisis was underscored earlier this year when the U.S. Fish and Wildlife Service officially declared 23 species extinct, including the iconic ivory-billed woodpecker, Bachman’s warbler, and a bevy of Hawaiian forest birds. But while extinction is the most dramatic and irreversible outcome of species declines, population numbers are falling across a broad swath of America’s wildlife, including both common and rare species. In 2019, a major study published in the journal *Science* documented dramatic declines in North American bird populations since 1970, with the loss of nearly 3 billion breeding birds, representing a nearly 30 percent decline. Unfortunately, U.S. species declines are consistent with broader global trends: a major United Nations report from 2019 estimated that an unprecedented 1 million species globally are at risk of extinction in the coming decades, compromising the vital services that natural ecosystems provide to humanity.

The reason for ongoing species declines and extinction, both in the United States and globally, are varied and include habitat loss, degradation, and fragmentation; the spread of non-native invasive species and emerging wildlife diseases; environmental contaminants and pollution; continued exploitation and overharvest of some species; and increasingly a rapidly changing climate. Indeed, climate change amplifies and exacerbates existing stressors, leading to the transformation and degradation of crucial wildlife habitats and enabling the expansion of invasive species and diseases. As an example, climate change fueled wildfires in Washington State wiped out half the remaining population of federally listed Columbia basin pygmy rabbits, while in California recent wildfires have killed a staggering 13 to 19 percent of the entire world population of giant sequoias.

Further, emerging wildlife diseases are increasingly demonstrating with deadly consequences the complex nature of the challenges facing wildlife today, as well as the urgency of ensuring wildlife professionals have the resources to effectively respond to evolving threats to not only wildlife but also human health and economies. Significant threats to wildlife today include white-nose syndrome affecting bats, Chronic Wasting Disease affecting deer, elk and other ungulates, and chytrid fungi affecting amphibians. These diseases not only threaten wildlife, they have significant economic impacts — they are costly to combat, and can shut down or diminish human activities. If state and Tribal wildlife programs had adequate resources to get on top of and out in front of these diseases as soon as they were identified, a lot of wildlife would have been saved and costs avoided.

It also bears underscoring that the global COVID-19 pandemic has not only infected tens of millions worldwide and upended how we live, but it also has directly impacted wildlife. The coronavirus most likely started as a zoonotic disease, likely leaping from a bat or pangolin to people roughly two years ago. Since then, it has jumped from people to pets and even big cats, including lions and snow leopards, at zoos. Wildlife managers are now reporting that increasing numbers of wild-living white-tailed deer are testing positive for COVID-19. This example of disease transmission from wild animals to people back to wild animals demonstrates our interconnectedness and the need for action both in the prevention of zoonotic disease transmission and preparedness response. Healthy wildlife populations and intact natural habitats are key to implementing “One Health” approaches for reducing the risk of new zoonotic diseases. Recovering America’s Wildlife Act will bolster the capacity of wildlife professionals to

work with human health experts to monitor and combat the spread of diseases that threaten human health and wildlife species survival.

Let me be clear: we are in the midst of a sixth mass extinction. It affects all sizes and types of species, across the United States. The growing number of scientific reports and field observations from hunters, anglers, and other wildlife watchers are a clarion call for action. Fortunately, history shows that with collaborative and science-based interventions and investments these declines can be reversed. The Recovering America's Wildlife Act provides the path for doing so. The United States and U.S.-based Tribes have been global leaders in wildlife conservation and management but more—and more consistent—funding is needed to address today's wildlife crisis.

The Recovering America's Wildlife Act: A Solution Matching the Magnitude of the Crisis

Inaction is the ally of extinction. If we don't act, and soon, the species we cherish will slowly but surely vanish from the landscape. The Recovering America's Wildlife Act offers us an alternative, where we can choose a different path and catalyze unprecedented collaborative conservation to put Americans to work proactively and voluntarily restoring ecosystems and recovering species in every part of the country.

The bipartisan Recovering America's Wildlife Act proposes a visionary, collaborative solution that matches the magnitude of the monumental crisis wildlife face. It is built on the recommendations of a blue-ribbon panel the Association of Fish and Wildlife Agencies convened in 2014, on which I, on behalf of the National Wildlife Federation, was proud to serve.

The Recovering America's Wildlife Act would amend the Pittman-Robertson Federal Aid in Wildlife Restoration Act to invest an additional \$1.3 billion a year for state-led and territorial-led implementation of their Wildlife Action Plans and \$97.5 million for Tribal wildlife conservation efforts. This transformative legislation would meet the management needs of the full diversity of wildlife species, the vast majority of which are not currently or consistently funded. Further, the bill is designed to leverage significant outside financial resources, while rewarding innovative solutions that are replicable and scalable.

Fully implementing the State Wildlife Action Plans to recover species of greatest conservation need and the Recovery Plans for listed species offers the best opportunity to halt the decline of species and avoid the need for additional listings Endangered Species Act, while accelerating the recovery of species already listed as endangered or threatened. Senator Heinrich and Senator Blunt's bill, S. 2372, incorporates a funding mechanism and match requirements to ensure the states, Tribes, and territories have the resources necessary to implement their Wildlife Action Plans and programs, while ensuring robust accountability.

Building upon a Successful Model

The North American Model of Wildlife Conservation includes seven foundational principles, as summed up by the Boone and Crockett Club: 1) wildlife resources are a public trust to be managed by governments for the benefit of all citizens; 2) unregulated commercial markets for

wild game that decimate wildlife populations are eliminated; 3) allocation is by law, meaning that laws are developed by citizens and enforced by government agencies to regulate the proper use and management of wildlife; 4) opportunity for all, which means that every citizen has the freedom to view, hunt and fish, regardless of social or economic status; 5) wild game populations cannot be killed casually, but only for a legitimate purpose as defined by law; 6) wildlife will be considered an international resource because wildlife migrates across political boundaries; and 7) science is the proper basis for wildlife policy and management, not opinion or conjecture, in order to sustain wildlife populations.

This model, when combined with a dedicated funding through user-pay mechanisms (excise taxes, license fees, etc.) and strong collaboration among state agencies, federal agencies, conservation partners, and landowners, has successfully recovered the vast majority of wildlife species that are hunted and fished. In many ways, this uniquely American approach was born out of crisis. In the early 20th century, forest and wetland loss decimated populations of deer, elk, and waterfowl. Dam construction had disconnected aquatic species like shad and river herring from spawning grounds. Indiscriminate timber harvest and mining had harmed upland habitat and led to rampant erosion, destroying streams and heavily impacting many aquatic species. Commercial harvest decimated populations of migratory birds and mammals alike. Many of our most iconic and well-known species were in serious trouble. Deer, elk, pronghorn, bighorn sheep, wood ducks, striped bass, wild turkey and many other species had become extremely rare, with some on the verge of extinction. The U.S. response to these conditions formed the basis of the conservation movement of the 20th century, and led to the successful restoration of these and other game and fish populations.

Conservation funding at the state level was initially derived from hunting and fishing licenses directed back into professional wildlife departments. The federal government began supplementing state license funds through the Pittman-Robertson Wildlife Restoration Act of 1937, which redirected an existing excise tax on firearms and ammunition into state wildlife management. Later, the Dingell-Johnson Sportfish Restoration Act of 1950 dedicated existing excise taxes from fishing tackle to fish conservation. A key component of the success in recovering America's game species was the creation of these dedicated funding streams, which in addition to Pittman-Robertson and Dingell-Johnson, included the Migratory Bird Hunting Stamp Act of 1934 (Duck Stamp) that funded wetland conservation.

Most U.S. species, however, are not the target of hunting and fishing, and consequently were not prioritized under these two primary dedicated funding sources. Dedicated funding for the full diversity of wildlife—what sometimes are referred to as “non-game” species—has been long regarded as the third leg of the wildlife conservation funding stool, but to date has not materialized at a commensurate level. After decades of attempts, the Recovering America's Wildlife Act will fix this and complete the funding model to support the full diversity of wildlife.

The cause and effect of robust investment is clear. In the same *Science* report that documented plummeting North American bird populations, the authors showed that, contrary to overall trends, populations of waterfowl (ducks and geese) increased by more than 56 percent in the years since 1970. This variance was a direct result of combining collaborative efforts with dedicated funding for wetland conservation through the Federal Aid in Wildlife Conservation

Act of 1937 (Pittman-Robertson), Duck Stamps, and innovative programs that leverage millions of private dollars, like the North American Wetland Conservation Act and parts of the Farm Bill, with common-sense protections under the Clean Water Act and Migratory Bird Treaty Act (by contrast, grassland bird populations plummeted by 53 percent, as there is not yet an equivalent North American Grasslands Conservation Act or other grasslands restoration funding streams). The Recovering America's Wildlife Act could replicate the same successes that we've accomplished for waterfowl across the full diversity of fish and wildlife species.

Tribal Nations

Tribes own or influence the management of tens of millions of acres, including more than 730,000 acres of lakes and reservoirs, 10,000 miles of streams and rivers, and 18 million acres of forests. These lands and waters provide habitat for fish and wildlife, including more than 500 species federally listed as threatened or endangered. Additionally, Tribes provide leadership and resources to wildlife and fish conservation efforts far beyond these lands and waters. Yet despite immense natural resources and human expertise and cultural knowledge, Tribes are currently excluded from most federal wildlife funding programs, with the primary exception of a small competitive Tribal Wildlife Grants program that allocates an average of less than \$6 million annually that is distributed on a competitive basis among all interested Tribes. The Recovering America's Wildlife Act would increase this amount to \$97.5 million through a non-competitive grant programs, providing the first significant dedicated funding for Tribal wildlife conservation in U.S. history.

When Senators Heinrich and Blunt introduced the Recovering America's Wildlife Act, Elveda Martinez, president of the Native American Fish and Wildlife Society, was clear: "For Tribes, the Recovering America's Wildlife Act is not just about an increase to fish and wildlife base funding, it is base funding. It's a game changer, in the way Tribes operate, manage, participate and assert self-governance in fish and wildlife stewardship. With the support of this legislation, the Tribes stand ready and committed to ensure that wildlife endures for all of our future generations."

The only meaningful attempt to address this inequity occurred in 2001 when Congress created the Tribal Wildlife Grant Program. The \$6 million in average funding is grossly inadequate to support the fish and wildlife management needs of all federally recognized Tribes. Further, the competitive, annual nature of this funding means that Tribes cannot create the long-term programs necessary for effective wildlife conservation because they do not know how much funding, if any, they can expect for wildlife research and management projects in any given year. Despite receiving very limited, unreliable funding, Tribes have created some of the most innovative and effective natural resource programs. There are countless stories that exemplify the importance of sustained, reliable funding for Tribal nation's fish and wildlife resource management, as outlined in the [20 Years of Conservation Success Report](#) on the State and Tribal Wildlife Grants Program. A [recent article](#) looked at the many opportunities for Tribal-led wildlife conservation, if the Recovering America's Wildlife Act passes.

Endangered and Threatened Species

America's wildlife have also benefitted from the incredible success of the Endangered Species Act. This includes the recovery of iconic species like the bald eagle, humpback whale, American alligator, brown pelican, peregrine falcon, and Louisiana black bear. More broadly, however, the Act has played a pivotal role in ensuring more than 99 percent of federally listed species have not gone extinct. As of November 2021, there are more than 1,600 U.S. species of plants and animals listed under the Act.

A 2016 report by the Ecological Society of America found that due to funding constraints, the Act has been more successful in stopping the slide of species toward extinction than in improving the conservation status and recovery of listed species. They found that the amount of funding available for species protection and recovery is one of the best predictors of recovery success but noted that not only has federal recovery spending been insufficient, it has been highly disproportionate across groups of species. Indeed, based on their analysis over 80 percent of government spending went to support just 5 percent of listed species, while 80 percent of listed species shared less than 5 percent of all recovery funds.

The Recovering America's Wildlife Act will substantially increase funding for endangered and threatened species and address the needs of many species that historically have not received robust recovery investments. Because the bill commits at least 15 percent of state, territorial, and tribal allocations to listed species recovery, listed species recovery actions would increase by at least \$170 million annually, which is more than the U.S. Fish and Wildlife Service currently receives for its endangered species recovery program (\$138 million).

Much more of the funding than the 15 percent requirement in the Recovering America's Wildlife Act will actually go toward recovering endangered and threatened species, however. First, the traditional Pittman-Robertson allocation funding formulas were specifically improved for allocations under the Recovering America's Wildlife Act to invest more in states and territories with the greatest need, such as Hawaii, which have the greatest number of federally listed endangered and threatened species. Second, much of the 10 percent dedicated under the bill to innovation grants for regional collaboration will be spent on recovering listed species and candidate species, as will much of the incentive grants for recovering at-risk native plants. Third, many state wildlife agencies already use their limited federal funding from the State Wildlife Grants program to pay for their endangered species conservation efforts, but current grant funds are not nearly enough to meet those needs. States currently include federally-listed species among their lists of Species of Greatest Conservation Need that are prioritized for attention in their State Wildlife Action Plans, and many states spend more than a quarter—and as much as half—of their annual State Wildlife Grant funds on the recovery of these listed species:

- Delaware has invested heavily in the restoration and conservation of coastal habitat for red knots, piping plovers, and other shorebirds, as well as our iconic horseshoe crab populations. The state has also partnered with Maryland on best practices to recover endangered Delmarva fox squirrel populations by restoring habitat in Redden State Forest and other public and private lands.

- Ohio spends approximately \$560,000 (of a \$1.3 million allotment) annually in State Wildlife Grant funds for federally listed species ranging from Karner blue butterflies to Northern long-eared bats, and for stream and river restoration projects to recover freshwater mussel species.
- Indiana dedicates State Wildlife Grant funds to monitor the health of the highly endangered clubshell and Northern riffleshell mussels, which were translocated from the few surviving populations in Pennsylvania. Indiana also used these funds to help recover least terns, which were successfully recovered and removed from the endangered species list earlier this year.
- Connecticut spends State Wildlife Grant dollars on roseate terns, piping plovers, puritan tiger beetles, bog turtles, Northern long-eared and Indiana bats all of which are federally listed as endangered or threatened. State Wildlife Grant funding allowed Connecticut to meet and exceed nesting pair and productivity recovery plan goals for piping plovers and to leverage other matching funds, develop a large volunteer corps, create municipal partnerships, and increase public awareness and education.
- Over the past 5 years Georgia has averaged just under \$1.4 million in annual State Wildlife Grant appropriations. Of that total, approximately \$750,000 has been spent annually on federally listed or candidate species. 95 percent or more of the work that Georgia has accomplished to increase red-cockaded woodpecker populations and advance them on a path to recovery has been funded through State Wildlife Grants, other state and federal grants, and private donations.
- Arizona spends roughly three fourths of its average annual allocation of State Wildlife Grants translocation, habitat restoration and enrolling partners in Safe Harbor agreements of a range of federally listed freshwater fish, amphibians and other species.

Across all section of the Recovering America’s Wildlife Act, we anticipate that more than a quarter of the total funding will go towards listed species and candidate species (listed species currently comprise 13 percent of all species of greatest conservation need). While some have proposed a higher percentage, we believe that robust investments in proactive wildlife conservation of the full diversity of species of greatest conservation need is critical to avoid an ever-expanding train-wreck of irreversible wildlife population declines and accelerating extinctions. Just as investing in preventative medicine helps reduce the need for emergency room measures in healthcare, investing in proactive ounces of prevention can save thousands of species from ever reaching the brink of extinction, while we also work to recover listed species. The immense and interconnected challenges facing wildlife require an “all-hands-on-deck” response, with the full engagement of not just federal agencies but also States, Tribes, Territories, and other conservation partners. While we of course must fund recovery of species that are already endangered, we cannot continue to make the mistake of shortchanging the collaborative conservation of species that are already declining and at heightened risk of becoming endangered. Greater upstream investments are needed now – every year brings new evidence of further declines in wildlife populations and numbers.

Importantly, States, Tribes, and Territories are prepared to expand their collaborative work with conservation partners, landowners, and federal agencies on endangered and threatened species that are often underfunded or overlooked by current funding availability and capacity. This model of “Conservation without Conflict” is already producing measurable and durable results

across the East Coast and Southeast for species including the New England Cottontails, saltmarsh sparrows, red-cockaded woodpeckers, and some species of freshwater mussels and crawfish. Studies have estimated that nearly 80 percent of federal funding available for recovering endangered and threatened species goes to a limited number (5 percent) of high-profile species, such as salmon, sturgeon, spotted owl, and desert tortoise. Given their many competing priorities and limited capacity and funding, it can be difficult for the U.S. Fish and Wildlife Service to fulfill the recovery needs of less charismatic and lower profile species. The Recovering America's Wildlife Act will help address the needs of the full diversity of wildlife, including the full spectrum of listed species, by resourcing the States, Tribes, and Territories to collaborate in these efforts.

The Need for Reliable Wildlife Conservation Funding

As we've seen from game species like deer and waterfowl and formerly endangered species like bald eagles and American alligators, our nation does a remarkable job saving species when we put our mind to it and when we invest. For example, Delaware's populations of waterfowl, white-tailed deer, bald eagles, and peregrine falcons continue to boom. Unfortunately, we're only investing in a small number of the species in need, and we are headed for an irreversible disaster if we don't act now. Not only will we lose magnificent species that define our outdoor heritage, but we will irreparably harm our nearly \$887 billion outdoor economy and the 7.6 million jobs it supports; industries will face greater regulatory uncertainty, litigation risk, and costs; and taxpayers will face ever-growing costs.

The Recovering America's Wildlife Act can address a large part of the reason we are in a wildlife crisis: the need for reliable funding in a time of rapid change. While Congress has taken steps, it has never wholly solved the problem. In 2000, Congress created the Wildlife Conservation and Restoration Program (P.L. 106-553). This program was established as a subaccount of the Pittman-Robertson Fund, providing 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 Wildlife Conservation and Restoration Program (WCRP) was not set up with dedicated funding. Congress provided one year of appropriations in Fiscal Year 2001 and has not funded the program since.

In lieu of funding the WCRP, Congress appropriated funds for State Wildlife Grants for the past 20 years. Appropriations have ranged from \$50 million to \$90 million over the period of Fiscal Years 2001-2021, with an average of \$60 million provided annually to all states and U.S. territories. This level of funding represents only 5 percent of the amount needed to implement the State Wildlife Action Plans.

With the establishment of the Wildlife Conservation and Restoration Program, Congress mandated that state fish and wildlife agencies develop State Wildlife Action Plans as a way to conserve all of America's wildlife, and guide the way each state spends their programmatic dollars, but never took the next step of fully funding the federal share for implementation. These plans set clear priorities by identifying those species in greatest need of attention (termed "species of greatest conservation need"), the habitats on which they depend, and the conservation actions necessary to sustain and restore their populations. Development of these plans is led by

the state wildlife agencies, but they are crafted in coordination with a wide array of public and private partners and are intended to reflect a comprehensive and shared vision for wildlife conservation in the state.

Collectively, State Wildlife Action Plans have identified more than 12,000 species of greatest conservation need. While we have made incredible progress through the user-pay/user-benefit model (80 percent of state agency funding comes from hunters and anglers) to recover populations of species that we hunt and fish—such as deer, ducks, turkeys, and trout—the vast majority of wildlife species, including most of these species of greatest conservation need, have no stable or consistent funding, which regularly results in listings under the Endangered Species Act as the tool of last resort.

Innovation and Regional Collaboration: The bill also establishes a new Innovation Grants program to incentivize, reward, and replicate the most effective, innovative, and far-reaching collaborative wildlife conservation strategies for recovering endangered, threatened, and at-risk wildlife and their habitat. Ten percent of all state and territorial funding under this bill – over \$125 million annually – will be set aside specifically for this program. Notably, Innovation Grants may be used to fund multi-state wildlife recovery proposals, including by the regional associations of fish and wildlife agencies. Engaging all or multiple states within the range of a species together in their conservation is often the most effective way to recover wide-ranging species. States have also demonstrated the effectiveness of using State Wildlife Action Plans as the building blocks for landscape level conservation across political jurisdictions. The Northeast, Southeast, and Midwest states have collectively analyzed the state lists of species of greatest conservation need and collaborated with experts to prioritize species for conservation action and those that would benefit from multi-state approaches. The Western states have organized regional initiatives dedicated to improving sage brush ecosystems, habitat connectivity, and to prevent the spread of invasive species. States are partnering with the U.S. Fish and Wildlife Service, U.S. Geological Survey, the Nature Conservancy, the National Wildlife Federation, and other private and public partners to develop landscape conservation initiatives to identify areas for conservation and restoration. These unprecedented collaborations underscore the dedication of the states to leverage resources and work with federal agencies and private organizations to secure a place for all America’s wildlife.

Native Plants: The Recovering America’s Wildlife Act is also the first legislation to propose a nationwide funding solution to the growing extinction crisis facing native plants in the United States. Plants are the foundation for virtually all other lifeforms, providing indispensable value and ecosystem services to people and wildlife. Unfortunately, similar to wildlife, about one-third of plants in the United States (34 percent) are at elevated risk of extinction (imperiled or vulnerable as assessed by NatureServe and its state natural heritage partners). Nearly 60 percent of the 1,600 species federally listed as Threatened or Endangered in the United States are plants. Approximately 4,000 of the 12,000 “species of greatest conservation need” (SGCN) identified by State fish and wildlife agencies in their state wildlife action plans are plants. Yet plants receive scant conservation attention or funding - less than 5 percent of federal recovery funding; and less than half of the states currently include plants as SGCN. Given the importance of plants and their significant conservation needs, the Recovering America’s Wildlife Act includes a provision to increase a state’s funding allocation by 5 percent if it includes plants on its list of SGCN. This

will help those states address the management needs of their imperiled plant species, and incentivize other states to add plants to their State Wildlife Action Plans in order to access the additional funding that will then be available to them.

Leveraging matching funds: Like Pittman-Robertson and Dingell-Johnson, the Recovering America's Wildlife Act requires that states and territories provide at least 25 percent in matching funds to access the federal resources. This both leverages the federal funds so they have greater impact and requires states and territories to have skin in the game. Many states have already secured additional funds through general appropriations, lottery funds, dedicated sales taxes, real estate transfer taxes, bond sales, voluntary state tax check-off programs, sales of specialty license plates, conservation stamps, ballot measures, dedicated portion of new revenues, or even the creation of wildlife foundations to accept philanthropic donations. Further, non-profit organizations have sought to raise private funds through efforts, such as the National Fish and Wildlife Foundation, to conduct recovery efforts. Survey work by the Association of Fish and Wildlife Agencies show that states are fully confident that these combined efforts provide more than sufficient match to meet the matching requirements, as envisioned by the Recovering America's Wildlife Act.

Investing in the next-generation of conservation stewards: This legislation will also support professionally delivered conservation education that is consistent with each State Wildlife Action Plan. Allowing a small fraction of funding to go to this purpose will help engage youth with wildlife recovery efforts at a time when kids are becoming ever more disconnected from nature.

Funding Mechanism and Accountability

S. 2372 includes a funding mechanism generated from civil and criminal penalties, fines, sanctions, forfeitures, or other revenues resulting from natural resource or environmental-related violations or enforcement actions that are not deposited in another fund or otherwise committed or appropriated. This mechanism will not affect funding that is committed to other important existing programs, such as the Oil Spill Liability Trust Fund, Superfund cleanup, or Clean Water Act Violations. This is similar to the language in the Great American Outdoors Act that ensured investments in public lands maintenance would not affect the Land and Water Conservation Fund.

S. 2372 is also built on a strong foundation of federal accountability for every dollar that will be spent under it. As described by the Alliance for America's Fish and Wildlife, the Recovering America's Wildlife Act would use the same rigorous accountability standards currently used for the State Wildlife Grants program, which is arguably the most accountable federal conservation grant program in existence, plus an additional 6th layer of accountability and reporting for states and territories.

1. States are required by current law to involve other federal agencies, private conservation groups, and the public in the development of a State's Wildlife Action Plan. The plans are typically approved by a state/territorial fish and wildlife agency's governing body in a public setting.

2. Spending under Recovering America's Wildlife Act would be required to implement actions identified in State Wildlife Action Plans. These plans are approved by the U.S. Fish and Wildlife Service and require updating at least once every decade. Any significant revision to the plans must also be approved by the Service. These plans are publicly available on the state fish and wildlife agencies' websites.
3. All Recovering America's Wildlife Act grants would be administered through the Wildlife and Sport Fish Restoration Program. All funding would be distributed to the states and territories as grants that would require approval by the Fish and Wildlife Service. The states are required to comply with federal regulations and submit grant applications that clearly state objectives of a project and intended outcomes as it relates to implementation of the State Wildlife Action Plan. States are required to submit regular reports on how spending is being conducted and on project progress and performance.
4. There is an effectiveness measures framework that is being incorporated into the Fish and Wildlife Service grant reporting and tracking system to ensure that activities funded through grants to the states to implement actions in State Wildlife Action Plans meet intended outcomes. The system will be able to produce reports that roll-up activities to show accountability of projects at state, regional or national scales.
5. Each state and territory is required to undergo an Interior Office of Inspector General (OIG) audit every 3-5 years to ensure compliance with all regulations and procedures administered by the Service. All projects funded under Recovering America's Wildlife Act also would be subject to these OIG audits. These audits are posted to the OIG's website for the public review.
6. The Recovering America's Wildlife Act includes a subsection on accountability requiring each state and territory and D.C. to provide, every three years, a work plan and budget for implementing its wildlife action plan to the Fish and Wildlife Service, the Senate Committee on Environment and Public Works, and the House Committee on Natural Resources over the coming three years, along with a report on spending and activities over the prior three years.

Funds distributed to Tribes will all be subject to reporting requirements which will be determined by the Secretary of the Interior, acting through the Director of the Bureau of Indian Affairs, in consultation with Indian Tribes. S. 2372 includes ample funding to ensure this level of accountability for states and Tribes can be maintained.

The Costs of Inaction

There is also a grave cost of inaction. Twenty years ago, Congress came close to dedicating resources to proactive, collaborative, and voluntary efforts to recover the full diversity of wildlife as part of the Conservation and Reinvestment Act (CARA). Despite broad bipartisan support, CARA failed to pass and since then more than 400 additional species have been listed and another 430 are either proposed, candidates, or petitioned for listing, while only 67 species have been delisted—and thousands of additional species have joined the ranks of species of greatest conservation need. The crisis is escalating.

The costs of failing to stem this rising tide of growing threats of extinction through proactive, preventative measures are high. Defenders of Wildlife has calculated that it costs the federal

government more than [\\$19 million](#) on average to recover a species once listed under the Endangered Species Act. If an additional 2,000 species need to be listed as endangered or threatened over the next 10 to 15 years, which is not unrealistic given that states have identified more than 12,000 species in conservation need, it would cost taxpayers an estimated \$38 billion to recover these additional species. That \$38 billion would be over and above what is still needed to recover the more than 1,600 U.S. species already on federal Endangered Species Act list—and that’s just the estimated cost to the federal government. States, territories, Tribal nations, would also bear some of the costs of recovering federal endangered and threatened species. There would also be significant impact on the private sector and private landowners, especially America’s farmers, ranchers, forest-owners, and builders, all of whom would face greater regulatory and economic uncertainty and tens of billions of dollars in costs—all of which would be considerably higher than the costs of the ounces of prevention to maintain or recover at-risk species before listing is required.

Conclusion

The bipartisan Recovering America’s Wildlife Act of 2021 is the most important wildlife legislation since the Endangered Species Act passed nearly a half century ago. Put simply, Senator Heinrich and Senator Blunt’s bill is the game changer we need to ensure wildlife survives and thrives for future generations. The urgency and need are dire, with than one-third of U.S. species at heightened risk of extinction. The Recovering America’s Wildlife Act is bold and bipartisan, collaborative and proactive. It will have an immediate impact all across the country. Whether you love watching wildlife at home, on a hike, or while hunting or fishing, this landmark bill will help species from the backcountry to Americans’ backyards—and conserve them for future generations.

It is not too late to save America’s wildlife, although there is not a moment to waste. By making a relatively modest investment by passing the Recovering America’s Wildlife Act, we can ensure that our children and grandchildren inherit a full symphony of birds; streams teeming with fish; and grasslands dotted by herds of pronghorn and mule deer. We can recover wildlife populations cost effectively and conserve critically important ecosystems that provide a myriad of ecological services and economic benefits for our local communities.

Thank you for the opportunity to testify. I look forward to your questions.