

**Testimony by Christy Plumer, Chief Conservation Officer
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WOW 101: The State of Wildlife
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Thank you Chairman Huffman, Ranking Member McClintock, and members of the subcommittee for this opportunity to testify today on the state of America's wildlife. My name is Christy Plumer and I am the Chief Conservation Officer for the Theodore Roosevelt Conservation Partnership. Founded in 2002, TRCP's mission is to ensure all Americans have quality places to hunt and fish. We work with our 58 partner organizations to amplify the voice of sportsmen and women and ensure the places Americans love to hunt and fish are conserved and the species upon which we depend as hunters and anglers are managed at sustainable levels.

North American Model of Conservation

Hunters and anglers have long been the driving force behind wildlife conservation in America. Beginning in the 1860s, hunters began to organize and advocate for the creation of wildlife refuges, after witnessing the effects of market hunting and the wanton destruction of habitat. Some species, like the passenger pigeon, were taken to the point of no return; others such as bison, white-tailed deer and wild turkeys, were pushed to the edge of extinction.

President Theodore Roosevelt is generally remembered as the father of conservation in our country. He credited wild places and wildlife for his development as a man, and he feared that the rugged individualism the wilderness taught him would be lost if he didn't succeed in making conservation the nation's highest priority. During his tenure as president, Roosevelt protected more than 240 million acres for national parks, forests, monuments, and wildlife refuges. He and his colleagues were instrumental in ending market hunting and ushering forward our nation's conservation ethos.

Subsequent generations expanded Roosevelt's legacy by creating funding mechanisms, primarily through excise taxes and license fees, to pay for the professional management and acquisition of millions of acres for the public to enjoy. During the early 1900's, important laws were passed, including the Migratory Bird Treaty Act of 1918, the Migratory Bird Hunting and Conservation Stamp Act of 1934, the Federal Aid in Wildlife Restoration Act of 1937, and the Federal Aid in Sport Fish Restoration Act of 1950.

These statutes and the legal and funding framework that has since developed through these collective actions is now known as the North American Model of Wildlife Conservation. Seven features make the North American model distinct:

1) Wildlife is a public resource and held in public trust.

In the United States, wildlife is considered a public resource, independent of the land or water where wildlife may live. Government at various levels have a role in managing that resource on behalf of all citizens and to ensure the long-term sustainability of wildlife populations. Markets for game have been eliminated. Government actions making it

illegal to buy and sell meat and parts of game and nongame species have removed a huge threat to the survival of those species. A market in furbearers continues as a highly regulated activity.

2) Allocation of wildlife by law.

Wildlife is a public resource managed by government. As a result, access to wildlife for hunting is through legal mechanisms such as set hunting seasons, bag limits, license requirements, etc..

3) Wildlife can only be killed for a legitimate purpose.

Wildlife is a shared resource that must not be wasted. The law prohibits killing wildlife for frivolous reasons.

4) Wildlife species are considered an international resource.

5) Some species, such as migratory birds, cross national boundaries.

Treaties such as the Migratory Bird Treaty and CITES recognize a shared responsibility to manage these species across national boundaries.

6) Science is the proper tool for discharge of wildlife policy.

In order to manage wildlife as a shared resource fairly, objectively, and knowledgeably, decisions must be based on sound science such as annual waterfowl population surveys and the work of professional wildlife biologists.

7) The democracy of hunting.

In keeping with democratic principles, government allocates access to wildlife without regard for wealth, prestige, or land ownership.

Today, we all have a duty to understand this uniquely American privilege and to preserve it for future generations. Too often we take for granted what Roosevelt and generations of conservation-minded leaders have left us: a public-lands network that is unparalleled in all the world. The best-managed fish and wildlife populations of any nation. And the ability for all Americans to hunt and fish, regardless of class or economic status. It is a system that benefits everyone, from the sportsman and woman to the hiker and those who simply want to drink clean water or experience wide open spaces.

But Roosevelt's legacy is under attack. For more than three decades, budgets for agencies that manage our public lands have been squeezed and shrunk. In the 1970s, conservation spending made up more than 2% of the federal budget; today it is only about 1%. Recreation facilities across the country are being closed or lie in disrepair. The expansion of human development across the landscape, including our cities and towns but also our highway infrastructure and energy development are leading to significant challenges in fish and wildlife management. And then there is climate change. Sportsmen and women are at the frontlines of changes in fish and wildlife populations and our natural systems due to climate change, with shifting migratory patterns and mating seasons. We recognize something needs to be done and want to be part of the solution.

Funding

We need to ramp up funding for fish and wildlife conservation and re-envision the funding sources utilized by federal and state agencies for fish and wildlife and natural resource management.

Pittman-Robertson Act:

In the early 1900s, sportsmen's organizations and state wildlife agencies—concerned with unprecedented declines of wildlife populations in the United States—urged Congress to pass the Federal Aid in Wildlife Restoration Act. The Act, passed in 1937, designates an excise tax on firearms, ammunition, and archery equipment to be used by states to fund wildlife restoration. Today, the Act is often referred to as the Pittman-Robertson Act after its two key champions: Senator Key Pittman of Nevada and Congressman Willis Robertson of Virginia. The Pittman-Robertson Act generates funds through an 11 percent excise tax on long guns, ammunition, and archery equipment and a 10 percent excise tax on handguns. The revenue from this tax goes into the Wildlife Restoration Account administered by the U. S. Fish and Wildlife Service (USFWS). Funds are then apportioned annually to state wildlife agencies for wildlife restoration programs and hunter education. To date, the USFWS has distributed more than \$20.2 billion in apportionments for state conservation and recreation projects.

Dingell-Johnson Act:

The Federal Aid in Sport Fish Restoration Program arose out of concerns by anglers, boaters, industry and government resource conservation agencies, that permanent, predictable funds were necessary to power state programs for fisheries conservation, boating access and recreational boating safety. What started as an excise tax on rods, reels, creels, and fishing lures used to help fund U.S. efforts during World War II was redirected in 1950 thanks to the efforts of outdoor enthusiasts Congressman John Dingell of Michigan and Senator Edwin Johnson of Colorado with support from the sportsmen's community to create the Federal Aid in Sport Fish Restoration Program. Later amendments to this Act, which greatly expanded its funding base, came in 1984 from Senator Malcolm Wallop and (then Congressman) Senator John Breaux. While the original act has been amended several times it is still commonly referred to as the Dingell-Johnson Act. Similar to Pittman-Robertson, the power behind the Dingell-Johnson Act comes from anglers and boaters. Excise taxes placed on fishing tackle such as rods and reels, line, hooks and sinkers, all types of artificial lures, electric motors, import duties on boats, sailboats and yachts, and a motorboat fuel tax on gasoline are collected and placed in a trust fund. To date, the USFWS has distributed more than \$19 billion in apportionments for state conservation and recreation projects through the Dingell-Johnson Act.

Decline in Hunters and the Need for PR Modernization

We lost 2.2 million hunters between 2011 and 2016 alone, according to the National Survey of Hunting, Fishing, and Wildlife-Associated Recreation, a report issued by the USFWS. In 2016, just 11.5 million people hunted. That's less than 4 percent of the national population and half of what it was 50 years ago. This decline is expected to accelerate over the next decade. While sport shooting and bowhunting have seen increases, and women entering the sport have also increased, the current trajectory for hunting in America is expected to remain in decline. Meanwhile other wildlife-centered activities, like birdwatching, hiking and photography, are rapidly growing, as American society and attitudes toward wildlife change.

The country's wildlife conservation system is heavily dependent on sportsmen and women for funding. Money generated from license fees and excise taxes on guns, ammunition and angling equipment provide about 60 percent of the funding for state wildlife agencies, which manage most of the wildlife in the United States. This is an average with some states even more dependent upon these revenues to sustain fish and wildlife resources. If these funding sources are in decline, our already fiscally strapped state fish and wildlife agencies will continue to have fewer resources to manage fish and wildlife and the increasing number of at-risk species.

In the fishing sector, we have better news to share. Based on research conducted by the Recreational Boating and Fishing Foundation (RBFF), 49 million anglers took to the water in 2017 and 45% of new fishing participants were female. That number continues to grow. Women are also more likely than men to bring children into the sport. Hispanics are also entering fishing and boating in record numbers. More than 4 million Hispanics went fishing last year.

Through leadership by RBFF, the Council to Advance Hunting and Shooting Sports, and state fish and wildlife agencies and their partners, campaigns are underway to recruit new hunters and anglers, reactivate those that used to be in the sports and retain existing hunters and anglers. Known as R3 (Recruit, Reactivate, Retain), this is an unprecedented effort to reverse current trends. RBFF's recently announced 60 in 60 effort strives to attract 60 million anglers to the sport by the end of 2021. To help recruit, retain and reactivate participants, RBFF developed the award-winning Take Me Fishing™ and Vamos A Pescar™ campaigns creating awareness about boating, fishing and conservation, and educating people about the benefits of participation. These campaigns help boaters and anglers of all ages and experience levels learn, plan and equip for a day on the water.

The Council to Advance Hunting and Shooting Sports is also working to advance an R3 campaign on the hunting side. But there is an important distinction between the resources available for state fish and wildlife agencies to advance the angling R3 campaign versus the hunting R3 campaign. This is an important place where Congress can help. The TRCP strongly supports H.R 877, the Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act, introduced by Representatives Austin Scott and Marc Veasey. This legislation, without increasing taxes or existing user fees – clarifies that the Pittman-Robertson fund can be used by state fish and wildlife agencies for outreach, communication, and education of hunters and recreational target shooters, including focused efforts on the recruitment, retention, and reactivation of hunters and recreational shooters through R3 initiatives.

Other Important Fish & Wildlife Programs – NAWCA, NFHCTPA, RAWA

North American Wetlands Conservation Act (NAWCA):

NAWCA is the only federal program dedicated to the conservation of wetlands. Enacted in 1989 to advance the goals of the North American Waterfowl Management Plan, NAWCA has helped conserve more than 33.4 million acres of critical wetlands habitat. NAWCA is a unique, voluntary-based competitive matching grant program that leverages non-federal and federal funds to protect, restore and manage wetlands and associated habitats for migratory birds and

other wildlife. NAWCA grants totaling more than \$1.48 billion have leveraged over \$4.34 billion for NAWCA projects, through matching and nonmatching funds, across all 50 states by engaging more than 5,600 partners. The TRCP supports legislation to reauthorize NAWCA in the 116th Congress.

National Fish Habitat Conservation Through Partnerships Act (NFHCTPA):

The National Fish Habitat Action Plan is an unprecedented attempt to address an unseen crisis for fish nationwide: loss and degradation of aquatic habitat. The plan was born in 2001 when an ad hoc group supported by the Sport Fishing and Boating Partnership Council explored the notion of developing a partnership effort for fish on the scale of what was done for waterfowl in the 1980s through the North American Waterfowl Management Plan. Supported by two highly successful conservation endeavors – the state- and locally-led collaborative Joint Venture (JVs) model for implementing voluntary conservation actions on the ground to conserve birds and their habitats and NAWCA, the waterfowl plan has worked wonders during the past two decades to boost waterfowl populations by forming strong local and regional partnerships to protect key habitats. It is now time for a similar structure to advance fish habitat conservation in the U.S. The TRCP and our partners have teamed up in support of the NFHCTPA to advance the National Fish Habitat Action Plan. NFHCTPA will codify and support a purely voluntary, non-regulatory, from “the-ground-up” fish habitat conservation program. This program has been and will continue to be driven by local and regionally-based Fish Habitat Partnerships. The partnerships are comprised of representatives of federal, state and local agencies, conservation and sportsmen's organizations, private landowners and the business sector. These partnerships have already led to over 700 successful conservation projects in 50 states benefitting fish habitat and anglers throughout the country. We encourage Congress to move the NFHCTPA forward this Congress.

Recovering America’s Wildlife Act (RAWA):

Across the country, 12,000 kinds of animals have been identified as Species of Greatest Conservation Need (SGCN), meaning they are at risk of becoming endangered due to habitat loss, disease, or other threats. Species of import to hunters and anglers are among this list with pronghorn, American shad and striped bass to name a few. In the past, fish and wildlife agencies have proven themselves adept at bringing back species such as white-tailed deer, turkey, and elk from the brink. A new initiative – RAWA – is focusing on SCGNs, to keep them from becoming endangered and save the cost of recovery.

Currently, states are funded at less than 5% of what is needed to implement their Wildlife Action Plans. These plans are designed to conserve SGCNs and their habitats, preventing the need for them to be listed under the Endangered Species Act. To be effective, our states require sufficient, dedicated funding for at-risk wildlife conservation. The TRCP supports RAWA to provide vital funding to the states to implement their state wildlife action plans and ensure species stay off the Endangered Species List.

Migration Corridors – Planning, Science & Conservation

Big game animals can live in remote and harsh areas, but only if they can move freely across the landscape at key times of the year to access nutritious food. Emerging science and new technologies have pinpointed actual, well-defined corridors traveled by animals during these migrations and measured how much time they spend in certain places along the way. We now know that, like migrating waterfowl and songbirds, big game animals utilize what are called stopover habitats, where animals spend more time – sometimes several days or even weeks – during their spring and fall movements. These vital areas offer food as well as security both from the elements and from predators, of the two- and four- legged varieties alike.

Recent studies also tell us that human development in the wrong places can disrupt the normal day-to-day patterns of migrating ungulates. In Wyoming, migrating mule deer move faster through developed areas, reduce time spent in stopovers, and avoid traditional stopovers altogether where development is most intensive. Researchers in Wyoming also recently discovered that mule deer continue to avoid areas within a half-mile of well pads used in oil and natural gas drilling for more than 15 years after the development of these sites, meaning that herds don't habituate to these disturbances. And, contrary to what some may think, big game animals don't simply find somewhere else to go. They exhibit strong fidelity to their traditional routes, meaning they aren't likely to abandon their known paths and preferred habitats even when they become unusable.

These behavioral changes could mean that a migrating animal eats less food and burns more energy negotiating human structures like oil pads and roads. Furthermore, researchers in Wyoming recently found that on mule deer winter ranges every 1 percent of available forage directly lost from the physical footprint of infrastructure also resulted in an additional 4.6 percent loss of forage from herd's avoidance of well pads. Such a situation can translate into poorer animal condition, higher winter mortality, lower reproduction, and overall fewer deer for hunters to pursue. In fact, studies in Wyoming demonstrate that one particular mule deer herd declined by 36 percent during a period of development in its habitat.

The effects of development on migrating animals do vary by location. Researchers studying deer in north-west Colorado found that steep and varied topography and pinyon-juniper forest vegetation can lessen the impacts on mule deer compared to the open sagebrush ranges in Wyoming. But there is, of course, a tipping point for development in any habitat, and keeping corridors and critical winter range mostly free of infrastructure and human activity would be prudent across the West.

The TRCP supports Secretarial Order 3362, issued by former Secretary of the Interior Zinke, to will improve habitat quality and western big game winter range and migration corridors for antelope, elk, and mule deer. The order fosters improved collaboration with states and private landowners and facilitates all parties using the best available science to inform development of guidelines that helps ensure that robust big game populations continue to exist. The order seeks to improve wildlife management and conservation and expand opportunities for big game hunting by improving priority habitats within important migration corridors across the West.

Priority states currently include Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

With implementation of S.O. 3362 underway, the Department asked the 11 Western states covered by the policy to submit their top three to five priority project sites for mule deer, elk, or pronghorns to be worked into collaborative action plans. Significantly, highway crossings ranked among the top priorities for every state. Some even called out multiple roadways—all five of Idaho’s priority projects involved highways and issues with animal movement and collisions. To begin to identify paths forward for greater coordination between state fish and wildlife agencies and state departments of transportation on migration crossing conflicts, DOI asked TRCP to organize a gathering of experts and decision-makers to discuss how we can get more wildlife crossings where they are most needed.

More than 80 participants from 11 state wildlife agencies, 12 state departments of transportation, three federal agencies, and several NGOs and foundations gathered in Salt Lake City in late January. We discussed the differences in how wildlife agencies and DOTs operate and lessons learned from past efforts, assessed what policies currently exist, and identified partnership, funding and policy needs to address the issue.

We understand S.O. 3362 may soon expand the range of species to include moose and wild sheep as well as summer range for big game species in these states. We are supportive of this expansion and will continue to work with the Department of the Interior to ensure migration corridors in the West are identified and conserved.

Mitigation Authority

The TRCP has serious concerns with DOI’s recent actions to rescind several mitigation orders and guidance documents promulgated by the previous administration. We strongly believe compensatory mitigation is a necessary tool and should be utilized by federal natural resource management agencies to address impacts of development projects on federal lands after utilization of the mitigation hierarchy and avoidance and minimization fail to address a proposed project’s impacts. We will be working with our Congressional champions to identify environmental statutes that need to be amended to ensure mitigation authority is a statutory tool for regulatory agencies to utilize, but not abuse, to ensure the health of our public lands and resources remains intact and the impacts of development projects are mitigated for in scientifically-defensible, transparent and expeditious ways.

Transportation Reauthorization

We believe the upcoming Highway Bill reauthorization provides a unique opportunity to advance solutions for fish and wildlife conservation. The TRCP will be working with our partners to advance the following priorities: new funding for migration crossings and aquatic connectivity; the inclusion and strengthening of existing language on resilience and natural and nature-based features; increased funding for federal road programs including bringing the prioritization and funding levels for the Natural Wildlife Refuge System, BLM public lands and U.S. Forest System up to levels on par with the National Park System; a refocus and

strengthening where necessary on permit streamlining as outlined in the FAST Act; and needed amendments as identified by the Association of Fish and Wildlife Agencies, American Sportfishing Association, National Marine Manufacturing Association and other relevant partners to the Dingell-Johnson and Wallop-Breaux accounts.

Chronic Wasting Disease

Chronic Wasting Disease is a 100% fatal disease impacting all species of North American deer, including whitetails, mule deer, elk, and moose. Twenty-six states have now identified CWD-positive deer in their free ranging herds, with prevalence rates near 50% in some regions. While there is no evidence that Chronic Wasting Disease can spread to humans from meat consumption, data now exists that deer hunting participation falls in areas that have been determined to be CWD-positive. Eighty percent of hunters consider themselves big game hunters, and the overwhelming majority of those are deer hunters. If the federal government does not begin to prioritize working with state wildlife agencies to minimize the spread of CWD in deer, this disease becomes yet another threat to the future of hunting and conservation funding.

Conclusion

In summary, the TRCP believes Congressional opportunities exist to support the nation's fish and wildlife and advance conservation. Upcoming consideration of the Highway Bill and language and funding to both balance the impacts of infrastructure on fish and wildlife while also considering resilience and natural and nature-based features; approval of federal legislation such as the Pittman-Robertson Modernization Act, NAWCA reauthorization, and approval of NFHCTPA; reforms to provide statutory authority for mitigation; and new funding sources for fish and wildlife conservation such as through RAWA should all be priorities.

Thank you again for this opportunity to provide testimony to the Subcommittee on Water, Oceans and Wildlife on the important subject of the state of our nation's fish and wildlife resources.