



**Testimony of Michael Daulton
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**Before the Committee on Natural Resources
Subcommittee on Insular Affairs, Oceans and Wildlife**

In Support of H.R. 2213, Reauthorizing the Neotropical Migratory Bird Conservation Act

September 22, 2009

Chairwoman Bordallo and Members of the Subcommittee:

I am Mike Daulton, Legislative Director for the National Audubon Society. Thank you for the opportunity to testify in support of H.R. 2213, a bill to reauthorize the successful Neotropical Migratory Bird Conservation Act.

National Audubon Society's 25 state offices and more than 500 local chapters throughout the United States serve more than one million members and supporters. Audubon's mission is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity. Our national network of community-based nature centers and chapters, scientific and educational programs, and advocacy on behalf of areas sustaining important bird populations, engage millions of people of all ages and backgrounds in positive conservation experiences. Audubon also is the North American partner of Birdlife International, a global alliance of conservation organizations working together for the world's birds and people.

The National Audubon Society is pleased to commend Congressman Ron Kind (D-WI) for his longstanding leadership as a strong voice for conservation of America's migratory birds. Audubon strongly supports the bipartisan H.R. 2213, sponsored by Congressman Kind and cosponsored by Congressman Jim Gerlach (R-PA), which recognizes an outstanding opportunity to expand the highly successful and cost effective Neotropical Migratory Bird Conservation Act and represents a significant step forward for bird conservation in the Western Hemisphere.

The Neotropical Migratory Bird Conservation Act (NMBCA) has done a great service for the conservation of Neotropical migratory birds since it was enacted in 2000, awarding 296 grants for conservation projects benefiting America's migratory birds. These grants have been distributed across more than 40 U.S. states and territories, and more than 30 countries in Latin America and the Caribbean. They include efforts to protect and manage bird populations and habitats, to increase research and monitoring, to improve law enforcement, and to promote community outreach and education programs. Projects involving land conservation have affected more than three million acres of vital bird habitat.

Unfortunately, despite these numerous conservation efforts, many Neotropical migratory bird species are experiencing severe population declines. For example, the Red Knot, a small Neotropical migratory shorebird that visits Delaware Bay during its migration, has experienced a decline of more than 80% in the past 25 years, from a population of 85,000 birds to a population of only 15,000 today. Similarly, the Wood Thrush, a forest-dwelling Neotropical species that breeds in eastern North America and winters in the lowlands of Central America, has experienced a 50% decline in the past 40 years. Other Neotropical species experiencing significant population declines include the Black Swift, Cerulean Warbler, Grasshopper Sparrow, Olive-sided Flycatcher, Golden-winged Warbler, Mountain Plover, and Bobolink.

The high level of conservation concern for Neotropical migrants also is demonstrated by the 2008 national list of Birds of Conservation Concern of the United States. Of the 145 species on the 2008 national list, 65 are Neotropical migrants, including the Red Knot and the Wood Thrush, and dozens of other birds such as Swainson's Hawk, Short-eared Owl, and Peregrine Falcon.

Many of the Neotropical species experiencing significant population declines are common birds that are found in backyards and at the bird feeders of millions of Americans. The Rufous Hummingbird, a common western species that might be spotted on the feeder by any American's backyard window, has lost 61% of its population in the past 40 years. The Chimney Swift, whose high-pitched twittering is a familiar sound during summertime in cities across the eastern United States, has lost 53% of its population over the same time period. The loss of birds once common in our backyards serves as a troubling wake-up call for all of us. The findings signal serious problems with habitats in the United States and outside our borders, as well as national environmental trends.

To reverse these trends, Audubon urges the committee to approve H.R. 2213, H.R. 3433, and H.R. 3537. This Committee and the Congress are to be commended for authorizing successful conservation programs, such as the Neotropical Migratory Bird Conservation Act, the North American Wetlands Conservation Act (NAWCA), and the Junior Duck Stamp Conservation Design and Program Act, which have made substantial contributions to bird conservation. I am very pleased to be here today to support H.R. 2213, H.R. 3433, and H.R. 3537, which would build on this success by reauthorizing and improving these outstanding conservation programs.

The Conservation Challenge: Neotropical Migratory Birds in Decline

The Neotropical Migratory Bird Conservation Act is critical to bird conservation in the United States. There are 340 species of Neotropical migratory birds, which represents more than half of all the breeding birds in the country. These birds are in dire need of conservation effort. Neotropical migrants are facing an increasingly complex range of threats, from development pressures, invasive species, avian diseases, and a changing climate. The best science on bird population trends, from the Breeding Bird Survey and Partners in Flight, indicates that as many as 127 species of Neotropical migratory birds are in decline. Every major list of species of conservation concern, from the lists of Species of Greatest Conservation Need in State Wildlife Action Plans to the national list of Birds of Conservation Concern, show that Neotropical migrants are a conservation priority, not just for the Fish and Wildlife Service, but for nearly

every state fish and wildlife agency, and a wide range of non-governmental conservation organizations.

Best Available Science on Bird Population Trends Indicates Significant Declines of Neotropical Migrants

- **Breeding Bird Survey:** An analysis by National Audubon Society in 2007 of data from the Breeding Bird Survey showed that 127 of the 340 Neotropical migratory bird species are known to be in decline. Of these, 60 species are in severe decline, defined as a population decrease of 45% or more in the past 40 years.
- **Partners in Flight:** A recent analysis of Partners in Flight data suggests 118 Neotropical bird species are in decline, representing nearly half of the Neotropical species for which adequate data has been collected.

Major Lists of Species of Conservation Concern Highlight Significant Threats to Neotropical Migrants

- **State Wildlife Action Plans:** Audubon reviewed all of the lists of Species of Greatest Conservation Need in the State Wildlife Action Plans. In the 40 states we reviewed with well defined and accessible lists, 463 bird species are listed in State Wildlife Action Plans as Species of Greatest Conservation Need. Of these, 276, or 60%, are Neotropical migrants. In fact, Neotropical migratory bird species are listed more than 2,000 times as Species of Greatest Conservation Need in the 40 State Wildlife Action Plans we reviewed.
- **WatchList:** Of the 178 continental bird species on WatchList 2007, a list of birds of highest conservation concern compiled by Audubon and American Bird Conservancy, over one-third, 71 species, are Neotropical migrants.
- **Birds of Conservation Concern:** Of the 145 species listed on the 2008 national list of Birds of Conservation Concern of the United States, 116 breed in the continental U.S., and 65 are Neotropical migrants.

The Neotropical Migratory Bird Conservation Act has a Proven Track Record of Success

Grants provided through the Neotropical Migratory Bird Conservation Act have funded critically important conservation projects that have helped to protect Neotropical migrants of conservation concern. NMBCA conservation projects have successfully:

- Removed invasive species populations from wetlands and coastal habitats in the Bahamas;
- Secured voluntary conservation easements establishing six new nature reserves within a 597,000 acre biological corridor in Costa Rica;
- Restored bird habitat in degraded forested areas of a national park in Jamaica; and

- Worked with local community groups to restore riparian habitat and conduct ecotourism planning in Mexico

These are just four examples of the 296 projects funded through the NMBCA. All told, the program has protected more than 3 million acres of vital bird habitat.

In addition to the NMBCA's proven track record of protecting bird habitat, the program has filled gaps in understanding of the population status and conservation needs of Neotropical migrants through support of research, monitoring, and conservation planning. For example, funding through the NMBCA has allowed conservationists to identify 20 Important Bird Areas in the Southern Cone Grasslands in Argentina, Brazil, Paraguay and Uruguay. These grasslands provide critically important habitat for Swainson's Hawk, American Golden-Plover, Buff-breasted Sandpiper, Upland Sandpiper, and Bobolink, as well as the Peregrine Falcon and Red Knot. For example, the region of San Javier in Argentina includes a mosaic of wetlands, grasslands and woodlands along the Parana River that attracts the most important concentration of Bobolinks in the Southern Cone, where at least one million individuals have been estimated recently. Laguna de Rocha, a brackish lagoon in Uruguay, is one of the most important sites for Buff-breasted Sandpiper at a global scale. The grasslands in the interior of the Pampas region in Argentina are critical for overwintering Swainson's Hawks.

Such projects that identify high-value conservation opportunities have laid the groundwork for significant conservation work in the future. New investments, including NMBCA grants, are now being considered in these critical IBAs that will bring about impressive conservation results.

The NMBCA also has taken a cost-effective approach that contributes to its success. By focusing on protecting birds of conservation concern, the program allows species to be conserved before they are so critically imperiled that they are on life support and require high-cost protection and recovery efforts under the Endangered Species Act. The focus on conservation in Latin America and the Caribbean also captures efficiencies. The birds are concentrated in a smaller land area than they are in the United States. Most of our Neotropical migrants funnel into just a handful of countries: Mexico, Cuba, Belize, the Dominican Republic, Haiti, and the Bahamas. Federal dollars also can be stretched further where land values reduce the price of conservation.

Most importantly, this track record of success is made possible by a focus on building partnerships and leveraging partner contributions that dramatically multiply the program's conservation impact. From the program's first year of funding in FY 2002 through FY 2009, \$30.4 million was available through Congressional appropriations for grants under the NMBCA. This modest investment resulted in more than \$134 million in matching funds and in-kind contributions. Overall, the program matched partner contributions to federal funds at a rate of 4:1. For every \$1 invested, \$5 was spent on conservation. This impressive leveraging of partner contributions is a major reason for the program's success, a good value for the taxpayer, and good news for migratory birds.

The NMBCA Recognizes the Need for Protection of Key Habitats Used Throughout Migration

By their very nature, migratory birds are a symbol of the need for international efforts in nature conservation. To safeguard the future for Neotropical migratory birds, protections must be in place at every stop along their migratory routes.

Hundreds of millions of dollars are spent each year managing the National Wildlife Refuge System, restoring ecosystems like the Everglades, the Upper Mississippi River, and the Chesapeake Bay, and funding cooperative bird conservation efforts through initiatives like the North American Bird Conservation Initiative and the U.S. Fish and Wildlife Service's Joint Ventures. However, once these birds leave the United States, to go to Latin America or the Caribbean to spend their winters, they can be exposed to a range of other threats that hold the potential to significantly undermine conservation efforts in the United States.

A recent front-page story in the Washington Post (*Day of the Gaucho Waning in Argentina*, September 10, 2009) noted that the traditional Argentine Cowboy, the iconic gaucho, could soon be extinct in Argentina. Ranchland there is rapidly being converted to fields of soybeans, corn, and wheat as commodity prices rise. Because the vast grasslands of Argentina increasingly are being used for agriculture, cows are increasingly being raised in commercial feedlots. These same pressures are threatening Argentina's grassland birds. Conservation efforts to protect the Swainson's Hawk in the United States, for example, may be undermined without attention to conservation of key strongholds for the species in Argentina.

The NMBCA recognizes that the future survival of many of the 340 species of U.S. breeding Neotropical migrants depends on a range-wide, hemispheric approach to species conservation that protects key habitats used by these birds outside of the United States.

The NMBCA Protects Birds that Attract Spending by Birders and Help Our Economy

Neotropical migratory birds are among the most attractive and interesting birds to America's 48 million bird watchers, and drive many of the economic benefits that bird watchers provide to local communities.

Each year, thousands of birders flock to see Neotropical migratory bird species all across the United States during their migration seasons. During the spring migration in April and May, bird watchers visit the Gulf Coast, including the coast of Texas, Louisiana, Mississippi, Alabama, and Florida, to try to catch a glimpse of the migratory songbirds that stop by there, like the Scarlet Tanager and the Baltimore Oriole.

During the fall migration in September, birders visit the Atlantic and Pacific coasts to try to spot Neotropical migratory songbirds and shorebirds. Away from the coasts, bird watchers visit sites like Hawk Mountain in Pennsylvania, Hawk Ridge in Minnesota, and Corpus Christi in Texas to see migrating raptors like the Broad-winged and Swainson's Hawks.

These birders, out to spot Neotropical migrants, provide a significant boost for local economies during the migration periods. In fact, according to the U.S. Fish and Wildlife Service, in 2006,

48 million birders and other wildlife-watchers spent \$46 billion pursuing their interest in bird and wildlife watching. More than 53 million people fed wild birds around their homes, and 20 million people took trips specifically for bird watching. Birders spend money on equipment, birding trips and vacations, bird food, park fees, hotels, airfare, and more. Total wildlife-related expenditures on bird watching, hunting, and fishing amounted to \$122 billion, or about one percent of the Gross Domestic Product.

H.R. 2213 Will Expand the Highly Successful and Cost Effective NMBCA

Audubon is pleased to offer strong support for the bipartisan H.R. 2213, which recognizes a tremendous opportunity to expand a highly successful conservation program and transform it into one of the most significant forces in bird conservation in the Western Hemisphere. While the program has been enormously successful, a significant increase in authorized funding would provide the opportunity to “move the needle” and reverse the population declines of Neotropical migrants.

When the Congress has made significant investments in bird habitat conservation, those investments have worked. The federal “Duck Stamp” program and the North American Waterfowl Conservation Act have protected nearly 30 million acres of wetland habitat. Enacted in 1989, NAWCA has raised \$3 billion for wetlands conservation. The 2009 State of the Birds Report indicates that these investments have contributed to thriving populations of herons, egrets, hunted waterfowl, and other birds.

The National Audubon Society strongly supports language in H.R. 2213 that would follow the successful example of NAWCA and the Duck Stamp program and raise the authorized level of funding for conservation projects under the NMBCA from its current cap of \$6.5 million annually to \$20 million by 2015. With the program’s 3:1 matching requirement, a \$20 million funding level would guarantee at least \$80 million of spending on conservation for Neotropical migratory birds each year.

Currently, the NMBCA has been unable to make use of millions in matching funds that have been left on the table due to inadequate funding levels. Since the first NMBCA grants were awarded in 2002, the program has only been able to award 296 grants out of the 1158 proposals received, meaning three out of every four otherwise qualified projects go unfunded.

Out of the \$105.5 million in grants requested since the program began, the NMBCA could only afford to award \$30.4 million of those requests, or 29% of the requested conservation funds.

Since the NMBCA program began, more than \$258 million in matching funds and in-kind contributions have been left on the table because federal funds were not available to provide the federal match. This suggests an enormous opportunity for successful expansion of the program. The increased authorization level included in H.R. 2213 recognizes this opportunity and takes an important step toward leveraging these private investments and thereby significantly expanding the program’s conservation impact.

The Congress Has Demonstrated Longstanding Bipartisan Support for NMBCA

H.R. 2213 continues the long history of bipartisan support for the conservation of Neotropical migratory birds, and for significant increases in authorized funding for the Neotropical Migratory Bird Conservation Act. The Neotropical Migratory Bird Habitat Enhancement Act (H.R. 4517) was introduced in August of 1998 in the 105th Congress by Congressman Don Young (R-AK), authorizing \$5 million for each fiscal year 1999-2002. Companion legislation introduced in the Senate later that year (S. 1970) by Senator Spencer Abraham (R-MI) and a bipartisan group of seven cosponsors called for an authorization of \$8 million for each fiscal year 1999-2002.

In the 106th Congress, Congressman Young, along with Rep. George Miller (D-CA) and Rep. Jim Saxton (R-NJ), introduced H.R. 39, calling for an authorization of \$8 million for each of fiscal years 2000-2004. Companion legislation introduced in the Senate by Senator Abraham and a bipartisan group of 14 other senators (S. 148) called for an authorization of \$8 million for each fiscal year 2000-2003. An amendment was accepted that reduced the authorization to \$5 million for each fiscal year 2001-2005, and on July 20, 2000, the Neotropical Migratory Bird Conservation Act was signed into law.

In 2005, in the 109th Congress, Congressman Ron Kind and Congressman Wayne Gilchrest (R-MD) introduced H.R. 518, which ramped up authorization levels from \$5 million in FY 2006 to \$15 million in FY 2009. Companion legislation introduced in the Senate by Senator Lincoln Chafee and a bipartisan group of 5 other senators (S.1410) ramped up the authorized funding level from \$5 million in FY 2006 to \$10 million in FY 2010. A compromise was accepted that reduced the authorized funding levels to \$5.5 million for FY08, \$6 million for FY 09, and \$6.5 million for FY10. This compromised version of H.R. 518 was included in the Tylersville Fish Hatchery Conveyance Act, H.R. 4957, and signed into law on October 17, 2006.

Earlier this year, Senator Ben Cardin (D-MD) and Senator Mike Crapo (R-ID) introduced S. 690, which calls for ramped up authorization levels from \$8 million in FY 2010 to \$20 million in FY 2015. This bill was reported favorably without amendment by the Senate Committee on Environment and Public Works in June. H.R. 2213, introduced by Congressman Ron Kind and Congressman Jim Gerlach in April, contains funding levels identical to those included in S. 690.

From the early bills sponsored by Congressmen Don Young and George Miller, to the most recent bill sponsored by Congressmen Ron Kind and Jim Gerlach, the NMBCA has maintained bipartisan support for more than a decade. Bipartisan bills to significantly increase authorized funding levels were introduced in both the House of Representatives and the Senate in the 106th, 109th, and 110th Congresses, and now the 111th Congress as well.

H.R. 3433: Amending the North American Wetlands Conservation Act

The North American Wetlands Conservation Act (NAWCA) was enacted in 1989 for the purpose of supporting the North American Waterfowl Management Plan. Loss of habitat in the United States, Mexico, and Canada was causing a significant decline in waterfowl populations, and all three countries agreed that a continental effort would be required in order to restore previously damaged wetlands and uplands and population levels.

For 20 years, NAWCA has made remarkable strides in protection of habitat used by migratory birds across the continent. The program has put projects on the ground in all 50 states. It is helping slow the trend of wetland loss and preventing serious negative impacts on migratory birds and other wildlife. We appreciate that it not only provides habitat for waterfowl, but also nongame wetlands birds, a wide variety of grassland-nesting birds, and other wildlife.

NAWCA requires each federal grant dollar to be matched by at least one dollar in non-federal funds. Most of the match is raised by participating NGOs and state governments. Across the program in all three countries, the ratio has consistently been closer to 3:1 in non-federal/federal funds, demonstrating strong community based support for the projects. Originally, all non-federal funds were required to be raised in the U.S. and sent to Mexico or Canada for individual projects. Congress changed this requirement in 1994 for Mexican projects, allowing match funds to originate in Mexico. Canadian projects, however, must still raise 100% of their match funds in the U.S. As support has developed in Canada, Canadian organizations and local governments have become proficient at raising some funding for projects, none of which currently counts towards the match requirement under current law.

The National Audubon Society supports the amendment to the North American Wetlands Conservation Act, included in H.R. 3433, which would allow money raised in Canada to be counted towards a portion of their match requirement. The benefits of NAWCA to migratory birds is substantial and Congress should encourage Canadians to raise a portion of the matching funds required, thus increasing both local engagement and the number of acres conserved.

H.R. 3537: Reauthorizing the Junior Duck Stamp Conservation and Design Program Act

National Audubon Society supports H.R. 3537, which would reauthorize the Junior Duck Stamp Program. The Junior Duck Stamp Program is one of the premier environmental education programs in the United States today. Over the past 10 years, more than 175,000 students have participated in the Art Contest associated with the program including more than 26,000 students in 2004, and many thousands more have participated in the related environmental education program. A tremendous amount has been accomplished for a relatively small outlay of funds. National Audubon Society is pleased to commend Congressman Solomon Ortiz and Congressman Henry Brown for sponsoring H.R. 3537 to reauthorize this outstanding program for our young students and our shared environment.

Conclusion

National Audubon Society is very pleased to offer our strong support for H.R. 2213, which represents a significant step forward for bird conservation in the Western Hemisphere. The Neotropical Migratory Bird Conservation Act has been an unqualified success, leveraging modest federal investments into a heavily multiplied and impressive conservation impact. We are pleased to commend Congressman Ron Kind and Congressman Jim Gerlach for their leadership in introducing this important legislation. We are also pleased to support H.R. 3433 and H.R. 3537, which represent improvements to successful bird conservation programs.

Mr. Chairman, this concludes my prepared statement. I would be happy to answer any questions you may have.