

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

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

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

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

I. Wildlife Conservation: America's Legacy of Success

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

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

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

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

II. Key to Our Legacy of Success: Reliable Funding

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

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

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

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

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

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

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

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

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

IV. Today's Wildlife Conservation Challenge

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

For example:

- 40 percent of our native freshwater fish species are at risk of extinction.²
- Amphibian populations are disappearing at a rate of 4 percent a year.³
- Sixty percent of our freshwater mussels are imperiled or vulnerable.⁴
- Monarch butterflies, also once very common showing up in backyards across the country are facing a 90 percent decline in the past few decades.⁵ While the plight of the Monarch is relatively well-known, of the 800 other butterfly species we have, 17 percent are known to be at risk of extinction.⁶
- A least a third of North America's birds are declining including the once common meadowlark (71 percent decline) that lives in our meadows, wood thrush from our forests (60 percent decline), and even the chimney swift (53 percent decline) that frequents our urban communities. It is estimated we have lost more than a billion birds since 1970.⁷

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

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

The enactment of the federal Endangered Species Preservation Act of 1966 and later the Endangered Species Act of 1973 represented our nation's first major efforts to tackle the widespread decline of fish and wildlife species. While the ESA has been very successful at halting imminent loss of species - including directly preventing the extinction of more than 200 species⁸ - it also provides an unfortunate measure of the challenge ahead. Today, more than 1,600 species remain federally listed and in need of conservation attention. Further, approximately 30% of federally listed species do not even have recovery plans, largely due to lack of funding. Additional financial resources would also facilitate improved collaboration between federal agencies and states, tribes, private landowners and other stakeholders.

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

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

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

V. A Central Cause: Insufficient Funding

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

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

VI. The Strategic Opportunity: Investing in Conservation

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

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

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

1. Statutory/Programmatic Framework Ready for Funding

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

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

2. State Wildlife Grants: Demonstrating Success on the Ground

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

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

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

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

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

3. Setting Priorities: State Wildlife Action Plans

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

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

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

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

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

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

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

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

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

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

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

VI. Summary

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

There are several key needs for continued progress:

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

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

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

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

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

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

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

Thank you again for the opportunity to testify.

¹ Stein, B. A., N. Edelson, L. Anderson, J. Kanter, and J. Stemler. 2018. *Reversing America's Wildlife Crisis: Securing the Future of Our Fish and Wildlife*. Washington, DC: National Wildlife Federation.

-
- ² Jelks, H. L., S.J. Walsh, N.M. Burkhead, et al. 2008. Conservation status of imperiled North American freshwater and diadromous fishes. *Fisheries*. 33: 372-407
- ³ Grant, E. H. C., D. A. W. Miller, B. R. Schmidt, et al. 2016. Quantitative evidence for the effects of multiple drivers on continental-scale amphibian declines. *Scientific Reports* 6: 25625.
- ⁴ Williams, J. D., M. L. Warren, K. S. Cummings, J. L. Harris, and R. J. Neves. 1993. Conservation status of freshwater mussels of the United States and Canada. *Fisheries* 18: 6-22
- ⁵ Jepsen, S., D. F. Schweitzer, B. Young, et al. 2015. Conservation Status and Ecology of Monarchs in the United States. Arlington, VA and Portland, OR: NatureServe and Xerces Society for Invertebrate Conservation
- ⁶ Black, S. H. 2016. "North American butterflies: are once common species in trouble?" *News of The Lepidopterists' Society* 58(3): 124-126.
- ⁷ North American Bird Conservation Initiative. 2016. *The State of North America's Birds 2016*. Environment and Climate Change Canada: Ottawa, Ontario.
- ⁸ Evans, D. M., J. P. Che-Castaldo, D. Crouse et al. 2016. *Species recovery in the United States: increasing the effectiveness of the Endangered Species Act*. *Issues in Ecology* 20: 1-28.