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Washington, D.C.

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IIJA INVESTMENTS IN HABITAT AND ECOSYSTEM RESTORATION,  
POLLINATORS, AND WILDLIFE CROSSINGS

Wednesday, December 6, 2023

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:01 a.m. in room 406, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Whitehouse, Merkley, Kelly, Padilla, Ricketts, Boozman, and Sullivan.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES  
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Good morning, everyone. We are pleased to call this hearing to order.

As you know, we have gathered today to examine several of the Bipartisan Infrastructure Law's investments in habitat and ecosystem restoration. As we do so, we are privileged to have leaders from two key agencies join us to discuss our shared goals of supporting infrastructure development, while also protecting important wildlife habitat.

With that, I want to begin by welcoming Martha Williams. Usually, we don't ask witnesses to testify under oath, but since it is your birthday today and we are interested in finding how old you are --

[Laughter.]

Senator Carper. No, seriously, happy birthday and thank you for spending your birthday with all of us.

I understand your parents are still alive. Tell your mom and dad we said thanks for bringing you into the world, raising you, and sharing you with our Nation.

With that, I want to welcome Martha, Director of the U.S. Fish and Wildlife Service and Brian Fouch. You are the Associate Administrator for Federal Lands at the Federal Highway Administration, if I am not mistaken. Is that right? How long

have you held that post?

Mr. Fouch. Over 25 years.

Senator Carper. You started right out of high school. We thank you both for taking time to join us today.

Since helping to pass the Bipartisan Infrastructure Law, in large part, written literally in this room by Senator Capito and other colleagues and our staffs, since helping pass that law over two years ago, our committee has spent a fair amount of time analyzing its implementation.

It is one thing to have hearings on the legislation. It is another thing to vote in committees and subcommittees. It is another thing to pass it in the House, the Senate, reconcile the differences, and get the President to sign it into law. The hard part sometimes is implementation. We have to continue to focus a lot on implementation of those pieces of legislation as we implement the transformational investments in our Nation's roads, highways and bridges, as well as our drinking water and wastewater infrastructure.

Today, we will build on that earlier work by discussing some of our lesser known but meaningful investments in ecosystem restoration, wildlife crossings and pollinator habitat. I have long believed that we can grow our economy and support jobs while protecting our environment. That is a theme that you will hear voiced almost every time we meet in this committee.

Programs that we are examining today and the fact that Congress is investing in them through the Bipartisan Infrastructure Law, I might add, with the encouragement of the current Administration, are proof that I am not alone in that belief. We are not alone in that belief.

Specifically, in the Bipartisan Infrastructure Law, we provided the Fish and Wildlife Service with \$455 million to facilitate fish passage across our Nation to support four regional restoration initiatives, including the Delaware River Basin Program.

Today, we look forward to hearing from Director Williams about how the Service is putting these dollars to work quickly and how these investments improve resiliency and leverage private investments.

In the Delaware River Basin, we have seen first-hand how restoration activities oftentimes make our communities stronger while benefiting our economy. For example, we know that when we make our ecosystems more resilient, clean up our drinking water, and conserve wildlife habitat, it makes Delaware a more attractive place to work, to play, and to live. I think that is true not just for the first State, but it is true for all States.

As part of the Bipartisan Infrastructure Law, we also provided the Federal Highway Administration with \$350 million to

stand up a pilot program for wildlife crossings across the Country. In addition, we authorized \$10 million over five years for the agency to support pollinator-friendly roadsides and highway rights-of-way.

Why did we do that? Well, in addition to habitat fragmentation driving biodiversity loss, wildlife-vehicle collisions represent a serious safety issue for drivers. In fact, there are more than one million vehicle collisions involving wildlife each year in our Country. The good news is that by working together, the Federal Government, States, and other conservation partners, we are making progress to address both issues.

Just yesterday, the Federal Highway Administration announced the first round of grants under the Wildlife Crossings Pilot Program. We applaud that. It is worth noting that the demand for this funding outweighed the available dollars by five times, demonstrating the clear demand and need for this important program.

What is more, the pilot program is already catalyzing action at the State and local levels. For example, some States are now passing laws and setting aside funding to contribute to this work. We are encouraged by that.

Some States have identified the Wildlife Crossings Pilot Program as a possible funding source in their planning

documents. In the past two years, twelve States, including a couple of States represented here today, California, Utah, Massachusetts, and others, have passed legislation to support wildlife crossings and committed an estimated \$240 million to fund habitat connectivity projects.

Other States have been leading on wildlife crossings for some time and are creatively engaging the public in their efforts. For example, Wyoming sells wildlife conservation license plates that help fund the State's work to construct crossings. Businesses even provide discounts to customers who purchase these conservation license plates.

Let me close by saying that the Federal Highway Administration has an incredible opportunity to partner with others as you work to implement the pilot program. That includes working with the Department of the Interior and its agencies, including the Fish and Wildlife Service, which we know have a wealth of expertise in prioritizing habitat connectivity.

We are interested in learning more today about how the Federal Highway Administration is collaborating with the Service, with States, and other stakeholders to make the Wildlife Crossings Pilot Program as successful and impactful as possible.

We also hope to hear more today about how the Federal Highway Administration is balancing the habitat connectivity

needs of smaller species with larger species and how the agency is considering aquatic connectivity in this new program.

With all of that in mind, we look forward to hearing from Associate Administrator Fouch today about his agency's experience getting the wildlife crossings program off the ground, both the challenges as well as the opportunities going forward.

With that in mind, I want to turn to our Ranking Member, Senator Capito, whose State, my native State, has a great interest and has set a great example, I think, in many respects in this area.

Thank you for your leadership, Senator Capito.

[The prepared statement of Senator Carper follows:]



STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES  
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Mr. Chairman.

I want to thank the witnesses for coming today and holding this hearing.

Director Williams, it is always great to see you. Happy birthday. I want to thank you for being always just a phone call away and always eager and ready to help us and our State as we have navigated some issues throughout the last several years. Thank you. I am deeply appreciative of that.

Mr. Fouch, I was happy to hear, and you and I talked briefly, that you spent some of your time working at the West Virginia Department of Transportation and living in my hometown city of Charleston, West Virginia. So that is five stars for me. Thank you for your continued public service.

Today we are discussing, as the Chairman said, the wildlife provisions that were included in the Bipartisan Infrastructure Investment and Jobs Act, IIJA. I am pleased that the Committee's Surface Transportation Reauthorization was really the foundation of the IIJA. As he said, a lot of that was written right in this room.

One of those provisions is the Wildlife Crossings Pilot Program. The pilot program provides grants for projects designed to reduce collisions between vehicles and wildlife.

Last week, the Federal Highway Administration announced grant awards for Fiscal Years 2022 and 2023. FHWA awarded 19 grants at approximately \$110 million. I am sure you will tell us more about that in your statement.

I will be particularly interested in learning about FHWA's plan to expeditiously get those project grant agreements executed. It is one thing to say we are going to grant the money, but as we know, there is a pipeline then to move that money forward. We look forward to that.

It is worth noting that the projects funded under the pilot program may also be eligible under some of the existing core highway formula programs, including the Highway Safety Improvement Program.

Just a few weeks ago, our Subcommittee on Fisheries, Water, and Wildlife held a hearing on the challenges and the opportunities to improve migration corridors. At that hearing, we heard a lot about how wildlife crossings can facilitate the migration of big game species, particularly in our western States. We also learned that there are other Federal programs and partnerships between Federal agencies, States, and the private landowners to help address these challenges.

A recent press release from West Virginia's Department of Transportation noted that according to insurance statistics, my State leads the Nation in deer strike accidents. I can attest

to that since I have had at least two in my lifetime, and they are quite frequent.

Recently, we spoke with Department staff about this issue. The challenges faced in West Virginia are due to the unpredictable nature of these deer strikes. We see increases in deer strikes during hunting season which goes from October through December. The Department posts signs and provides information to the public to increase their awareness about this issue. As a native West Virginian, I think we are all aware that this is always a possibility.

The Department also balances addressing these collisions with other highway safety challenges in the State. As required by Federal law, the Department uses a data-driven process to develop a plan that guides its investments to improve highway safety.

The Department also looks for opportunities to help with species conservation. For example, some of the bridges that were built as part of Corridor H project allow species to continue following their natural paths along the ravines.

The IIJA also included a program that provides grants for activities that benefit pollinators along roadsides and highway rights-of-way. It is my understanding that FHWA hopes to announce a notice of opportunity for that program in the coming weeks.

The supplemental appropriations portion of the IIJA also included funding for various regional programs administered by the U.S. Fish and Wildlife Service. I look forward to hearing from Director Williams on how implementation of these programs is going.

Thank you again, Chairman Carper, and I look forward to the hearing.

[The prepared statement of Senator Capito follows:]

Senator Carper. Thank you so much.

As the Ranking Member knows, my wife and I took a big road trip over Thanksgiving. Our sons are spread across the world, so we decided to go find other members of our family.

Our trip took us through Pennsylvania, Ohio, Michigan, back down to Ohio, through West Virginia and finally home. My wife is not a big music person but she somehow found something on Spotify, it was a countdown of the top 100 Beatle songs of all time selected by listeners which was great fun to hear.

She also loves books on tape so we had an opportunity to listen to a book on tape by Steve Jobs who helped in the creation of Apple and served a couple tours there. Those were highlights of the trip. One of the sad things on the trip was we saw a number of dead animals on the side of the road. One was a very large deer, I think a doe, female deer.

That still happens too often. It was a bit of a reminder, if you will, that this work is important and that there are real consequences to what we are doing here. Sometimes we focus just on the vehicular accidents that occur and maybe the injuries to drivers and passengers and so forth, but the ones who are dying are in many cases are God's creations. We have a moral responsibility to do everything we can to reduce that loss of life.

With that, this is an important hearing. We are delighted

to be able to hear from all of you, especially on a special day for Martha Williams. Go right ahead. Happy birthday. That is the last time I will mention your birthday.

STATEMENT OF THE HONORABLE MARTHA WILLIAMS, DIRECTOR  
U.S. FISH AND WILDLIFE SERVICE

Ms. Williams. Thank you, Chairman Carper. I would like to say I am celebrating my 50th along with the Endangered Species Act. But that may have passed just a couple of years ago.

Good morning, Chairman Carper, Ranking Member Capito, and members of the Committee.

Thank you for the opportunity to testify before you today on the Fish and Wildlife Service's implementation of the Bipartisan Infrastructure Law or as we affectionately call it, BIL. Through BIL, Congress provided \$455 million in direct funding to the Service to support and implement conservation projects on landscapes across the Country. This funding is helping us tackle some of the biggest and most complex challenges facing fish, wildlife and their habitats.

Not only are we making significant strides for conservation, but we are also making a real and positive impact for the people and the local communities that we serve. Through BIL, we are putting locally led collaborative conservation at the center of our work.

By listening to communities, we are protecting people, infrastructure and wildlife habitat. All of this work supports good paying jobs today and makes investments that will pay out sustained economic and ecosystem dividends far down the road.

An example is our National Fish Passage Program, which removes barriers for fish passage, including unused dams. Through this program, the Service has worked to reopen over 64,000 miles of upstream habitat since its creation in 1999.

As the Senator knows, I traveled to West Virginia, where removal of a low head dam will help species return while keeping recreationists safe and benefiting the local community. The BIL is helping transform and expand this important work.

The Service is now chairing an Interagency Fish Passage Task Force that spans 13 agencies, helping to get \$2 billion in combined funding, as well as technical expertise to projects on the ground. I am proud to share that the Task Force is hard at work coordinating these investments today in Charleston, South Carolina, as we meet. These resources allow us to support community-led fish passage projects and interagency coordination on a level we simply couldn't match before BIL.

These transformational changes are not limited to the National Fish Passage Program, though. In the Klamath Basin, we have been working for decades with farmers, States and tribes to address water availability and improve conditions for people and fish.

BIL's \$162 million investment is allowing us to support large scale projects that local communities have wanted to see for years. We are installing pumps on wildlife refuges to



improve water availability for 20,000 acres of habitat for migratory birds critical to the Pacific Flyway, while also freeing up water for farmers.

We are investing tens of millions of dollars to build out Klamath Falls National Fish Hatchery to assist in the recovery of endangered suckers. And we are working with communities to restore areas previously hit by wildfires to improve stream conditions.

At Lake Tahoe, using \$17 million from BIL, we have partnered with the Tahoe Regional Planning Agency and the Pyramid Lake Paiute Tribe to conduct the largest aquatic invasive species project in the Basin's history. That is on top of this basin being really the gold standard for aquatic invasive species intervention.

Addressing invasive plants helps improve conditions for native fish, honors our commitment to working with tribes and preserves Lake Tahoe's recreational value.

Chairman Carper, I have had the opportunity, the delightful opportunity, to work closely with you on the Delaware River Basin. BIL funding is supplementing the work we have been doing with communities since 2016 under the Delaware River Basin Conservation Act.

In Wilmington, we are improving river health and wildlife habitat while reducing flood risks to nearby neighborhoods. On

the coast, we are restoring habitat for Red Knots and Horseshoe Crabs, and we are improving public access to parks and trails up and down the basin.

I am extremely proud of the Fish and Wildlife Service's implementation of BIL so far. This funding and the communities and the agencies we are partnering with has transformed how we tackle some of our biggest conservation challenges and has accelerated long lasting solutions.

I am excited to see what we can accomplish together in the coming years. I appreciate the opportunity to testify before the committee today and I look forward to answering any questions that you may have. Thank you.

[The prepared statement of Ms. Williams follows:]

Senator Carper. I failed to actually read a very nice intro that was written by our staffs. Martha Williams is no stranger to our committee. Director Williams was sworn in as the 23rd Director of the U.S. Fish and Wildlife Service I think in 2022 after serving as Principal Deputy Director since 2021. Is that true? I think that is true.

My introduction goes on to say that you bring extensive background to your role including some of the topics we are discussing today, having served as Director of the Montana Department of Fish and Wildlife and Parks from 2017 to 2020. Are you a native of Montana?

Ms. Williams. I am a native of Maryland.

Senator Carper. That is good. That is part of DelMarVa.

You also served as the Deputy Solicitor for Parks and Wildlife at the Department of Interior. You are a lifelong outdoor enthusiast, an avid hunter and angler.

Anything else you want to add?

Ms. Williams. I hope to be able to add lots of stories I have learned from you throughout the questions.

Senator Carper. Brian, you are up. Thank you.

STATEMENT OF THE HONORABLE BRIAN FOUCH, P.E., ASSOCIATE  
ADMINISTRATOR FOR FEDERAL LANDS, FEDERAL HIGHWAY ADMINISTRATION

Mr. Fouch. Chairman Carper, Ranking Member Capito, and members of the committee, thank you for the opportunity to appear before you today to discuss implementation of the Infrastructure Investment and Jobs Act's investments in ecosystem restoration, pollinator-friendly roadside practices, and wildlife crossings.

I am pleased to be here today with Director Williams. I would like to thank Director Williams for the collaboration between FHWA and the U.S. Fish and Wildlife Service.

The Wildlife Crossing Pilot program is a safety focused program with the goals of protecting motorists and wildlife by reducing the number of wildlife-vehicle collisions and, in carrying out that purpose, improving habitat connectivity for terrestrial and aquatic species.

The program represents an unprecedented effort to make roads safer while protecting wildlife as it creates a dedicated source of funding for wildlife crossing projects. At DOT and FHWA we recognize the importance of wildlife crossing projects.

Earlier this year, Secretary Buttigieg visited a wildlife crossing in New Mexico where they announced details for the new Wildlife Crossing Pilot Program. Earlier this week, FHWA was pleased to announce award selections for the first round of

funding under this program, announcing \$110 million in grants for 19 wildlife crossing projects in 17 States, including four Indian tribes.

FHWA Administrator Shailen Bhatt was in Arizona yesterday to announce the award of \$24 million to the Arizona Department of Transportation for the Interstate 17 Munds Park to Kelly Canyon Wildlife Overpass Project. The project will reduce wildlife-vehicle collisions along I-17, while increasing habitat connectivity for local species, particularly the elk.

Safety is FHWA's number one priority. The Wildlife Crossings Pilot Program will improve the safety of our Nation's roadways by preventing dangerous wildlife-vehicle collisions, improving the overall safety of the traveling public and reducing the economic drain caused by these collisions while some simultaneously supporting species survival and improving habitat connectivity. The awards announced this week do just that.

Roadways that cross wildlife habitats create a barrier for animals and if they try to cross the roadways, can result in wildlife-vehicle collisions. The Wildlife Crossings Pilot Program will provide more options for animals to cross busy roads without coming into conflict with traffic, improving habitat connectivity.

As required by statute, the Wildlife Crossings Pilot

Program projects will be administered by the State Departments of Transportation and also by the FHWA's Office of Federal Lands Highway for Tribes and Federal Land Management Agencies.

FHWA has had a long history in supporting these stakeholders with project delivery through our Federal Aid Division offices and our Federal Lands Highway Division offices. This experience makes FHWA well-positioned to administer this important program, and FHWA looks forward to supporting the recipients.

In addition to the new Wildlife Crossings Pilot Program, wildlife crossings are eligible under several Federal highway programs, and FHWA has looked for opportunities to highlight these eligibilities.

Consistent with our longstanding practice of engaging with stakeholders, FHWA developed the Wildlife Crossings Pilot Program Notice of Funding Opportunity after considering input from wildlife conservation groups, foundations, tribal governments and other relevant Federal, State and local stakeholders. FHWA is also working with these stakeholders to develop guidance, matrices and best practices regarding wildlife crosses and habitat connectivity.

FHWA is committed to continuing its robust consultation with the Transportation Wildlife Conservative community to maximize the impact of programs and activities established under

BIL.

The numerous programs FHWA is implementing also include the Pollinator Friendly Practices on Roadsides and Highway Rights of Way Program, a new program to provide grants to eligible entities for activities to benefit pollinators on roadsides and highways right-of-way, including the planting and seeding of native, locally appropriate grasses and wildflowers. Although not within my program area, I know that FHWA is working hard to implement this program.

Thank you again for the opportunity to appear before you today. I would be happy to answer any questions you may have.

[The prepared statement of Mr. Fouch follows:]

Senator Carper. Thank you.

Ms. Williams, you were originally from Montana or Maryland?

Ms. Williams. Originally, Maryland. But I lived in Montana for over 30 years.

Senator Carper. That is a long time.

Where are you from?

Mr. Fouch. I grew up in the southwestern part of Virginia in Richlands, Virginia.

Senator Carper. How far is that from Danville?

Mr. Fouch. From Danville, that is probably a two and a half hour trip.

Senator Carper. My sister and I grew up there. When I heard your accent, I thought I had heard that one before as a kid growing up.

You have been in your current role for a couple of months?

Mr. Fouch. Yes.

Senator Carper. Any first impressions?

Mr. Fouch. It is a wonderful program at Federal Highways. Some of my first impressions are the great stakeholder relationships, we have with our Federal land management agencies like U.S. Fish and Wildlife, the National Park Service. Our collaboration and how we work together has been really impressive.

Senator Carper. Tell us a little bit about what you were



doing it FHWA for the last 25 years?

Mr. Fouch. For the last 25 years, I have been involved with many programs with Federal Highways. My very first assignment with Federal Highways was with Federal Lands, where I had a project that I helped manage in Yellowstone National Park. You can imagine starting out in a program where your first assignment is to live in Yellowstone National Park for six months.

Senator Carper. A tough assignment.

Mr. Fouch. That was something. That was a great experience.

Senator Carper. That is great. Let me ask you a couple of other questions.

How has the Federal Highway Administration consulted with other agencies and State experts in standing up the Wildlife Crossing Pilot Program? How does the Federal Highway Administration plan to continue leveraging this expertise going forward?

Mr. Fouch. Thank you, Senator, for that question.

We have hosted several webinars and listening sessions for the Wildlife Crossing Program with our stakeholders. We held two webinars. One was for the general public and one just for tribes to assist in applications, the application process, and answering questions that might be pertaining to the Notice of

Funding Opportunity.

We also held two listening sessions, one for the general public and one specifically for tribes as well, to capture feedback on the application process so that we can improve it in the next round when we have it in Fiscal Year 2024.

As we have worked on these, we have collaborated with our stakeholders, including the U.S. Fish and Wildlife Conservation groups. We actually received several letters from non-government organizations, conservation groups, hunting and angling groups, as well as letters from U.S. Fish and Wildlife on ways we can implement this program and meeting with them to have discussions about how best to implement these programs.

We also have several other provisions in BIL we will be working on as well, including best practices, training and development for these programs. We will continue to collaborate with all these stakeholders as we move forward in working on these.

Senator Carper. Good, thanks.

Director Williams, would you take a couple of minutes to share with us some details about the U.S. Fish and Wildlife Service's efforts to address habitat connectivity and any ideas that you might have for Federal Highway Administration as it continues to implement the pilot program?

Ms. Williams. Thank you for that question, Chairman

Carper. I think that connectivity corridors and these projects are all very important. Through the Bipartisan Infrastructure Law, at the Fish and Wildlife Service, we have been very focused on ecosystem restoration and how that relates to connectivity.

An example of that would be the Fish Passage Program that is really focused on connecting that fish habitat. By doing so, it is providing real impacts to communities, jobs, flood safety, water security, and recreational safety as well, including addressing fish.

I bring the Fish Passage Program up as an example of connectivity because I believe that the work the Fish and Wildlife Service has done with the Fish Passage Program in coordinating with over 13 other agencies that are much larger than the Fish and Wildlife Service and have much larger budgets, we have found our superpower at the Fish and Wildlife Service of bringing together and coordinating with other agencies so that we all do better work on the ground and sequence that work.

Translating then that to wildlife crossings, they are incredibly important. As you have learned through the hearing on corridors and migration, these crossings are critical to so many different species.

Our work, in coordination with my colleague and our colleagues at Federal Highways, it is also important that we share our knowledge, our expertise, and we coordinate. In this

instance, we did coordinate early on, but then also the Fish and Wildlife Service applied for one of these grants. We were very pleased to receive one at Laguna Auquishcocha National Wildlife Refuge for Ocelot Crossing. So the crossings, migration corridors and connectivity are all three very important to the work the Fish Wildlife Service does.

Senator Carper. Thank you.

Senator Capito.

Senator Capito. Thank you.

Director Williams, I want to follow up on that last question.

My first question was going to be are wildlife crossings eligible under existing Interior programs. I think you answered that, but if you would just kind of flesh that out.

Ms. Williams. Thank you for asking that, Senator Capito, because, wildlife crossings, this program through BIL, is incredibly important to the Fish and Wildlife Service and Interior for wildlife crossings because while we have other programs and can put money toward crossings, we use those programs for other services as well. The funding available is very small compared to what is available through this grant program that is specific to wildlife crossings only.

Senator Capito. When we talked earlier in the week, I appreciate the phone call, and you mentioned it again, I

expressed a lot of surprise that a Federal agency was getting a grant from another Federal agency. It sounds a little conflicted to me.

How do you see that from your perspective? Do you review these applications or are they all reviewed over at Highways?

Ms. Williams. That is a very good question, Senator Capito. Actually, after speaking with you, I looked into this further and had some similar questions.

This is why we did not consult more with Federal Highways as you were putting the program together. We consulted some, but we did not sit in on the grant review process because we would not want to review where we have applications for the grants themselves.

We helped coordinate early on, but after that, have been very careful to leave space between that and not seem like we are looking at our own grant proposals.

Senator Capito. Mr. Fouch, let's talk about that. Were there other agencies, Federal agencies, that applied for these grants of the 19 or is that one of the 19 that you talked about?

Mr. Fouch. These grants were available to all Federal land management agencies. So it was available to other agencies.

Senator Capito. Did anybody else apply, any other Federal agencies, that you can recall or were they granted? Maybe that is a fairer question.

Mr. Fouch. The U.S. Fish and Wildlife was the only grant for them, for a Federal agency. The National Park Service, I do recall there were some applications from the National Park Service, but none of those were awarded.

Senator Capito. Okay. Does that sound strange to you, a Federal agency giving grants to a Federal agency? As an appropriator, that sounds strange to me because I am like, well, why don't we just appropriate into the pocket that the director would use rather than have one Federal agency apply to another Federal agency?

Senator Carper. If I could interrupt.

I don't want to prolong this, but the idea of why this makes sense, my dad used to talk to me and my sister all the time, just use some common sense. May be this is a common sense situation. I think the Senator is raising a good point.

Thank you.

Senator Capito. We talked too about interagency coordination. Mr. Fouch, you mentioned a couple, Park Service, Forest Service, and somebody else that you coordinate with. What other agencies are you in a coordinating capacity with as you are moving through these programs so that we are not duplicating here?

Mr. Fouch. Of course and thank you, Senator, for that question.

We have sent out invitations to consult on developing our products with the Wildlife Crossing Program and with the transportation wildlife communities. We are talking about members of tribes, we have consulted with State DOTs, we have consulted with State fish and wildlife agencies. Again, we can give consultation back to them on the Notice of Funding, but the other products that we are working on that do not have the interest of them applying for a grant, and we work on those products with agencies like U.S. Fish and Wildlife.

Also we are talking to colleges and universities as well to get feedback on this program, AASHTO is another organization we are working with, because best practices is a big part of this program as we move forward. Those are a few of the agencies we have been reaching out to.

Senator Capito. In my opening statement, I mentioned the application projects and actually getting the projects out, not just out the door, but out the door and fully constructed. What are you doing to streamline that, the project grant agreements?

Mr. Fouch. Thank you, Senator, for that question.

As you know, yesterday we made the announcement for the awards. Some of the things we are doing there are that a lot of these projects are going to be administered by the State DOTs and so forth. So a lot of the award agreement templates we put together with these groups, we are streamlining those efforts to

help us get those awards up to the work quicker.

We have also established some programs within our agency. We have established a discretionary grant program team just to help us in administering these grants quicker as well. Those are just a few of the things that we have been doing to help streamline the process.

Senator Capito. Is the accountability on the back end in terms of how long it has taken, were you able to do the project that you said you were going to do, all of that? I am sure you do that sort of accountability as the projects are finishing.

Mr. Fouch. Yes, Senator, that is correct.

Senator Capito. I have a deer that comes in my yard all the time and eats my hosta. Anything I can tell that deer to get out of my yard and cross back into the neighbor's yard, I really need.

Thank you.

[Laughter.]

Senator Carper. Elizabeth Grace, sitting over my left shoulder, is a senior member of our staff on the Majority side. Her birthday was yesterday. She has written a note to me in response to the appropriate questions raised by Senator Capito in the last couple of minutes. I will just read directly what she has said.

She said, "There is a list of eligible applicants in the



Bipartisan Infrastructure Law.” I see you are nodding your head, Martha. The note goes on to say Federal agencies are explicitly listed as eligible, explicitly listed in the law. This was strongly supported by stakeholders who view Federal land management agencies as critical partners.

Thank you, Elizabeth Grace.

With that, I would like to introduce the Senator from Rhode Island.

Senator Whitehouse. Thank you, Chairman. Welcome to you both.

Director Williams, thanks for bringing up the Red Knot and the Horseshoe Crab situation. I have traveled to Delaware to see the Red Knot land and the theory of their timing, that they get there in time for the Horseshoe Crabs to put billions of eggs into the water for them to feed on. It is quite a remarkable achievement. They fly direct from Brazil to Delaware Bay, which is a heck of a flight for a little bird.

Senator Carper. It is nonstop.

Senator Whitehouse. Yes, nonstop and then fuel up on the Horseshoe Crabs and then go on up to their Arctic breeding grounds. It is a remarkable little bird. The danger is that climate change dislocates the timing of their arrival and the Horseshoe Crabs so that when they get there, the food supply they need isn't there.

I am glad that you mentioned it because it is a coastal issue. My experience has been that Federal Government agencies tend to favor upland, inland and freshwater projects over coastal projects. The Land and Water Conservation Fund sends considerably more funding per capita to non-coastal States than to coastal States. Within the money that is sent to coastal States, a great deal of that funding is for inland, upland and freshwater projects, not for coastal projects.

For those of us, like me, from the Ocean State, what can you say to reassure us that coastal and saltwater projects will be treated fairly and not ignored in favor of inland, upland and freshwater projects?

Ms. Williams. Thank you for that question, Senator Whitehouse.

Since I have had the opportunity to testify before this committee, it is a topic that I have learned from you and that I have paid attention to, and traveled to your fair State of Rhode Island.

Senator Whitehouse. I know you traveled around Sachuest Point, a beautiful place.

Ms. Williams. It was beautiful. I was so pleased to see the project there of building an accessible viewpoint with the Great American Outdoors Act funding. It is an incredible place that demonstrates very much the value of our coasts and

tidelands to resiliency with climate change moving forward.

Senator Whitehouse. But smoothing out an existing trail and improving a small, existing wooden viewpoint kind of makes my point that we are really not getting much in coastal stuff, if that is the best we have to offer.

Ms. Williams. Senator Whitehouse, it is fair asking that question. I have been paying attention to our coastal program and putting more resources and support into that program that, in some respects, mirrors the Partners for Fish and Wildlife Program that is more upland focused than the coastal program.

So I have very much been focused on the coastal program and restoration in these tidal areas. But specifically, your point is well taken as far as specific projects in your State.

But I can say that many of these BIL projects are focused on the coastal areas and resiliency there. Let's work together. I hope to do more in your State of Rhode Island.

Senator Whitehouse. Yes, I hope you will keep an eye on the coastal versus inland imbalance because it is tiresome for those of us who are in coastal States.

Ms. Williams. Thank you.

Senator Whitehouse. My time is short, so let me ask these as two questions for the record. Methane leaks are a very significant contributor to climate change and extremely dangerous. The Biden Administration has set up a Methane Task

Force led by the Department of Justice to allow for rapid response when methane leaks are detected. They have contracted with NASA so they can get real time data from satellites about where methane leaks are happening. I would like to find out about what your participation is in the Methane Task Force and where you see that leading.

The second is the OMB, some weeks ago, announced that the social cost of carbon emerging from EPA through the methane regulation was to be applied throughout all the agencies of government, including your own. I would like to see what your plan is for implementing the social cost of carbon per the directive from OMB now that the EPA rule has been properly announced and is now regulatory law.

With that, if you could get back to me in writing, since my time has expired, I would appreciate it.

Ms. Williams. I look forward to doing that, Senator Whitehouse. Thank you.

Senator Carper. Senator Whitehouse, thanks for keeping those Red Knots in mind. They are actually one of the wonders of nature, the way they do that.

Senator Whitehouse. Aren't they? They really are.

Senator Carper. It is amazing. Tiny little birds fly thousands and thousands of miles, stop for lunch in Delaware on those Horseshoe Crab eggs. Then they are on their way.

Senator Whitehouse. They actually morph as they fly. It is astonishing.

Senator Carper. Director Williams, I have a question or two, if I could, on Delaware River Basin Program. Congress authorized, as you know, the Delaware River Basin Program back in, I want to say, 2015 or 2016 and began providing appropriations about five years ago, I think in 2018.

This non-regulatory ecosystem restoration program has been, by almost any standard, really a tremendous success. It brings Federal, State and local agencies together with conservation partners to implement priority restoration activities within the Delaware River Basin. These projects, among other things, improve water quality, conserve wildlife habitat, increase coastal resiliency, and they benefit our environment, they benefit our communities, and they benefit our economy as well.

Director Williams, would you share with us your perspective, please, on why the Delaware River Basin program is such a great model for ecosystem restoration? How has the additional funding Congress provided through the Bipartisan Infrastructure Law enhanced the program's success?

Ms. Williams. Thank you, Senator Carper, for that question. I hope that I learned from you in my time, so I will think about this and try to weave stories into my responses more than I may be used to.

Senator Carper. I told you once, I asked Bill Clinton why he was such an effective communicator. I heard him speak while he was governor many times. He said to me five, six, seven years ago when he spoke, he said I tell stories. He said, I weave them together and then I use self-deprecating humor. I try to do that from time to time. Maybe too much. Go ahead.

Ms. Williams. Well, thank you, Senator Carper. When I think about the Delaware River Basin and the Delaware River Basin Conservation Act, I think about a day when I visited Wilmington this past August.

Senator Carper. Wilmington, Delaware, not North Carolina?

Ms. Williams. Wilmington, Delaware, yes, in this instance. I took the train and when I arrived, I walked along the Wilmington waterfront with a member of my staff who I had not met before.

Senator Carper. One of the proudest things we did when I was Governor was to transform industrial wasteland into the beautiful waterfront that it is today. So proud.

Ms. Williams. I couldn't agree more. She commented about having grown up there and how much that revitalization has benefited that community and how much that meant to her.

At the end of the walk, we walked to the DuPont Environmental Education Center, which showcased then the beauty of the natural marsh and the impact of restoration on that

coastal resilience. We were there for a grant announcement and I saw first-hand how representatives from local government, a teacher, a number of teachers, an environmental group in the neighborhoods, how engaged they were in the process, in the grant making and the celebration of this grant.

They themselves held up this program as an example of what the Federal Government can do when we strive for our mission of working in a collaborative way and having these real investments.

Then the impact of the day didn't end there. We had the chance to take a boat ride on the Christina River and see the grant projects from the water and to see how the Riverfront Development Corporation had used the program to incorporate ecological benefits into their economic development planning and then to see that mix. Then also we saw pollinator gardens that were being installed by more than 20 interfaith congregations to increase wildlife habitat and pollinators, and access for recreation for their communities.

What I saw, Chairman Carper, was the benefit of this program, but also the benefit of the investment of BIL in working to restore ecosystems that then also had real and tangible impacts to the health and safety of the local communities.

What I learned in Wilmington that day, and in this area,

was this also gives me hope for these Bipartisan Infrastructure Law investments elsewhere in the Country.

Thank you.

Senator Carper. Thank you for sharing that memory with us. I had been Governor about a month or two, and former governors showed up on my schedule, and would come to visit me in the Wilmington office. They brought with them the former president of the University of Delaware. They brought a bunch of architect renderings of what an industrial wasteland could look like along the Christina River where the train station is. They said it could really be a marvelous, marvelous place.

They showed me all these architect renderings and I was just blown away. It was beautiful. We used to have bodies, they found a couple of bodies in the river and other things, it was just badly polluted. During World War II, 10,000 people worked along the riverfront, not far from Biden Train Station. Mostly women building ships to help win the war. When the war was over, the place went to seed. People never even went down there. They didn't even know there was a river there.

Former Governor Russ Peterson, a great environmentalist, later ended up heading up CEQ under I think President Nixon and President Ford, they presented this incredible transformation and the architect renderings. I was blown away.

I said to Governor Peters, who is going to do this? Who is



going to make this happen? They said, you are. I said, why me? He said, because you are the governor and this is what governors do. I said, well, you are going to help me and they did. It has been a great source of joy.

Senator Capito, do you want to jump in here?

Senator Capito. Yes. Thank you.

I have one final question for Director Williams. We have talked a lot about the Elkins field office in West Virginia, but it is my understanding that they have a detailee from the U.S. Forest Service. Your staff has indicated that this has been very helpful in managing the backlog of Section VII consultations, but that the process to execute the Memorandum of Understanding to secure a detailee can be very lengthy and complex.

I was wondering if you had any recommendations as to how those processes could be expedited.

Ms. Williams. Thank you, Senator Capito. I also want to just recognize my appreciation in working with you on these issues and your leadership. It has been very helpful in highlighting and bringing forth the challenges at the Fish and Wildlife Service where we have had declining capacity and staff and yet ever-increasing numbers of consultations coming in.

We have tried to streamline through the IPAC System, which really has made an enormous difference. In some instances, 98

percent of the consultations can go through IPAC, they can do it on the computer and move on.

For the remaining consultations, which is your question, how do we streamline having the staff there, as you know, we have done that through a combination of ways. We would like transfer authority because that helps us with Federal agencies. That may have taken a little bit to get in place, but they can last longer.

It also helps to have people from the agencies we are working with who then know the process. One way is through the transfer authority, which we are seeking. The other is through these reciprocal agreements which we have used often with external parties. Those are two tools we use.

But I would say if we had better capacity within the Fish and Wildlife Service to have adequate staff or consultations, we could do more as well.

Senator Capito. Let's talk about the transfer authority issue. Tell me how that works, the transfer authority within Fish and Wildlife. It is not working, I know, because you don't have the transfer authority now, but how would that work?

Ms. Williams. Thank you, Senator Capito. I was smiling because I realize the challenge with moving money from one Federal agency to another.

Senator Capito. Right.

Ms. Williams. This would set up an agreement with another Federal agency where we have the agreement ahead of time to have staff working on consultations for that agency.

Senator Capito. Okay. Thank you.

Thank you, Mr. Chair.

Senator Carper. I am being summoned to come to another meeting. We have other committees meeting at the same time. We all serve on a bunch of different committees. The Committee on Homeland Security and Governmental Affairs is meeting right now. They are voting and need me to come vote. I will be back very shortly.

Thank you, Senator Capito.

Senator Capito. [Presiding.] Senator Padilla, you are up next.

Senator Padilla. Thank you. I am glad to see this committee continuing important conversations for the benefit of our Nation's wildlife. As Ranking Member Senator Capito mentioned earlier, Senator Lummis and I held a hearing in our Subcommittee on Fisheries, Water and Wildlife last month. We had a chance to demonstrate the bipartisan and widespread support that there is for wildlife crossings, wildlife corridors, and efforts to restore habitat. I am glad to continue this conversation here at the full committee level.

Before I get into questions, Director Williams, happy

birthday.

I appreciate you mentioning Lake Tahoe in your remarks earlier. I have a question on Lake Tahoe, but before I get to that, I wanted to talk about the Klamath River Basin.

As you know well, Congress provided the Fish and Wildlife Service with \$162 million for restoration activities in the Klamath Basin via the Bipartisan Infrastructure Law. This funding provides an opportunity to protect wildlife habitat and restore the precious basin ecosystem.

Can you just spend a minute talking about how the service has holistically used these funds to maximize restoration and water resilience benefits?

Ms. Williams. Thank you for that question, Senator Padilla, because I do believe the investment through the Bipartisan Infrastructure Law in the Klamath Basin is a perfect example of how it has allowed us to look at the more holistic challenges that occur in the Basin.

So rather than being piecemeal as in the past, we are now able to look at the ecosystem restoration of the Klamath Basin as a whole so that we can develop ecosystem restoration that supports salmon, suckers, agriculture in the basin, and then also our refuges.

Senator Padilla. Can you describe a little bit more how working with fellow Federal agencies, as well as State agencies,

tribal leaders, and other stakeholders has ensured that our efforts are not piecemeal but part of a bigger vision?

Ms. Williams. Indeed. Senator Padilla, one of the benefits of having this investment is that we have used it to pull together, absolutely working with the tribes in the Klamath Basin, often with very different interests. They are not a monolith. They each have their own concerns, and have been engaged in the Klamath, or have lived there for time immemorial.

It has allowed us to pull the tribes together. We have worked very closely with the State, we worked very closely with irrigation districts, we worked very closely with local governments, et cetera. We have used this investment to convene partners to recognize what is before us.

I think before now, we had to work on a year-by-year basis and plan out for that year. Now we are able to think longer term and to really address the water scarcity in the basin.

Senator Padilla. Wonderful.

I am also grateful to the Service for your commitment to restoring our beloved Lake Tahoe. In addition to protecting Lake Tahoe from the threat of wildfires, it has been a big focus and emphasis in recent years, but for many years, removing and preventing aquatic invasive species in the Lake has been one of the highest ecological priorities for the region.

The Lake Tahoe Aquatic Invasive Species Program, which

received \$3 million in the Infrastructure Law, is a collaborative effort between the Service, the Washoe Tribe of California and Nevada, and the Tahoe Regional Planning Agency.

Similar to our conversation with the Klamath, can you speak to the benefits of meaningful collaboration among stakeholders, State, and tribal leaders on this particular program?

Ms. Williams. Yes. Thank you for that question again.

As I mentioned earlier in my opening statement, Lake Tahoe has often been held up as the gold standard in aquatic invasive species. However, this investment from the Bipartisan Infrastructure Law in Lake Tahoe has allowed us to really focus on aquatic invasive species prevention and we have done it.

It is consistent with all of this BIL funding. We have used our role as support. We are not pushing a certain agenda other than ecosystem restoration. Instead, we have pulled the community together, including the tribes here, and the Tahoe Regional Authority and other partners to hear what they feel their immediate needs are and then support that going forward.

In this instance, there are examples of permanent aquatic invasive species checkpoint stations, which is so helpful to know that they are there permanently and that the tribes are partnered in that. This is really important not only for the Lahontan cutthroat lake trout, but it is also important, obviously, for the economy of Lake Tahoe to keep these invasive

species out or at least have early detection.

Senator Padilla. Great. Thank you so much. I look forward to our continuing work.

Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Merkley?

Senator Merkley. Thank you very much, Madam Chairman and welcome. To my colleague from California, thank you for sending me the article about it being peak time for counting the Monarchs on the Santa Cruz area of the California coast.

I had a chance to go down to Pismo Beach, another location where Monarchs gather. The Western Monarch had declined to less than 1 percent of its traditional number some 20 to 30 years ago and were down to just a couple thousand several years ago, it is on the verge of extinction.

Now we are now back up to a couple hundred thousand but still a tiny fraction of the traditional Monarchs. It is, in part, certainly a reflection of climate change, and in part, the much increased use of pesticides affecting the Monarchs and their long journey with multiple generations going north and a single generation going south.

Back in June 2022, I partnered with the Fish and Wildlife Service to sponsor a Monarch summit for us to become aware of these different factors and bring all the experts together. One

of the things that came up at that point was the Fish and Wildlife Service announcing the creation of the Center for Pollinator Conservation, which I strongly applaud. It now has a director, Nicole Alt, and it has been hosting a series of workshops, which are very much appreciated. I think there is one more next week. I wanted to express appreciation that this is underway, and ask if there are some early successes that you would like to highlight related to the Center for Pollinator Conservation.

Ms. Williams. Thank you, Senator Merkley, for your leadership on pollinators and helping us really put together these summits, but also the ensuing Center for Pollinator Conservation.

As you mentioned, the leader, Nicole Alt, has been terrific. We are using the Center more and more. We are really learning how to build it out and build out how we use them. We need the Center.

As you mentioned, the Pollinator Conservation Center is focused on three areas: applied science, and I say that purposely because it is applied science, not science for science sake, but learning how to apply it for pollinator conservation, collaboration and engagement.

As you mentioned, we have been working with the Monarch Joint Venture and many others, but the next and last workshop I



believe will be next week. From that, I am looking forward to what they are calling an action plan that will really finalize what steps we will take next and who will do them.

In addition to that, I just convened a leadership summit for Monarchs in Minneapolis using the Center for Pollinator Conservation to pull it together and to recognize, in concert with the other Federal agencies, how do we really make a difference for pollinator conservation well beyond what the Fish and Wildlife Service can do alone. That center is very helpful in pulling those efforts together.

Senator Merkley. Thank you. I will look forward to seeing what the action plan looks like. We are understanding better some of the challenges and some of the opportunities. One of the opportunities is to do a lot more planting pollinator-friendly plants, both for nectar in the case of Monarchs, and milkweed for the caterpillars.

I wanted to turn to you, Administrator Fouch. In your testimony, you state that FHWA is working to implement a program as expeditiously as possible. The program we are referring to is the Pollinator Friendly Practices on Roadsides and Highway Right-of-Way.

This began with a conversation I had with former Senator Lamar Alexander whose State had developed a pollinator plot program along its State highways. It seemed like what he did in

his home State or what his State did, seems like we could replicate that. I first asked Administrator Bhatt about the status of this program in June in this very room. I was told it would be expeditiously stood up.

And yet still no sign of progress. This isn't that complicated. Three million dollars was allocated. I think, under even a continuing resolution, we would have another \$3 million, grants limited to \$150,000, to enable groups to establish significant pollinator-friendly plots along highways.

Sometimes it is just unacceptably slow in terms of how quickly the gears of government turn and we are really facing a pollinator Armageddon. We have lost such a huge volume of insects over my lifetime.

Many people will refer to it in different ways, but I know a number of folks have told me they can identify with the experience I had of when I drove with my family, when I was a little kid, every single stop we had to clean off massive amounts of insects off the windshield. Now, if there is one insect on the windshield, it is a surprise. We have lost a massive amount.

Why can't we speed up this strategy of establishing pollinator plots along the highways? Or tell me that you are now happy to inform me that it is all in gear, it is all designed, it is going to be rolled out, you are taking action,

and we will see results.

Mr. Fouch. Thank you for that question, Senator. Yes, this is a very important program. FHWA has been working expeditiously to implement this program.

We do expect to get the Notice of Funding out soon. That program is handled in our Environment and Planning office. That is outside of my office. But as far as the status and progressing forward, we can continue to provide you updates for that.

Senator Merkley. It is a totally unacceptable answer. It is outside your jurisdiction. So in that sense, it is an acceptable answer. But you are evaluating what the other unit is doing, saying it is expeditious. It is not expeditious. And happy words about, someday, it is expeditious or something will happen soon, no. The type of answers we need are here are the five steps we have taken, here are what our remaining challenges are, and here is the timeline for getting them done.

That is the type of answer we want to hear when we ask about the development of a program, not some vague, we are expeditiously working, we are sincerely undertaking, all those words. Those words mean nothing.

Where are the action steps? Where do they stand? Why can't we see this rollout? Are there obstacles we need to solve? When it comes to programs like this, given that we have

States that have undertaken programs like this, they should be able to get it done.

So I want to send back, even though it is not your jurisdiction, I want to send back as strongly as possible that this is the type of program that can be implemented. Please, next time I hear about it, tell me the steps taken, the remaining steps being taken, the schedule to roll it out, when that is happening, or if there are obstacles, what are they so we can try to solve them.

Mr. Fouch. We will be glad to get that information to your office.

Senator Carper. [Presiding] Mr. Fouch, Senator Merkley was not in the room when I asked you how long you had been in your position. How long has it been?

Mr. Fouch. In my current position, a month or so, since October.

Senator Carper. A month or so. Next time, we will expect more.

Senator Merkley. Point taken that this was outside your jurisdiction. I am really just sending back a message of general frustration.

Mr. Fouch. I can do that.

Senator Merkley. Thank you.

Senator Carper. Good. Message sent.

Senator Ricketts, good morning. How are you?

Senator Ricketts. Well, thank you, Mr. Chairman.

Senator Carper. Good to see you and you are recognized.

Thank you for coming.

Senator Ricketts. Thank you, Mr. Chairman, for having this hearing, and Ranking Member Capito.

The 30x30 Initiative by the Biden Administration aims to preserve 30 percent of the land and waters in the United States by the year 2030. This is far from a new or novel overreach. Since the Wilderness Act of 1968, Congress has passed 120 new laws, resulting in the creation of 803 wilderness areas totaling approximately 117 million acres.

During the Obama-Biden Administration, a precedent was set for misuse of the national monument designations. The Antiquities Act was employed to unilaterally designate or expand 34 national monuments, covering an extensive 553,550,000 acres of land and water.

Building on this legacy, the Biden Administration has continued this effort. They have issued five new monument designations, and they have effectively locked up nearly 2 million acres of land.

Ms. Williams, the last time you were in front of this committee, you were unable to specify the Congressional Act that authorizes the 30x30 egregious land grab. That is because there

is no Congressional authority. There is still no clear definition of conservation. It has led to uncertainty and instability for private landowners.

The Administration has consistently neglected to specify whether working lands, conservation, multiple use and active management will be considered as part of the conservation criteria for 30x30. Numerous Congressional oversight inquiries have gone unanswered. It has contributed to a state of confusion and uncertainty regarding the 30x30 Initiative.

True conservation is sustaining land for working land purposes. It is my belief that private landowners are the best stewards of our lands. Nebraskans are a prime example of this. Nebraskans have demonstrated that landowners can effectively balance the productive use of their land with conservation efforts.

Nebraska is a national leader for acres utilizing no till practices on farms. Our agricultural producers are voluntarily making decisions. They don't need the Federal Government coming in and telling them how to do their business. These stakeholders and communities should instead be utilized for their knowledge.

Studies have shown that critical habitat designations can reduce land values by up to 30%. Landowners are then left with no compensation. Rural communities rely on land values for

property taxes. These funds then support education, infrastructure and other essential services. But when you reduce that, obviously that reduces the ability of local communities to provide those services.

A prime example of this is what has happened to communities following the listing of the Northern Spotted Owl as an endangered species by the Fish and Wildlife Service. The critical habitat designation was followed by declining timber sales. Because of Federal bureaucrats' unilateral action, rural counties saw their tax base was limited by the growing amount of Federal land. As a result, Congress had to pass the Secure Rural Schools Program.

A portion of the Forest Service funds generated through grazing, timber production and other special use permits are distributed to eligible counties. These communities now rely on these funds to maintain local roads and schools, all because of Federal bureaucrats' action to cut their tax base. While programs like Secure Rural Schools provide important support for rural communities, the fact remains that this was a solution that had to be created because of a government fabricated problem.

Inflation has hit rural communities harder than others. The Federal Government butting out and allowing them to responsibly manage their land and natural resources will allow

communities to be more resilient in depressed economic times. These stakeholders and communities should be utilized for their knowledge and passion for land, not held to the fire by Federal oversight.

Ms. Williams, how does the Service collaborate with private landowners to incorporate those perspectives and local knowledge into conservation strategies rather than imposing top-down measures?

Ms. Williams. Thank you, Senator Ricketts, for that question. This is work that I have long been engaged in, well before this position with the Fish and Wildlife Service. I can give an example with the Partners for Fish and Wildlife Program, where we work with ranchers and partners to hear what they want in their location, and then provide technical expertise to apply for grants that would work for them.

There is an example of how we work with private landowners in your State of Nebraska where, through the Bipartisan Infrastructure Law, with the National Fish and Wildlife Foundation, we worked with the Nebraska Game and Parks Commission using \$4 million in the Bipartisan Infrastructure Law grant funding to implement just what you have asked, voluntary, incentive-based programs to promote vibrant grasslands with ranching communities.

I would answer that we have long understood that the best



conservation is that that is locally led where we learn from the community, and when we are working with private landowners, absolutely voluntary and incentive based.

Senator Ricketts. Thank you, Ms. Williams.

Mr. Chairman, thank you.

Senator Carper. Thank you for a good question and for a thoughtful answer. If you have another question, you are welcome. Thanks again for joining us today.

I have a couple more questions. One or two of our members are trying to get here from other committee meetings. We will see if they can do that. I hope so.

My next question deals with working with the National Fish and Wildlife Foundation. The Fish and Wildlife Service partners with the National Fish and Wildlife Foundation to administer some of its grant programs, including programs funded through the Bipartisan Infrastructure Law.

We heard very positive feedback from stakeholders about working with the National Fish and Wildlife Foundation. My question, Director Williams, would be, how does partnering with the National Fish and Wildlife Foundation expedite the disbursement of grant funding, and how does it help leverage private investments to match those Federal dollars? Does the Fish and Wildlife Service still retain a role in grant administration when it is partnering with the Foundation?

Ms. Williams. Thank you, Chairman Carper, for that question. I think this follows nicely from Senator Ricketts' question as well.

The Fish and Wildlife Service has long partnered with the National Fish and Wildlife Foundation, a very important partner to us. The value that the National Fish and Wildlife Foundation brings to the table is that they can coordinate with other Federal agencies and can have more one-stop shopping so that they are working with us.

But also, these other Federal agencies bring in local partners and leverage money. Typically when we work with the National Fish and Wildlife Foundation, they are able to leverage the Federal money to get more conservation on the ground. They are very adept at working with local communities to build that collaborative conservation that we are all talking about.

As an example, Senator, in your backyard for the Delaware River Basin, the Fish Wildlife Foundation has leveraged more than one to one for each Federal dollar that goes through them for these ecosystem restoration projects.

Senator Carper. I am going to ask a related question. Not everyone who is in the room or may be watching this remotely knows about the Fish and Wildlife Foundation, its genesis, where did it come from, how long has it been around. For somebody who knows nothing about it, how would you describe it? Give us a

little primer on it, please.

Ms. Williams. Thank you. It is a statutorily created foundation to aid both the Fish and Wildlife Service and also the National Marine Fisheries Service, NOAA, its two primary partners and they partner well beyond the Fish and Wildlife Service and NOAA. It was instrumental in working on the oil spill, the Deepwater Horizon oil spill, and building out the ecosystem restoration efforts in that area. They work across the Country and somewhat globally as well.

I have the pleasure of sitting on the board and working with those board members. It is very well run, it is very efficient, and they have terrific expertise.

Senator Carper. Good answer. Thanks very much. You serve on the board?

Ms. Williams. I do, Chairman.

Senator Carper. From day one in your job?

Ms. Williams. Yes.

Senator Carper. Okay, good.

I have a different kind of question, one that deals with threatened and endangered species. I am going to start off, Mr. Fouch, with you and ask you to respond to the question first. Then we will turn back to Ms. Williams. Maybe I will flip that and start with you, Director Williams.

Your agency is tasked with recovering our Nation's

threatened and endangered species, as we know. Mr. Fouch your agency reported, I think in 2008, about 15 years ago, that wildlife-vehicle collisions are a major threat to the survival of at least 21 species.

Let me say that again. That is pretty eye opening. Your agency reported in 2008 that wildlife-vehicle collisions are a major threat to survival of at least 21 species.

I am going to ask both of you, Ms. Williams, you can lead off if you want, but will you both share with us how the Bipartisan Infrastructure Law investments in ecosystem restoration and habitat connectivity will help imperiled species? Would you like to go first?

Ms. Williams. Thank you, Chairman Carper, for that question, in part because it is very nice to have an opportunity to highlight the real impact that the Bipartisan Infrastructure Law investments have made, not only in habitat connectivity for wildlife crossings and recovering species, but also for people in their communities.

What BIL investment has done is allowed us to switch our approach to take more of a whole ecosystem approach to conservation rather than just individual projects. We are able to really address these longstanding issues.

The examples for each of the areas of the Bipartisan Infrastructure Law money that comes through the Fish and

Wildlife Service, whether it is the sagebrush ecosystem, the Klamath Basin, or the Fish Passage Program, it really has allowed us to work with tribes, States, and many other partners to make sure that we are bringing everyone together to address these longstanding issues like water availability that helps these ecosystem functions that then also helps the community with flooding and water availability.

It has been transformative for the way in which the Service can address recovery of a species because we can better address the root causes in the habitat connectivity. That has been a game changer for us.

Senator Carper. Good. Thank you.

Before I turn to Senator Sullivan, I am going to ask Mr. Fouch to respond to the same question, if you would. How does the Bipartisan Infrastructure Law investment in ecosystem restoration and habitat connectivity help with imperiled species?

Mr. Fouch. Thank you, Senator, for that question. The report that you discussed as part of the BIL and our requirements under BIL, we will be expanding upon that report, taking a look at best practices, and things that we can expand upon.

Also, in expanding that report, BIL is asking us to take a look at design and implementation guidelines and also to provide

guidelines on wildlife fencing, underpasses, overpasses and so forth that will help that. In doing that, we will be collaborating with our stakeholders and talking about that as we complete that.

Senator Carper. Good. Thanks. I may come back to this after Senator Sullivan asks his questions and I can follow up on this a little bit more before we adjourn.

Senator Sullivan, welcome.

Senator Sullivan. Thanks, Mr. Chairman. Thanks for what you do.

Mr. Fouch and Director Williams, thanks for being here. Director Williams, I appreciate the phone call yesterday.

By the way, I don't know if it has been announced, maybe I shouldn't, but I hear it is a special day for you? Yes, is that true? This is your birthday present, you get to answer hard questions. Happy birthday.

Ms. Williams. Thank you, Senator Sullivan.

Senator Sullivan. I hope in the next five minutes I don't ruin it.

Senator Carper. A bipartisan happy birthday.

[Laughter.]

Senator Sullivan. There you go.

Let me just very quickly kind of get a couple of commitments from you. These are easy ones from our conversation yesterday.

First, can you just commit, yes or no, and I think these are all an easy yes. We will start the easy questioning.

Can you commit to get together with the key stakeholders, Tlingit and Haida, other Native groups, and southeast fishermen to find consensus on this very longstanding, challenging issue on co-management standards for sea otters? Can we get your commitment to work with me on that and all of them collectively?

Ms. Williams. Senator Sullivan, I was a bit worried at what your easy yes would be, but indeed, yes.

Senator Sullivan. Okay. Then, on the Migratory Bird Co-Management Council, the issue I raised with Alaska Native handicraft issues, can I get your commitment to work with me on that one, too?

Ms. Williams. Yes.

Senator Sullivan. And then the Wood Bison recovery plan and coordinating efforts more deeply with my office and more importantly than my office, the Alaska Department of Fish and Game?

Ms. Williams. Yes.

Senator Sullivan. Okay, great.

I have these charts I think I mentioned to you. Jake here is on my team. This is going to be a little tough, but this is a chart I gave to the President of the United States in a meeting I had with him a number of months ago. This is what is

referred to as the last frontier lockup, 56 Executive Orders and Executive Actions from the Biden Administration singularly focused on Alaska, 56.

Mr. Chairman, you know, I have raised this a lot. The Executive Orders and Actions keep growing. I just think it is completely unfair. I respectfully said it to the President. I was in the Oval Office and I am going to be respectful, but I said, Mr. President, if the Republican Administration came in and issued 56 Executive Orders and Executive Actions singularly focused on shutting down Delaware's economy and access to lands, none of these we want, right? Very few we were consulted on. I said, with all due respect, sir, you would be on the Senate floor raising hell every damn day.

I am not going to raise hell here, but this is an outrage. It needs to stop, Mr. Chairman. Maybe someday we can have a hearing on this.

Director Williams, I did compliment you on your use of indigenous knowledge on the Southeast Alaska Wolf Endangered Species Act decision. I want to thank you for that.

But what I am concerned about is the lack of consultation with Alaska Natives, particularly Alaska Natives who live in the area. I am talking about North Slope Borough, National Petroleum Reserve, Alaska, ANWR.

As you and I discussed, there has been no consultation with



these great Americans on huge issues. They have tried to meet with Secretary Haaland seven times. She doesn't meet with them. These are the borough-elected representatives, the tribal representatives, and the Alaska Native Corporation representatives. Look, it is an insult, it is an outrage. You and I had a long discussion about this. They were in town two weeks ago and held a big press conference. Their voices are being canceled.

They listen to the lower 48 environmental groups, what our Alaska Native people call the eco-colonialists, meaning these lower 48 groups come up, condescendingly pat the Alaska Native people who have been living in Alaska for thousands of years on the head, and tell them what is good for them. It is an outrage. Those people get listened to, but the people who live there don't.

Can you commit to me to doing a much better job on consultation before decisions are made? It is your job. It is in the law. It is unequivocally not happening, as you and I discussed.

Ms. Williams. Senator Sullivan, I can commit to consultations before decisions are made. Where we don't agree, I believe that we have changed in the State of Alaska in my choosing Sara Boario as our Regional Director, as I have traveled to the Village of Kaktovik and also met with the North

Slope Borough, have been to King Cove, and spent the night at a fish camp on the Yukon River this summer.

I can do more and more. We will always strive to do it. But indeed, we are really trying to pay attention to the voices of Alaskans.

Senator Sullivan. Okay. Mr. Chairman, sorry. I am going to go over my time a little bit. This is really important to me and more importantly, to my constituents.

I think you need to give special consideration to the people who live in the region in which you are taking these dramatic actions. Would you agree with that? That is a pretty easy question. The people who live in the region, who are going to be impacted the most deserve special consideration. Would you agree with that?

Ms. Williams. Senator, I would say they absolutely deserve consideration and their considerations are different. I get asked this all the time. I cannot just say one voice matters more than another. I need to listen to all voices. But they have a special perspective, absolutely.

Senator Sullivan. I think they matter more and, you know, remarkably, you guys aren't listening to them at all. You listen to New York City environmental groups, but not the people who live there.

Let me just ask two final questions. We talked about the

Vietnam Veterans, Alaska Native Vietnam Veteran legislation. The career staff at Fish and Wildlife Service codified available refuge lands to extend this ability for these great Vietnam Vets, heroic, who weren't treated well, you and I talked about this, when they came home from Vietnam.

Can I get your commitment that if the legislation I introduced has the very lands that your staff proposed to get your support on that?

Ms. Williams. Senator Sullivan, I would be happy to work with you on that.

Senator Sullivan. Okay.

Then finally, give me and this committee an update, if you wouldn't mind, on the King Cove Road. Mr. Chairman, I think you are aware that we have been trying to get an 11-mile, single lane dirt road. Mr. Fouch, this impacts you guys too. It would save lives in the Native community. Everybody in the community, 900 people, everybody wants it.

Thirty years we have been trying to get this done. It won't hurt the wildlife there. Can you give me an update on that, Director Williams? It is something that is enormously important, not just to the people of King Cove, but the entire State of Alaska is watching this issue.

Ms. Williams. Senator Sullivan, yes. I appreciate the enormity of this and have had very clear direction from the

Secretary that this is important to her and that the safety of the members of the community in King Cove, that this is important to them.

The comment period closed for the Notice of Intent, closed this summer. We are working with a contractor on a Supplemental EIS, and we are expediting that as quickly as we can. I have put resources into this matter to be able to get that out by the spring. I know that we are on a short timeframe. I commit to supporting the Secretary's commitment in this community. I appreciate its importance.

Senator Sullivan. So, spring is what you are shooting for as a target, spring of 2024?

Ms. Williams. To get the Supplemental EIS out.

Senator Sullivan. Okay. Thank you.

Thank you, Mr. Chairman.

Senator Carper. You bet.

Senator Sullivan. And Go Navy, beat Army. I am going to the game. Are you going to the game?

[Laughter.]

Senator Carper. Whenever I run into retired Marine, retired Navy, I am the last Vietnam Veteran serving in the U.S. Senate, but whenever I come across the other veterans, I always salute them, if they have a hat or shirt on or something else. I will say Navy salutes Air Force, Marines, whatever. We have a

great time. But I salute retired Army folks, saying Navy salutes Army, I say except on one day of the year, and that is the Army-Navy game.

Senator Sullivan. Are you going?

Senator Carper. I don't know. We are trying to work it out. We will see.

Senator Sullivan. Well, I will see you there if you are there. Thank you.

Senato Carper. Thanks so much. I was talking earlier about the countdown of Beatles songs. One of my favorite Johnny Cash songs is "I've Been Everywhere, Man, I've Been Everywhere." And you have been maybe not everywhere, but you have been to a lot of places. And that is noticed and appreciated by me and I am sure by Senator Sullivan, Senator Capito and others.

We are close to the end, and I have another question or two I would like to share, one for Mr. Fouch and maybe one more for you, Ms. Williams.

With respect to balancing the needs of small and large species, Mr. Fouch, vehicles, as we know, pose a major threat to many smaller wildlife species. Some experts believe that over 300 million birds, amphibians and other small animals are killed on the road each year. These collisions are much harder to track, as you know.

While our roads and highways pose just as great a risk for

these smaller species as they do for larger species, the habitat connectivity needs of smaller species are quite often overlooked as being less expensive to address.

My question is how did the Federal Highway Administration balance the needs of small species with the needs of large species when selecting grant recipients?

Mr. Fouch. Thank you, Senator, for that question. The Wildlife Crossing Program is focused on wildlife and vehicle collisions. Safety is a priority of that program and one of the major priorities for that. But what we also see with the larger animal wildlife crossings, which you mentioned as well, is that animals will use it, all animals will use those crossings when we put those in.

Even though the crossings may be very focused on preventing wildlife-vehicle collisions and the safety of motorists, as well as connectivity of habitat, these crossings can also provide crossings for the smaller habitat as well.

Senator Carper. All right, thanks. I have one more question for you dealing with the demand for funding. I believe you shared in your testimony, and I mentioned in my earlier statement the demand for the wildlife crossing pilot program exceeded the available funding by five times.

How is the Federal Highway Administration leveraging other funding sources? That would include States, foundations and

maybe other Federal programs. How are you encouraging grant applications to do the same?

Mr. Fouch. Thank you, Senator, for that question. Yes, the Wildlife Crossing Program is eligible under several programs. Some of those include the Highway Safety Improvement Program, the Surface Transportation Block Grant Program, our Transportation Alternatives Program, the Federal Lands Access Program, and our Federal Lands Transportation Program, as well as in certain instances our Bridge Investment Program and the National Culvert Removal Program.

A lot of our programs have taken into account these wildlife crossings and have made them eligible under those programs and we promote that. As you mentioned, the success we have had was with the Wildlife Crossing Pilot Program and through the Notice of Funding getting in our first round five times the amount of what we offered, we see the opportunities of taking advantage of these other Federal programs too.

Senator Carper. Good. Do you expect the demand for these dollars will continue to grow? What might we do here in the Legislative Branch, in the Congress, what could we do in terms of how to address the unmet need?

Mr. Fouch. As you know, Senator, it was a very popular program. Again, hence five times the amount. I think one thing that is very certain to us all is that this is very popular and

it is a great need. The funding is just part of that and it is five times the amount in the first go around.

Senator Carper. Thank you.

I have exhausted my list of questions that I had for you. I want to give each of you a couple of minutes, if you would like to take advantage of it, to share with us any other thoughts you have that may have come to mind as you sat there and listened to questions and answered questions. Ms. Williams, why don't you share with us anything you want? Maybe you can tell us what you wish you had been asked but were not asked. Maybe you could do that. Any closing thoughts you have, we would welcome those.

Ms. Williams. Thank you, Chairman Carper. I can't think of a question I wish I had been asked, other than appreciating the opportunity to highlight the value of the Bipartisan Infrastructure Law investment and my hope that it can continue into the future.

It has absolutely changed the game for the Fish and Wildlife Service because it has allowed us to leverage our partnerships and bring really larger entities to the table to coordinate and solve the complex conservation challenges before us. It has allowed us to really get to the to the fundamental issues, whether in the Klamath Basin, improving water availability for fish, people, and migratory birds in Lake



Tahoe, working with partners and tribes to combat aquatic invasive species in the largest functioning wetland in the Basin, and that it also protects fish populations and the thriving outdoor recreation economy in Lake Tahoe.

Whether it is I didn't talk enough about the Sagebrush Ecosystem and our investments there, working with States, tribes and private landowners to manage invasive grasses, keeping water on the landscape for longer that helps keep people on the landscape and then helps the communities, and reduces flood risks as well, and revitalize burgeoning communities and economies.

Then it is tying all of these landscapes together through the Fish Passage Program. Really, I would love to be able to amplify their work and how they have pulled people together for all these really valuable resources, I think even in Appalachia going forward in these biodiversity hotspots.

So I guess it is an opportunity to say that we really are impacting people in their everyday lives. It is that resilience for the future that we have not had this type of investment in before. We take it very seriously, to get the money out the door, to be efficient and demonstrate why this investment was worth it and that we hope to have it going forward.

I would end by saying it has demonstrated in spades that when you give nature a chance, it has a remarkable ability to

heal. But we have to give it a chance. The Bipartisan Infrastructure Law has allowed us to do that. Thank you.

Senator Carper. Thank you. One of the other songs on the top 100 Beatle list was "Give Peace A Chance." There you go.

Mr. Fouch, you get the next to last word. Is there anything you wish might have been asked or any closing thoughts? Go ahead.

Mr. Fouch. Thank you, Senator. No questions I wish had been asked.

Senator Carper. Any questions you wish hadn't been asked?

[Laughter.]

Mr. Fouch. No questions I wish I hadn't been asked. I do want to say that I do appreciate the collaboration we have had with U.S. Fish and Wildlife, particularly on the Wildlife Crossing Program and the things we are learning there.

We look forward to implementing that project and to continue to implement that project. We understand the importance of the Wildlife Crossing Program and also the importance to local, States and communities out there in providing these projects. We will continue to support this program and work collaboratively with our Federal and State partners.

Senator Carper. Good. I will close on a musical note. We opened on a musical note in respect to your birthday. One of

the songs that made the top 100 list of the Beatles greatest hits was "When I'm 64." You are not there yet, but someday you will be.

When I turned 64, that was like last year, not really, a little further back, but we have some good music venues in Wilmington. One is the Grand Opera House. The other is the Queen Theater. We had a thousand more people who gathered at the Queen Theater, and the last thing we did was have like three rock and roll, great, best rock and roll bands in Delaware to close out the evening. Folks were kind enough to sing to me When I'm 64 which was a real treat.

Some day you will be 64. We are just glad you are here, glad you are both alive and you are doing the work that you are doing.

Mr. Fouch, you have not been in this post for very long, but it is a hugely important post.

I jotted down some notes so I could read the theme songs for this committee. One is "We Can Work It Out," a song you may have heard a time or two, this committee works it out. We work it out. We cannot always work everything out but we work really hard for the money. We try to find common ground and believe bipartisan solutions are lasting solutions. We appreciate the chance to work with one another, especially with Senator Capito and her team.

Another thought is "Come Together," and another Blackbirds song, "In the Middle of the Night," is another song. I mention them because they are part of our DNA, part of our culture in this Country and I think on the planet is to say that we care. We want to work to make sure this planet will be around not just for us, not just for our children and grandchildren, but for another million years.

I will not be on this committee then but I hope people will look back in the future and say we really made a difference with the work we are discussing here today. Thank you.

We are God's creatures. As turns out all the wildlife we are talking about, the birds, animals, the deer, are God's creatures as well. We have a moral obligation to protect human beings and their lives and I think other creatures and creations on this planet.

With that, I get to do a close. I want to thank both of you, Mr. Fouch and Director Williams, for joining us today. We thank you for your service to our Nation. We appreciate very much your work to implement the provisions of the Bipartisan Infrastructure Law that are making a real difference for our wildlife, for our communities, and our economy. I can't tell you how proud I am of the work that Senator Capito, myself, our staffs, and bipartisan members of this committee, the work that was done on that major piece of legislation and good that flows

from it.

Before we adjourn, a bit of housekeeping. Senators are going to be allowed to submit written questions for the record through the close of business on Wednesday, December 20th, which is, I think, two weeks from your birthday today.

We will compile those questions, will send them to our witnesses, and ask you to apply by Wednesday, January the 10th.

We wouldn't have these hearings and they would not be nearly as valuable without the great work of our staffs. I like to think that the members work well together, and rightly so do our staffs. If they didn't, we wouldn't get much done. So a big thanks to them.

To everyone, to all of you, and to your families, best wishes for a happy holiday season and a great New Year.

Thank you so much. With that, this hearing is adjourned.

[Whereupon, at 11:46 a.m., the hearing was adjourned.]