

Testimony

of

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WILDLIFE BIOLOGIST, AUTHOR, AND TELEVISION HOST

before the

HOUSE COMMITTEE ON NATURAL RESOURCES

on

H.R. 424, H.R. 717, H.R. 1274, H.R. 2603, & H.R. 3131

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Good afternoon Chairman Bishop, Ranking Member Grijalva, and members of the House Natural Resources Committee. My name is Jeff Corwin and I am a wildlife biologist, explorer, television host, and lifelong naturalist. I have hosted numerous wildlife TV series, including the ABC TV series “Ocean Treks with Jeff Corwin.” I also authored the books “100 Heartbeats: The Race to Save Earth’s Most Endangered Species” and “Living on the Edge: Amazing Relationships in the Natural World.” Thank you for inviting me to appear before the committee today to deliver testimony on five bills related to federal wildlife conservation.

I’ve been fortunate over my career to have some amazing, intimate encounters with some of our world’s most threatened and endangered species. I swam with Steller sea lions off the coast of Alaska. I rescued a poisoned California condor and returned it to the wild. I stood in Big Cypress National Preserve just 20 yards from a Florida panther, tracking his movements on a radio transmitter, but still unable to see this elusive big cat.

In 2008, from the passenger seat of a low-flying helicopter, I swooped across a vast expanse of Arctic ice, searching for the mighty polar bear. Soon we spotted a family of gleaming white bears galloping at close to 20 miles an hour to escape what I’m sure momma bear thought to be a giant flying threat to her and her cubs. I stepped out onto the frozen tundra, into minus 20 degree winds, the membranes of my eyes stinging and my breath instantly forming icicles on my face mask. The adventurer in me loved every second of this, even the pain and discomfort.

We tagged the bear and used the data to learn more about how this magnificent creature was adapting to a swiftly shrinking ice sheet. The scientists I was traveling with had committed decades of their careers to their research, searching for ways to help these bears cope with an uncertain future. I’ve been fortunate to experience the magnificent wonders of nature, and I can say unequivocally that no other country in the world boasts the diversity of landscape and wildlife that we have here in America. We are truly blessed with an extraordinary natural heritage. And, I’ve seen firsthand the amazing work of the women and men who work for the nation’s wildlife conservation agencies. They should enjoy our full confidence that the science they rely on to do what’s best for wildlife is respected and supported by us all.

Bringing back endangered species from the brink of extinction and restoring their habitat is one of our nation’s greatest conservation success stories. Bald eagles now fly across the skies of nearly every state. Grizzly bears and gray wolves have returned to the western plains. Black-footed ferrets, once declared extinct, now thrive in the American prairie.

But I fear that if we are not strong and resolute in our commitment to protecting endangered species and their habitat, we will quickly lose all the momentum we’ve gained and leave a legacy of mass extinction. I have spent time with hundreds of species, but I also have experienced seeing what extinction is like firsthand. I’ve encountered creatures that are no longer on this planet; they are gone

forever. We cannot just rely on past accomplishments – not when we’ve come so far and still have so much further to go.

The Sixth Mass Extinction

These stories are not anomalies, but rather first-hand evidence of a disturbing phenomenon taking place on our planet. Scientists have concluded that we are well into the sixth mass extinction that planet Earth has experienced and that this one is largely caused by humans.¹ The most recent update to the International Union for Conservation of Nature’s (IUCN’s) Red List of threatened species found that the global extinction crisis is much greater than we previously thought.² Out of over 700 new species of birds that were added to the list in 2016, 11% of them are threatened with extinction. Giraffes are now threatened with extinction, with populations in southern and eastern Africa declining by as much as 40% in the past three decades. An article published recently in the Proceedings of the National Academy of Sciences described the problem of declining wildlife populations as a “biological annihilation.”³ The crisis cannot be overstated.

The loss of biological diversity is one of the most urgent global environmental problems we face today. Species all over the globe continue to face habitat loss, climate change, wildlife trafficking, pollution, and other existential threats. If we fail to take the necessary action to address human-caused threats to biodiversity, all species – including us – will face severe consequences in the coming decades and centuries. Sadly, we are on track to lose many beloved species forever. As the father of two daughters who love nature as much as I do, I am not ready to accept a future without vibrant, robust natural resources.

The Role of Government in Wildlife Conservation

The federal government plays an important role in conserving wildlife. In 2009, I testified before the House Appropriations Subcommittee on Interior, Environment and Related Agencies to advocate for substantial, dedicated funding to help safeguard America’s wildlife and natural resources from the impacts of global warming. Here we are eight years later. Despite some administrative progress in recent years, it pains me to say that the government has not done enough to protect and conserve our imperiled species during that time. Congress has failed to adequately fund the federal agencies charged with implementing important wildlife conservation programs, while simultaneously aiming to weaken our existing conservation laws. Wildlife conservation used to be a priority in this country and the rest of the world looked to the United States as a leader in this field. Now, wildlife conservation – especially conservation work to benefit our most vulnerable species – is discouraged at the highest levels of government. Instead of being a pioneering leader in battling the global extinction crisis, we’ve not only taken the back seat – we’ve hijacked the process and seem intent on burning it to the ground. The five

¹ Ceballos, G., Ehrlich, P., Barnosky, A., Garcia, A., Pringle, R., Palmer, T., *Accelerated modern human-induced species losses: Entering the sixth mass extinction*, June 19, 2015, <http://advances.sciencemag.org/content/1/5/e1400253>

² IUCN, *New bird species and giraffe under threat – IUCN Red List*, Dec. 8, 2016, <http://www.iucnredlist.org/news/new-bird-species-and-giraffe-under-threat-iucn-red-list>

³ Ceballos, G., Ehrlich, P., Dirzo, R., *Biological annihilation via the ongoing sixth mass extinction signaled by vertebrate population losses and declines*, May 23, 2017, <http://m.pnas.org/content/early/2017/07/05/1704949114.full.pdf>

bills before the committee today reflect a dismal and complacent view that I believe our political leaders have adopted toward wildlife conservation. It's as if they've forgotten how rare it used to be to see wild turkeys across the landscape or how special it was to spot a single bald eagle flying along the coastline. It's only because of our focused conservation efforts over the past several decades that dozens of species that were once on the brink of extinction are now flourishing.

The Endangered Species Act

The Endangered Species Act (ESA) is a great example of a celebrated American law that the rest of the world looks to as a model for conserving wildlife. The ESA is our nation's most effective law for protecting wildlife in danger of extinction. It has prevented more than 99 percent of listed species from going extinct, including the American bald eagle, the brown pelican, and the Florida manatee. We have a responsibility to be good stewards of our environment and protect our natural heritage for our children and grandchildren. The ESA transforms this principle into practice by protecting endangered species and their habitat so that future generations can experience animals in the wild, including seeing an orca swim off the coast of Washington state, spotting a bald eagle soaring in Maine, or hearing the cry of a wolf in Yellowstone National Park.

When my daughter Maya was 3 years old, I had the pleasure of taking her to participate in the historic release of 14 black-footed ferrets into their grassland habitat. This is an animal that nearly went extinct in the wild and was only brought back from the brink thanks to extraordinary efforts under the ESA. Saving the black-footed ferret from the fate of extinction was a herculean task that required science, hard work and funding. The black-footed ferret is the ultimate Lazarus – from 18 captive animals that I had the privilege of filming in a zoo many years ago, it is now a recovering population that has helped restore an important Great Plains ecosystem. We take success stories and habitat restorations like this for granted rather than seeing them for what they are – tangible examples of how our conservation efforts under the ESA and other laws have paid off.

I have also seen how human-caused threats can harm individual animals to the detriment of the species. In this case, the species in question was the critically endangered California condor – a magnificent bird with a wingspan of over nine and a half feet. I joined biologists from the U.S. Fish and Wildlife Service (FWS) near Big Sur to help rescue a California condor in extreme distress. We brought the condor into the Los Angeles zoo to conduct a lead test and found that it had high levels of lead in its system. While this was just one individual animal that was affected, that condor represented roughly 1/500th of the entire remaining population. The U.S. started the work to save this species from the brink of extinction. We owe it to future generations to continue that work for the condor and all species threatened with extinction. Wildlife conservation is an ongoing process. We cannot afford to be complacent and take for granted that our country's magnificent natural heritage will be here for our children without our continued, sustained commitment.

I'm concerned that instead of rising to meet the current challenges we face, the bills that are the subject of today's hearing would collectively turn the U.S. government's back on the hard work that is required to save species for future generations. These five bills and numerous other measures that have been

introduced this Congress demonstrate an unwillingness to do more to conserve imperiled species. Instead, the bills seek to do less. Each of these bills would harm threatened and endangered species and erode our most important tool to save them from extinction – the ESA.

Description of H.R. 424, H.R. 717, H.R. 1274, H.R. 2603 & H.R. 3131

H.R. 424 (“Gray Wolf State Management Act of 2017”) would block federal Endangered Species Act protections for gray wolves in the Great Lakes states and Wyoming. Specifically, this bill – which would be more aptly named the “War on Wolves Act” – would overturn a federal district court decision and remove existing Endangered Species Act protections for gray wolves in Michigan, Minnesota, and Wisconsin. It would also codify a recent D.C. Circuit Court of Appeals decision that stripped Endangered Species Act protections for wolves in Wyoming. Further, the bill would prohibit future judicial review of both legislative wolf delistings. In doing so, this legislation would not only undermine the ESA’s science-based decision making process, but also set a dangerous precedent for the rule of law and citizens’ access to the courts more broadly. This bill continues a damaging precedent of allowing politicians to interfere with science-based listing decisions and encourages other insidious legislative attacks on the ESA.

H.R. 717 (“Listing Reform Act”) puts a price on species conservation by enabling the FWS to determine that a species that would normally be listed as threatened would not receive protections if there are negative economic impacts associated with the listing. It would also completely gut the citizen petition process for listing species by removing all the deadlines that have historically allowed citizens to have their petitions ruled on in a timely fashion. The ESA was written to ensure that listing decisions are based on the best available science—not politics. Yet this bill would wrongly prioritize politics over science in determining whether or not our nation’s most endangered wildlife deserves protection.

H.R. 1274 (“State, Tribal, and Local Species Transparency and Recovery Act”) would subvert the ESA’s science-based listing process by allowing any information provided by states, tribes, or counties to constitute “best available science.” By automatically assuming such a broad swath of information to be defined as such without any scientific input or review, the bill would contradict the meaning of “best available science.” Moreover, H.R. 1274 would direct the federal government to utilize state and local data in its listing decisions, regardless of whether the data is based in science. H.R. 1274 is not only contradictory, but duplicative: under the ESA, the federal government already works extensively with the states, considers state and local data when making listing decisions, and notifies affected states of proposed listing determinations.

H.R. 2603 (“Saving America’s Endangered Species Act”) would strip ESA protections for non-native species within the United States. It would eliminate federal protections for individual animals of listed foreign species in the United States, including chimpanzees, tigers, elephants, addax, several species of antelope, several species of parrots, pangolins and giant pandas. The legislation would obstruct the FWS’s ability to regulate illegal wildlife trafficking or issue permits for exhibitors of foreign endangered and threatened species. Despite this bill’s misleading name, eliminating permitting requirements for foreign species under the ESA will not benefit American species – it would only harm some of the

most severely endangered species in the world and contribute to the decline of foreign species on the brink of extinction.

H.R. 3131 (“Endangered Species Litigation Reasonableness Act”) would undercut citizen engagement and enforcement of the ESA by impeding citizens’ ability to obtain counsel and challenge illegal government actions. Under H.R. 3131, citizens who successfully challenge illegal government actions under the ESA would be subject to fee recovery restrictions that could make it difficult for them to obtain counsel. In doing so, H.R. 3131 would make it more difficult for citizens from across the political spectrum to engage in the implementation of this fundamentally democratic law and to hold federal agencies accountable for complying with it.

Conclusion

We cannot afford to lose focus on the importance of protecting wildlife and habitat for ours and future generations. We have not inherited our natural world from our parents; we are simply borrowing it from our children. We have a moral responsibility to be good stewards of our environment and ensure our children have something worthwhile when we are gone. The future of our planet rests squarely in our hands and the United States is in a particularly good position to take action before it’s too late. Thanks to our visionary conservation laws like the Endangered Species Act, our native wildlife and their habitat have fared better than those in most countries. We must remain committed to the conservation values we hold dear and focus on positive initiatives to keep our natural heritage intact for future generations. We can and should lead the world in addressing the global extinction crisis. Now is the chance for us to step up and not lose the momentum of the last 50 years to protect nature’s most endangered species from extinction.

Although I recognize that I appear before you today as an expert with a career is based in nature, I am here because, like many of you, I am a father. My job as a parent to my two amazing daughters is to ensure they have a healthy future. I must feed them well, teach them kindness and hope, encourage them to take risks, and show them how to be kind to their fellow human beings. The preservation of our landscape and the wildlife that inhabit it is a huge part of that. How we protect our planet sets an example for our children. I want them to have a future where wild animals roam free, special places remain undisturbed and our natural heritage continues to be our greatest asset.

We must ensure that the laws designed to protect endangered and threatened species – along with the resources needed to enforce them – remain intact.

As a father, my job is to ensure my kids have a healthy future.

Thank you for considering my testimony. I would be happy to answer any questions.