# Testimony of Martha Williams, Director U.S. Fish and Wildlife Service, Department of the Interior Before the Senate Committee on Environment and Public Works On

Infrastructure Investment and Jobs Act Investments in Habitat and Ecosystem Restoration

## **December 6, 2023**

#### Introduction

Good morning, Chairman Carper, Ranking Member Capito, and Members of the Committee. Thank you for the opportunity to testify before you today on the U.S. Fish and Wildlife Service's (Service) implementation of the Infrastructure Investment and Jobs Act, which we commonly refer to as the Bipartisan Infrastructure Law or BIL. This transformational investment included \$455 million in direct funding over five years for the Service to support and implement projects which, at their very core, help local, state, and Tribal communities tackle the climate crisis, advance environmental justice, and protect our cherished wildlife and natural resources. The law supports good paying jobs today and makes investments in nature that will pay out sustained economic and ecosystem dividends far down the road.

The Service collaborates with a diverse and extensive network of partners to accomplish its conservation mission. Our partners are found in local communities, Tribes, state and federal agencies, and among private landowners and non-governmental organizations. The Bipartisan Infrastructure Law supercharged our collaborative work in key areas that advance the Service's mission. The funding directly appropriated to the Service supports the national fish passage program and focused conservation efforts in the Klamath Basin, sagebrush ecosystem, Delaware River Basin, and Lake Tahoe. Additionally, the Bipartisan Infrastructure Law provides the Service \$180 million for maintaining, improving, and constructing roads, trails, and other transportation infrastructure. Finally, the Service receives additional BIL funding through the Department of the Interior's orphan well remediation, wildland fire, and ecosystem restoration programs. Together, these funding streams allow the Service to better support locally led conservation projects, improve public access, and protect people, infrastructure, and wildlife habitat.

As the Service has worked to implement this funding in the field, our partners have provided crucial input to identify the best places and priorities for BIL funding. When the Service is selecting a fish passage project, we rely on input from communities to help us identify need. For example, local input helped identify an undersized culvert in the Klamath Basin that is not only cutting off fish habitat, but regularly floods out, blocking community access to emergency services. In the Delaware River Basin, partners on the ground guide the implementation of a living shoreline project to restore the health of two rivers and provide flood protection for local communities. At Lake Tahoe, our partners are helping prioritize efforts to address aquatic invasive species by highlighting areas where the community is seeing the largest impacts to recreational boating and fishing opportunities and to native fish habitat. In the sagebrush ecosystem, the Service and state and Tribal governments are working together to bank native

seeds and treat fire-prone invasive grasses that threaten community infrastructure and wildlife habitat.

The Service's collaboration with partners leverages BIL funding to benefit both people and wildlife. For example, our work with partners is restoring contaminated sites, which improves habitat and supports safer and healthier communities. We are removing high hazard dams, which restores native fish populations while providing safer boating opportunities. We are protecting infrastructure in communities by improving their resilience to fire and floods. And we are coordinating across the federal government to ensure investments in fish passage address needs of local communities like providing safer roads.

Outdoor recreation is a substantial and vitally important economic driver. The 2022 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation showed that Americans took over 1.7 billion trips in 2022 to engage in hunting, fishing, boating, and other outdoor activities, spending \$394 billion on equipment, travel, licenses, and related expenses in the last year. The BIL environmental provisions make significant investments in improving access to, and the quality of, outdoor recreation opportunities. These investments support local economies.

While BIL funding spans a five-year period, the investments and projects supported by the law will provide benefits far into the future.

# U.S. Fish and Wildlife Service BIL Funding

National Fish Passage Program

The National Fish Passage Program (NFPP) has the widest reach of the Service's BIL focus areas. Since 1999, the NFPP has been a national leader in connecting watersheds and people through financial and technical assistance. Throughout the program's history, the Service has worked with over 2,000 local communities, Tribes, and private landowners to address 3,500 barriers and reopen 64,000 miles of upstream habitat and over 193,000 acres of wetland for fish and other wildlife.

The once-in-a-generation investment in the nation's rivers and streams through BIL has expanded the ability of the Service to further work with communities to address a small portion of the millions of barriers to fish and aquatic wildlife across the country. These barriers block access to spawning grounds, food, and safe waters for economically important and threatened and endangered species alike. Barriers can also impede opportunities for outdoor recreation, impair transportation infrastructure, and contribute to flooding. The Service is working to put the Bipartisan Infrastructure Law's \$200 million investment to work across the country, through projects both big and small, with community engagement and environmental stewardship at the center of the effort.

Through the Service's engagement with communities across the country, we are working to improve habitat and help fish species thrive from endangered Atlantic Salmon in Maine to the Bonneville Cutthroat Trout in Utah's Bear River watershed, to Alaska's iconic Sockeye and King Salmon. As we restore habitat connectivity for these species, the public is benefiting from reduced flooding, more resilient roadways, reduced risk of catastrophic failure from aging dams,

and improved water quality. As aquatic species make their home in the habitat along thousands of miles of newly reopened streams and rivers, local communities are seeing more robust fish and wildlife populations return, driving new outdoor recreation opportunities that are also safer for participants.

These investments are also helping ecosystems become more resilient to climate change. Addressing barriers to fish passage restores ecosystem conditions – such as stream flow rates, habitat types, and water temperatures – that are more optimal for fish species life cycles. This also creates more robust and resilient ecosystems that can help fish and other wildlife and plant species better adapt to changing environmental conditions resulting from climate change. For example, better stream connectivity and fish passage builds more diverse and productive ecosystem food webs.

To date, the Service has obligated \$73 million in BIL funding for 79 fish passage projects in 30 states and Puerto Rico, which will open more than 6,000 miles of streams and rivers.

One example of the Bipartisan Infrastructure Law's positive impact is the Potomac Headwaters Fish Passage Restoration throughout Maryland, Virginia, and West Virginia. This \$1.15 million investment is scheduled to open 195 stream miles and reconnect 150 square miles of Brook Trout cold water refugia by 2024. Restoring brook trout access to cold water refugia improves their resilience to warming water temperatures, caused by climate change, and provides habitat to recover from other climate related stressors. A watershed-scale project would not be possible without partners such as Trout Unlimited and the communities along the Potomac River and Chesapeake Bay who have put their own time and energy into similar efforts for over 15 years and helped provide expertise to ensure dollars are going to the areas of highest need. In addition to supporting other native species like the American Eel, local communities will benefit from the replacement of failing and undersized culverts along roadways, vastly improving public safety for drivers in rural areas. This is just one example of how the NFPP is getting BIL dollars into communities in a timely manner to create jobs and provide a multitude of benefits for ecosystems and people.

At a broader level, the Bipartisan Infrastructure Law has helped thirteen federal agencies come together under the banner of the Interagency Fish Passage Task Force to address the fragmentation of our nation's aquatic ecosystems. The Task Force is coordinating the investment of \$2 billion in funding, helping all thirteen agencies share expertise, leverage resources, and improve collaboration to create lasting benefits for our natural infrastructure.

## Klamath Basin

For two decades, the Klamath Basin has relied on collaboration and partnerships to address its diverse water needs in the face of ongoing droughts and limited water supplies. Clean, healthy water and fertile land make the watershed a home to Tribal communities, productive agriculture, and abundant populations of migratory birds, suckers, salmon, and other important aquatic and terrestrial species. The Service is working to put \$162 million in BIL funding to work to support the people and communities that are working to protect, restore, and manage this watershed for future generations.

The Service has been working closely with local partners, including California and Oregon, the Klamath Tribes, the Yurok Tribe, the Karuk Tribe, the Hoopa Valley Tribe, Quartz Valley Indian Reservation, Resighini Rancheria, private landowners, farmers and ranchers, and local sportsmen and women to improve conditions for fish, birds, and local communities with BIL funding. We have supported projects to create habitat for fish, monitor water quality, quantify ecosystem recovery, improve hydrologic models and better track salmon and sucker populations. We are using BIL funding to install pumping stations to improve water availability for national wildlife refuges and farms, support post-fire stream restoration activities in the Sprague River watershed after the Bootleg Fire, and restore natural springs.

Bipartisan Infrastructure Law investments in the Klamath Basin are also supporting a wide-reaching network of conservation projects. These projects improve water availability, fish habitat, and restore natural functions to the ecosystem, helping to build a more resilient Basin that can support the communities that call it home. So far, the Service has allocated \$26 million in BIL funding to support more than 30 projects driven by partners and communities addressing local and regional needs. This includes \$10 million for the first phase of a significant expansion of the Klamath Falls National Fish Hatchery to prevent the extinction of two federally listed species, the Lost River and shortnose sucker, which are found only in the Klamath Basin. This will create jobs, advance sucker recovery, and reduce community conflict over water needs for the ecosystem and local agriculture. These investments at the fish hatchery are working in parallel with funding for the Klamath Tribes' own sucker rearing and salmon reintroduction programs. The hatchery investment enjoys support from both Tribal and agricultural communities, representing a key point of consensus.

One local example is the restoration of Waukell and Junior Creeks, which will replace two undersized culverts. The current culverts hinder passage for migrating salmon and cause flooding during storms that can cut off the single access road to the Resighini Rancheria community, isolating them from emergency services. Replacing these culverts illustrates how ecosystem restoration, community health and safety, and infrastructure can go hand in hand.

#### Sagebrush Ecosystem

America's sagebrush ecosystem is the lifeblood of rural communities and Tribal lands in the West. Sprawling across 175 million acres and 11 western states, the sagebrush ecosystem supports Tribal cultural practices; agricultural, energy and mineral production; outdoor recreation; and hundreds of species that live nowhere else in the world. In recent years, sagebrush ecological integrity has been threatened by increasingly long and severe wildfire seasons driven by climate change, lengthy droughts, and invasive annual grasses. With \$50 million in BIL funding, the Service and our partners are accelerating efforts to conserve this vital landscape. From private landowners and the Western Association of Fish and Wildlife Agencies to Tribes across the West, these partners and rural communities actively support ongoing investments to protect this landscape and mitigate wildfire risks, protect water resources, and conserve at-risk species.

To date, the Service has worked with partners to allocate \$28.9 million in BIL funding for 173 projects across the western United States. In Fiscal Year 2024, the Service is providing over \$1 million in BIL funding for Tribally led sagebrush projects. Together with the Northern Arapaho and Eastern Shoshone Tribes of the Wind River Reservation, the Service recently announced our Fiscal Year 2024 list of BIL-funded projects. Among those projects is the creation of an Invasive Annual Grass Management Collaborative between the Service, Tribes of the Wind River Reservation, the State of Wyoming, U.S. Department of Agriculture, and local governments and partners. The Service will work collaboratively to implement projects that control invasive grasses and conserve approximately 100,000 acres of high-quality sagebrush habitat.

These investments root out invasive grasses, protecting core sagebrush habitat while also reducing the threat of severe wildfires to nearby communities. Other BIL-funded sagebrush conservation projects will help keep water resources and agricultural economies viable on the landscape through installation of wildlife-friendly fences to protect important mesic habitats. A core tenet of the Service's approach to BIL implementation is to work closely with Tribes, private landowners, state agencies, ranchers, and local communities to identify and pursue projects that align closely with these partners' priorities.

#### Delaware River Basin

For years, the Delaware River Basin has been home to voluntary, partner-led conservation efforts. With support from the Service, communities have pursued projects to reduce flooding and runoff, restore fish and wildlife habitat, improve water quality, and enhance safe recreational access for the public. This dedication to ground-up conservation has garnered recognition from Congress, which passed the Delaware River Basin Conservation Act in 2016, and reaffirmed support for those efforts with \$26 million in funding for the Basin through the Bipartisan Infrastructure Law. This funding has allowed the Service to enhance our ongoing support for partners in the Basin, including the National Fish and Wildlife Foundation and the states of Delaware, New York, New Jersey, Maryland, and Pennsylvania.

Working together with these and many other partners, the Service has been able to put BIL funding to work to improve habitat for fish and wildlife and provide Basin communities new and improved recreational and economic opportunities. BIL funds support a range of conservation and restoration projects that contribute to the wellbeing and economic vitality of the communities in the Delaware River watershed. Since 2022, the Service has allocated \$9 million in BIL funding supporting 18 projects across the watershed. BIL-funded projects advance ecosystem resilience, fish and aquatic species passage, reduce flood risk, and improve community access to these natural areas. Improving community access is especially important for disadvantaged communities, and for local businesses focusing on fish and wildlife related recreation. These strategic investments complement the 177 projects that have been funded to date through the Delaware River Basin Conservation Act.

One example of this important BIL-funded work in the Delaware River Basin is the Service's support for the Partnership for the Delaware Estuary to implement a 300-foot living shoreline habitat restoration project. This restoration project is part of the locally led Christina Brandywine Remediation Restoration and Resilience Initiative (CBR4), with additional support from national

partners and the State of Delaware. The goal of CBR4 is to address legacy pollution and restore the health of the Lower Christina River and tidal Brandywine River so they are once again swimmable, drinkable, and fishable. Additionally, the restored shrublands and wetlands adjacent to the shoreline will increase the area's natural beauty and help protect communities in Wilmington from flooding, providing benefits to some of Wilmington's most vulnerable communities. To date the Service has funded four projects that are part of the CBR4 initiative and one that complements the initiative, helping to advance the ecological and economic recovery at the core of this effort.

#### Lake Tahoe

The Bipartisan Infrastructure Law's geographic focus extends to Lake Tahoe, the world's tenth-deepest lake, and one of the clearest and most spectacular bodies of water in the nation. Today, Lake Tahoe's native Lahontan cutthroat trout and other native aquatic species are threatened by the aquatic weed Eurasian watermilfoil and other aquatic invasive species. Native species like Lahontan cutthroat trout are critical for the health of the ecosystem and are an important part of the culture and history of the Washoe Tribe of Nevada and California. Invasive weeds can also snare boat propellers, reduce fish populations for anglers, and create dense mats of plant matter at the water's surface. These threats to recreational boating and fishing opportunities on the lake impact local economies. Tackling any invasive species requires coordination and collaboration, and that is the focus of the Service's \$17 million in Lake Tahoe BIL funding. We are working closely with the Tahoe Regional Planning Agency, the Washoe Tribe, and the multi-partner Aquatic Invasive Species Coordinating Committee to identify priority projects and support locally led conservation efforts. To date, the Service has allocated \$6.5 million in BIL funding for the Basin, supporting 9 projects and the jobs that carry them out.

The largest of those projects has been addressing aquatic invasive species in the Taylor-Tallac ecosystem, which is the largest functioning wetland at Lake Tahoe. Taylor-Tallac has the potential to provide habitat for almost every native species in the Basin, but the Taylor and Tallac creeks and marshes are infested with the invasive aquatic weed, Eurasian watermilfoil. The Tahoe Regional Planning Agency has used BIL funding from the Service to install 17 acres of benthic barriers designed to block sunlight and inhibit growth of these aggressive invasive plants. Addressing this invasive species in the Taylor Tallac ecosystem represents the largest eradication project implemented in the Basin so far and will serve as a model for other similar ecosystem restoration efforts in the Basin.

Throughout our efforts at Taylor-Tallac and elsewhere in the Basin, local leadership has been central to the Service's work at Lake Tahoe. We have worked to incorporate bilingual signage to increase public awareness about aquatic invasive species and are supplementing existing seasonal watercraft inspection stations with new permanent stations to speed up processing of recreational watercraft and improve public access without spreading invasive species. We are also deeply invested in working with the Washoe Tribe to manage these lands and waters and have provided funding for the Tribe to plan for, monitor, and control aquatic invasive plants and fish while recovering native species, including Lahontan cutthroat trout. Working with local communities and the Washoe Tribe, we will continue to identify and implement successful BIL projects that further the health of Lake Tahoe.

## Federal Lands Transportation Program

The Service's transportation network is vital to our conservation mission. Our roads, trails, bridges, parking lots, and other transportation assets provide our land managers with access to the natural resources we are entrusted to protect. Equally as important, these assets provide the American public with safe and reliable ways to access and enjoy nature. Fueling this vast transportation network is the Federal Lands Transportation Program (FLTP) – the Service's primary funding source to address transportation-related needs. The Service has received FLTP funding through the surface transportation bill since 1998, including \$36 million annually from FY 2022-2026 through the BIL. This funding supports jobs and the construction, improvement, and maintenance of our transportation infrastructure – a need that only continues to grow as the demand for outdoor recreation increases.

Since the BIL's passage, the Service has worked diligently to invest FLTP funds to support projects that benefit wildlife and communities. From FY 2022-2023, the Service invested over \$62.5 million in FLTP funding to support 191 transportation projects across the country. For instance, we recently completed a \$560,000 project to rehabilitate Jim's Landing at Kenai National Wildlife Refuge in Alaska. Jim's Landing is a popular recreation site that attracts tens of thousands of visitors annually who come to fish the world-class Upper Kenai River – a fishery whose economic impact is estimated to be more than \$500 million per year. Based on the input and needs of the local community, the Service used these FLTP funds to improve and expand access at main ingress and egress points, reduce physical barriers, and provide a more meaningful experience for visitors. This project underscores the importance of FLTP funding in helping the Service better welcome and engage communities in wildlife-dependent recreation on Service lands and waters.

#### **Department of the Interior BIL Funding**

In addition to funding allocated directly to the Service through the BIL, the Service is also working closely with the Department of the Interior to implement multi-agency BIL priorities, including orphan well remediation, wildland fire suppression, and a multi-landscape ecosystem restoration framework.

### Orphan Wells

BIL represents the largest investment in tackling the removal of abandoned oil and gas equipment from National Wildlife Refuge System lands in American history. Abandoned sites are environmental hazards that jeopardize public health and safety by contaminating groundwater and emitting greenhouse gases such as methane. The equipment itself poses a direct threat to wildlife, their habitats, and people. Cleaning up these sites stops the ongoing damage to the ecosystem, and makes refuge lands safe for fish, wildlife, and people, while reducing impacts to air and water quality for nearby communities. To date, the Service has received nearly \$30 million through the Department of the Interior to begin removing and remediating 273 sites on 12 different refuges across the country, creating good paying jobs that are putting a significant dent in the hundreds of abandoned wells on refuge lands.

BIL funds have been critical in helping the Service and its partners improve refuge lands to benefit wildlife and local communities. For instance, the Service used BIL funds to establish a Cooperative Agreement with the Louisiana Department of Natural Resources (DNR) to address orphan well plugging and reclamation in the state. Through their existing Oilfield Site Restoration Program, the Louisiana DNR adds orphan wells on refuge lands into their statewide program and plugs those wells using the same contractors and resources involved in plugging state-managed orphan wells. This results in program efficiencies and reduced costs for both the Louisiana DNR and the Service.

One of the standout features of this initiative is its commitment to local communities. The Louisiana DNR actively engages local companies and small businesses that employ local labor, thereby stimulating economic activity within the region. Beyond the economic benefits, these collaborative efforts play a pivotal role in the restoration of habitat across Louisiana. To date, this collaboration has led to the successful plugging of over 100 orphan wells in northern Louisiana, showcasing the positive impact of BIL funding on both conservation, safety, and local economies.

## Wildfire

We are facing longer and more severe wildfire seasons across the country, posing new risks to the people and infrastructure which surround our national wildlife refuges as well as habitat for the species we manage. The Service is continuing to pursue an active fuels mitigation treatment regimen focused on prescribed fire, mechanical removal of dense vegetation and chemical treatment of exotic vegetation to limit the severity of wildfires. The Service's science-based treatment recommendations are often an order of magnitude larger than Service resources can meet. When vegetation builds up and is left untreated, wildfires can burn with a severity that dramatically increases the difficulty to protect our neighbors and damages the habitat we manage.

A \$26 million investment of BIL funds from the Department of the Interior into the Service's fire program has helped treat over 510,000 acres across the country. The Service also received an additional \$23 million dollars of BIL appropriations from the Department's Office of Wildland Fire for the Service's Partners for Fish and Wildlife Program and Coastal Program in support of fuels reduction projects on approximately 90,000 acres of private lands adjacent to federal lands. Reducing fuel loads is critical to ensuring we are a good neighbor to adjacent state lands, communities, and private timber producers, such as on the Okefenokee National Wildlife Refuge (NWR) in Georgia.

The Okefenokee NWR has a long history of large fires which are difficult to contain within the boundaries of the 407,000-acre refuge. This fire-prone area has twice won the national Pulaski Fire Leadership award for the working partnership created by the Greater Okefenokee Association of Landowners. Additionally, the Service is working closely with The Nature Conservancy and the Georgia Forestry Commission to continue to support partner-driven fire management. BIL dollars have helped the Service proactively manage fuels off the refuge, protecting private lands and getting ahead of fires before they spread beyond the boundaries of the refuge. These treatments, including a 5,000-acre prescribed fire in FY 2024, will help to

protect our neighbors and the commercial timberlands that are the lifeblood of the community. The BIL is actively making communities safer, reducing wildfire risks, and supporting resilient forests on and off refuge lands.

# Ecosystem Restoration

Through the Department of the Interior's Ecosystem Restoration BIL funding, the Service is working to support the Department's Restoration and Resilience Framework. The Framework supports and guides restoration programs across agencies, and prioritizes addressing climate change impacts, restoring healthy lands and waters, and enhancing communities' quality of life. For FY 2023, the Service has received almost \$29 million in Department of the Interior BIL funding for 37 projects across more than 20 states and territories, supporting a wide range of community-developed conservation projects. As the Service continues to implement Ecosystem Restoration funding, we are supporting ground-up conservation efforts like the following initiatives in Alaska and Hawaii.

In Alaska, the Service is supporting the cross-bureau Gravel to Gravel initiative with Alaska Native communities to restore salmon habitats and populations. Our projects will invest in costewardship with Tribes in the Yukon, Kuskokwim, and Norton Sound region, restore degraded streams, and expand habitat restoration practices that replenish native vegetation. This work builds on previous efforts and relationships while catalyzing future Service work in Alaska.

In Hawaii, the Service is working with other federal agencies, the state of Hawaii, and Native Hawaiian communities to curb the spread of mosquito-borne avian malaria in Hawaii's native forest bird populations. As climate change accelerates, mosquitoes are expanding their ranges into habitat previously safe for Hawaii's native birds. Once, there were more than 50 species of honeycreepers spread throughout the islands; however, today 12 remaining species are threatened with imminent risk of extinction in the next few years. Investments under the Bipartisan Infrastructure Law are already being put to work to conduct needed research, listen to Native Hawaiian perspectives, and put in place conservation measures to benefit the bird species that are most at-risk.

# **Capacity for Environmental Review**

In addition to directly implementing conservation measures and funding under the Bipartisan Infrastructure Law, the Service also plays a key role in environmental reviews of BIL infrastructure projects for other agencies. The Service helps review projects under multiple authorities, including the Endangered Species Act, National Environmental Policy Act, Clean Water Act, Fish and Wildlife Coordination Act, and the Marine Mammal Protection Act. Most often, such reviews constitute a small part of the overall scope, timeline, and process of an individual project, but they are critical to providing long-term conservation benefits to communities and ecosystems. Congressional investments in Service employees, like those contained in the President's Budget Request, facilitate faster and more efficient environmental reviews.

The Service receives tens of thousands of requests for project reviews every year. As multiple agencies utilize BIL funding, the number of project review requests we receive has further

increased. Since April 2023, the number of requests for consultations received each month has been approximately 1,500 higher, on average, compared to the prior year. As multiple agencies use BIL funding to pursue projects, our review workload will continue to increase, primarily through additional Endangered Species Act Section 7 consultations. The BIL does not include funding for Section 7 consultations for projects funded by Federal agencies other than the Department of the Interior, with the exception of wildland fire provisions. The President's FY 2024 budget proposes to address this increasing workload by expanding existing transfer authorities and enabling Federal agencies to transfer BIL funds to the Service and the National Marine Fisheries Service for environmental review of BIL projects. This authority would increase capacity for environmental planning and consultation, speeding up implementation of other agencies' infrastructure projects funded by BIL, and getting the economic and environmental benefits to communities more efficiently.

#### **Conclusion**

Thanks to the Bipartisan Infrastructure Law, the Service is investing hundreds of millions of dollars into hundreds of community-led projects across the country. States, Tribes, conservation organizations, and private landowners have led the charge on identifying priority projects that their communities care about and partnered with Service employees and programs to harness BIL funds. These projects help improve water quality, keep roads safe, conserve wildlife and habitat, support jobs and workforce skills, improve recreational opportunities, and make communities more resilient to wildfires, floods, and droughts.

As we embark on the third year of the Bipartisan Infrastructure Law, we are eager to see how these projects continue to unfold for the Service and our partner agencies at the Department of the Interior. With many groundbreaking and completion milestones on the near-term horizon, this is an exciting time for fish and wildlife conservation and for communities around the country.

The Service thanks this Committee and the Congress for making these consequential investments and welcome the opportunity to discuss our progress in implementing them.