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Testimony before the House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife on HR2188, the Joint Ventures for Bird Conservation Act of 2009; and HR1916, the Migratory Bird Habitat Investment and Enhancement Act

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Madam Chair and members of the Subcommittee, I am Kristin Saunders Evans, Assistant Secretary for Land Resources, Maryland Department of Natural Resources, speaking on behalf of the State of Maryland and the Association of Fish and Wildlife Agencies. I sincerely appreciate the opportunity to speak with you today about legislation that facilitates the conservation of migratory birds, and the efforts going on in Maryland that are supported by programs addressed by this legislation. The Association of Fish and Wildlife Agencies strongly supports H.R. 2188, the Joint Ventures for Bird Conservation act of 2009; and H.R. 1916, the Migratory Bird Habitat Investment and Enhancement Act.

As you know, all 50 states are members of the Association of Fish and Wildlife Agencies. The Association of Fish and Wildlife Agencies is the collective voice of North America's fish and wildlife agencies. The Association provides its member agencies and their senior staff with coordination services that range from migratory birds, fish habitat, and invasive species, to conservation education, leadership development, and international relations. The Association represents its state agency members on Capitol Hill and before the Administration on key conservation and management policies, and works to ensure that all fish and wildlife entities work collaboratively on the most important issues.

Bird conservation, whether for waterfowl or other migratory species, must be comprehensive in addressing the full array of bird habitat needs in all geographies where these needs exist. Anything less forgoes a fundamental principle of the North American Bird Conservation Initiative (NABCI). Birds are invaluable to our society. With their relative freedom to move among suitable habitats, the relative ease of monitoring birds, and their important role as bell weathers of ecosystem health, birds are extraordinarily useful for evaluating the effects of human and environmental impacts on ecosystems and actions taken to protect or recover them. Worldwide, birds bring people from different countries together around the common goal of conserving them for future generations. They are essential economic and ecological components of biodiversity and are of cultural significance.

Bird-watching is the fastest growing form of outdoor recreation in the United States, and has become a major component of our tourism, travel, and sporting industries. The *2006 National Survey of Fishing Hunting and Wildlife Associated Recreation* estimated the number of people that observe birds in the U.S. at 47.7 million. The 2002 national survey on bird-watching in the United States estimated that while watching birds, and other wildlife in 2001, the public generated \$85 billion in overall economic output (about 1% of GDP), \$32 billion in retail sales, and \$13 billion in state and federal income taxes. The 2006 national survey estimated about 2.3 million migratory bird hunters who spent approximately \$1.3 billion in 2006.

To ensure their survival, conservationists must address the threats to bird populations throughout their lifecycles. Some of the greatest threats include: (a) direct habitat loss through conversion for human uses; (b) habitat degradation; (c) food depletion for migrant birds using coasts and shorelines; (d) mortality near human population centers; and (e) habitat degradation on wintering grounds south of the U.S. border. The need is urgent and the time is right for major public-private initiatives for bird conservation.

As early as 1916, the United States and Canada recognized the need to collaborate to conserve shared bird species and established the Migratory Birds Convention. Two years later, the U.S. Congress enacted the Migratory Bird Treaty Act (MBTA) to give effect to this convention. In 1936, the United States entered into a similar agreement with Mexico. By then, wildlife management agencies and conservation groups were actively cooperating to monitor migratory waterfowl on a continental basis. The creation of the Flyway Councils in the 1950s formalized the state-federal consultation processes for the major flyways. In 1986, the governments of Canada and the United States initiated the North American Waterfowl Management Plan (NAWMP), a tri-national collaboration to conserve dwindling wetland habitat and restore diminishing populations of ducks, geese, and swans. Mexico joined the partnership in 1994 to make it a truly continental effort.

Public and private organizations alike recognized the advantages of working together at the national and international levels to coordinate and strengthen the growing number of partnerships on the continent for birds. In 1999, representatives from government and non-government organizations in Canada, the United States, and Mexico created the NABCI. NABCI works to advance conservation for the long-term health of the continent's native bird species and the habitats on which they depend. In 2005, the Minister and Secretaries of the Environment in the three countries formally recognized the ambitious vision and goals of NABCI by signing the *Declaration of Intent for the Conservation of North American Birds and their Habitat*. The NABCI Declaration acknowledges that to safeguard migratory birds and their habitats for future generations, conservation must take place in every stage of a species' lifecycle — throughout the geographic range of nesting, migration, and wintering habitats — the full spectrum of bird conservation.

The future of many of the 1,400 bird species that occur in North America is in jeopardy. Many populations are in decline, some moderately, some precipitously, as habitats continue to be degraded or lost throughout their ranges which can span countries, continents — even hemispheres. The recently published *State of the Birds* Report identifies the sobering declines of many bird populations as a signal of the failing health of our ecosystems. The report highlights the status, threats and solutions in connection to specific habitat types such as wetlands, grasslands, and forests. As the Report indicates, it is imperative, especially in light of future impacts of climate change, that we maintain enough high quality habitats across the hemisphere to sustain viable populations of migratory birds. This is why the Joint Ventures for Bird Habitat Conservation (HR2188) and the Migratory Bird Habitat Investment and Enhancement Act (H.R.

1916), programs that emphasize habitat conservation and management across the hemisphere, are so critical.

Joint Ventures remain one of the key programs in migratory bird conservation in United States. The bird habitat joint ventures are committed to developing their capacity to become the regional delivery agents for bird habitat conservation priorities outlined in the national, regional and international bird plans. These partnerships are the most effective delivery mechanism for bird habitat conservation in history. With modest operating budgets supplied by the U.S. Fish and Wildlife Service, Joint Ventures leverage orders of magnitude more money from partners for on-the-ground conservation projects. Joint Ventures are supported by both parties in Congress every year, but they remain under-funded. They are often described as the “delivery arm” of the major migratory bird initiatives, developing the biological foundation for management at regional scales, and facilitating local habitat conservation through implementation plans designed to attain continental goals. They exemplify the intent of integrated bird conservation. They also provide some of the best examples of strategic habitat conservation or landscape scale planning. Strategic habitat conservation is a science-based approach to conservation focused on providing landscapes capable of sustaining fish and wildlife populations at objective levels in this case identified by the bird conservation initiatives. The Joint Ventures exemplify the benefits of private and public partnerships. The State Fish and Wildlife Agencies, including Maryland DNR, are major partners in the Joint Ventures.

Maryland is a member of the Atlantic Coast Joint Venture (ACJV). The ACJV partnership is focused on the conservation of habitat for native bird species in the Atlantic Flyway of the United States from Maine south to Puerto Rico. The joint venture coordinates planning and delivery of bird habitat conservation on a landscape-level scale throughout the flyway, resulting in more effective and efficient conservation.

Maryland’s magnificent Chesapeake Bay and coastal bays provide habitats critical to countless species of migratory birds. Over 120,000 acres of wetlands and associated uplands are being protected through acquisition, restoration, and enhancement in 20 projects approved through the North American Wetlands Conservation Act (NAWCA) since 1991. More than fifty partners have collaborated with \$65 million to match \$16 million in NAWCA funds to secure protection of these valuable wetlands. One of the most significant projects is The Chesapeake Bay Initiative. This initiative is a four-state partnership lead by Ducks Unlimited, Inc. with Virginia, Delaware, Maryland, and Pennsylvania joining forces to improve water quality within the Chesapeake Bay by restoring close to 54,000 acres of wetlands throughout the watershed.

Wintering waterfowl and waterbird species such as Canvasback, Redhead, loons and grebes depend heavily on the presence of submerged aquatic vegetation (SAV) beds in portions of the Chesapeake Bay in Maryland. Historical estimates of the geographic extent of SAV beds supported by the Bay are estimated at greater than 200,000 acres. As of 2003, seventy percent of the bay grasses had been lost. Such declines can have a dramatic impact on wintering waterfowl populations. The restoration of SAV has long been an important goal of the Chesapeake Bay Program (CBP) and its partners. In 2003 Maryland and its Bay Partners proposed a new goal and strategy to accelerate the protection and restoration of submerged aquatic vegetation in the Chesapeake Bay and its tidal tributaries. The enhanced bay grass restoration goal calls for the protection and restoration of 185,000 acres of bay grass by 2010. In 2003, after a careful site selection process, the Maryland Department of Natural Resources has undertaken large-scale eelgrass restoration projects in the Potomac and Patuxent Rivers and efforts are well underway to reseed and restore several locations in these important Chesapeake Bay tributaries.

The Playa Lakes Joint Venture is using strategic conservation to identify grassland habitats key to the survival of the Lesser Prairie-Chicken. In conjunction with the Natural Resources Conservation Service, they are strategically enrolling land into Farm Bill conservation programs such as the Conservation Reserve Program. Grasslands are recognized by many as the most imperiled ecosystem worldwide. The unique avian assemblages associated with grasslands are likewise in danger -- grassland bird populations have shown steeper, more consistent, and more geographically widespread declines than any other guild of North American bird species. The *State of the Birds* report indicates that 48% of grassland birds are of conservation concern and 55% show significant declines. The need for information on abundance, productivity, habitat use, seasonal distribution, and effects of management practices is widely recognized among resource managers. Grasslands are threatened by overgrazing, conversion to croplands, frequent haying, field abandonment and a lack of fire (both of which encourage woody growth), invasive plants, resource extraction, and urbanization.

The Migratory Bird Habitat Investment and Enhancement Act (H.R. 1916), a bill that calls for an increase in the cost of the Migratory Bird Hunting and Conservation Stamps (Duck Stamps) from \$15 to \$25 through 2020 and \$35 thereafter is critical for waterfowl conservation. The *State of the Birds* report acknowledges that one of the main solutions to maintaining wetlands is through land purchase. With more than 96 million acres on 548 refuges, the National Wildlife Refuge System is our nation's only public land base dedicated solely to the conservation and protection of wildlife, with a high priority for migratory birds. The Report recommends that the network be increased and an increase in the price of the Duck Stamp will support this solution. The price of duck stamps has not changed since 1991. Because 99% of every dollar goes to purchasing critical wetland habitat, the Duck Stamp is an excellent investment.

The examples throughout my testimony stress the need for a targeted and strategic approach to conservation that spans political boundaries, bird taxa, and programs. The need to integrate our bird conservation work is more important now than ever. With increasing pressures on our natural resources, environmental challenges such as climate change, and documented declines in migratory bird populations, we need to base our conservation on strong science that leads to strategic habitat conservation on the ground implemented through partnerships. Key programs to make this happen include the NMBCA, the bird habitat Joint Ventures, and the Duck Stamp program.

In addition, while the Association certainly appreciates the interest and intent of the sponsors of HR2026 with respect to the illegal taking of migratory birds, all of the illegal activities addressed by the bill are already addressed under the Migratory Bird Treaty Act. While we concur that raising fines may be a potential deterrent to illegal activity, we are concerned about the expenditure of effort by an already understaffed USFWS law enforcement program necessary to support the specific-intent elements required by the bill. We would be interested in working with the USFWS and the Subcommittee to identify alternative ways to address the issues and concerns raised by this bill.

In summary, the conservation of migratory birds is essential not only to the mission of the State Fish and Wildlife Agencies, but to the core values of American society. Only through multi-scale partnerships that embrace an integrated, science-based approach to migratory bird conservation can we hope to achieve our common goals for the conservation of migratory birds and other wildlife.

Thank you for the opportunity to appear before you today to offer testimony on and the Association's strong support for HR2188 and HR1916, which will further enhance successful conservation of migratory birds. I would be pleased to address any questions.