

**STATEMENT OF H. DALE HALL, CHIEF EXECUTIVE OFFICER
DUCKS UNLIMITED, INC.**

**BEFORE THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON WATER AND WILDLIFE**

CONCERNING:

**S. 1514, HUNTING HERITAGE AND ENVIRONMENTAL LEGACY PRESERVATION
(HELP) FOR WILDLIFE ACT**

July 19, 2017

Mr. Chairman, members of the committee, my name is Dale Hall and I am the chief executive officer for Ducks Unlimited. Before assuming that role in 2010, I worked for the U.S. Fish and Wildlife Service for 31 years, including serving as its director from 2005 to 2009.

I appreciate the opportunity to testify on behalf of Ducks Unlimited regarding the Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act, which includes the reauthorization of the North American Wetlands Conservation Act (NAWCA) and several other important provisions designed to improve the management of fish and wildlife habitat, and outdoor recreation including hunting and fishing. NAWCA has been an important and highly effective program that has protected and conserved migratory bird populations for nearly 30 years, and Ducks Unlimited fully supports the passage of these provisions within the bill. This program is a model of how the federal government can and should work with states and private partners.

Ducks Unlimited has been a strong proponent of waterfowl conservation for more than 80 years. Our mission is to conserve, restore, and manage wetlands and associated habitats for North America's waterfowl, and for the vast economic and natural infrastructure benefits these resources provide to other wildlife and the people who enjoy and value them. We work in Canada, Mexico, and every state in the United States. Since 1937, Ducks Unlimited has conserved more than 14 million acres of habitat important to waterfowl and other wildlife.

With more than one million members and supporters, Ducks Unlimited represents a significant conservation voice for birds and the landscapes that support them. Our work is science-based. We use reliable information from the disciplines of wetland ecology, waterfowl biology, hydrology, civil engineering, and landscape ecology to develop, implement and adapt waterfowl and wetland conservation actions. We collaborate with agencies, organizations, farmers and ranchers in the most important landscapes used throughout migratory birds' lifecycles, including breeding, migration and wintering habitats. These partnerships are essential for conservation, and we support legislation and policy that advances wetland conservation and related economic, natural infrastructure, wildlife and fish populations on behalf of Americans.

To Reauthorize the North American Wetlands Conservation Act

Ducks Unlimited is pleased to testify before the full U.S. Senate Committee on Environment and Public Works on the reauthorization of NAWCA. Since enactment, NAWCA has played an

invaluable role in North American wetlands conservation by stimulating local and regional partnerships targeted for conservation of wetlands, wetland-dependent fish and wildlife, and the benefits provided to Americans who enjoy clean water, reduced flooding, and a host of recreational opportunities such as hunting, fishing and trapping related to this critical part of the nation's natural infrastructure. NAWCA continues to be a popular and productive program for thousands of partners and produces results of substantial value to Americans. We commend Congress for its foresight in creating NAWCA in 1989, and for repeatedly ensuring its long-term success.

Since enactment, NAWCA has accomplished measurable success in all 50 states. The creation of the program more than 28 years ago was a bipartisan effort, and NAWCA continues to attract strong support in Congress and from administrations of both parties. This program has conserved more than 33.4 million acres across North America. Reauthorization of NAWCA is critical to build on this success and ensure the health of wetlands that provide clean water, reduce flooding, provide jobs through the recreational economy, and protect important energy infrastructure – especially in coastal regions. These important benefits to Americans are in addition to benefits to our nation's fish and wildlife resources. While often overlooked, the economic and ecological value of wetlands cannot be overstated, nor can the role of NAWCA in their conservation. NAWCA drives broad and diverse partnerships that are the source of more than \$3 of non-federal leveraged match for each federal dollar invested. NAWCA is essential to wetland conservation and the related economic and natural capital outcomes so important to Americans.

Despite the ongoing success of NAWCA, for a variety of complex reasons, wetlands in the United States are disappearing. The lower 48 states have lost approximately 53 percent of their original wetlands. As just one example, wetlands accounted for approximately 2 million acres (3.2 percent) in Wyoming circa the 1780s. By the 1980s, Wyoming lost .75 million acres or approximately 38 percent of its wetlands primarily due to agricultural and urban development. Recent trend information indicates that wetland acreage in Wyoming has continued to decrease over the past 30 years. And while NAWCA has conserved valuable and important wetlands, the most recent nationwide study conducted by the U.S. Fish and Wildlife Service documented that wetland loss has dramatically accelerated by 140 percent since 2004, which includes a loss of 95% of wetlands in California alone. This is an alarming trend that, if it continues, weakens our natural infrastructure, our ability to buffer storm damages, and will contribute to poor water quality, increased flooding, and reduced water quantity. Wetland loss also places coastal oil and gas infrastructure and coastal cities at risk of greater impacts from storms, and reduces the number of jobs in the recreational sector of our economy (hunting, fishing, birding, eco-tourism, etc.).

NAWCA catalyzes conservation efforts by resource managers and partners from many sectors to use a variety of voluntary strategies to restore and enhance degraded habitat as well as protect some of the remaining high-quality habitat. The wetland conservation completed on both public and private lands, as noted, provides significant economic benefits and recreational opportunities for landowners and Americans that visit public outdoor recreational lands. Wildlife-related recreation generates more than \$100 billion of economic output annually. In many cases, this economic activity is vital to rural communities and the incomes of rural Americans. The restoration and protection of wetlands and associated habitats made possible by NAWCA have

many benefits for both people and wildlife. Scientific studies clearly demonstrate that wetlands not only act as filters to clean water but also recharge groundwater supplies. Wetlands also trap and hold precipitation and runoff, and act as buffers in coastal regions, lessening the damage from floods and hurricanes.

Some examples of the importance of NAWCA include accomplishments in Alaska, where 14 NAWCA projects have been completed or are under way. More than 65,000 acres of wetland and upland habitat have been conserved using these dollars, of which \$4.7 million came from the government, dollars that leveraged \$14.5 million from diverse partnerships often including state, corporate, foundation, and private partners.

In the Chairman's state of Wyoming, the economic benefits were also significant: 140,116 hunters created nearly 5,000 jobs, while 302,758 anglers generated more than \$476 million in retail sales. Eight NAWCA projects have been completed in Wyoming since the program's inception, and these projects have conserved 45,474 acres of critical wetlands and wildlife habitat. NAWCA funding of \$1,386,842 in Wyoming has stimulated partner contributions of \$4,098,836. An example of the benefits of these projects was the protection of Ocean Lake Wetlands through a \$75,000 grant awarded to improve hydrology of the wetlands, create appropriate plant community composition and structure, expand the area and diversity of wetland types on the property, and improve water quality associated with the wetlands on the tract. This project provides important habitat to a variety of migratory birds, including several species of waterfowl, wading birds, shorebirds and many other wetland-dependent species.

The wetlands also provide water quality and quantity conservation benefits in the state's semi-arid landscape and climate.

NAWCA's success is not confined only to large states. For example, the Ranking Member's home state of Delaware currently has 10 NAWCA projects completed or under way. These projects have conserved 10,803 acres of wetlands important to the state's residents. NAWCA funding of more than \$6.6 million there has leveraged partner contributions of more than \$12 million.

These results are not unique and have been replicated all over the country with the help of more than 5,600 NAWCA partners. More than 2,644 voluntary habitat conservation projects have been delivered in North America, providing substantial economic and natural capital benefits to Americans. Partners include fish and wildlife agencies from all 50 states, hundreds of private landowners, several hundred conservation organizations, small businesses, corporations, Native American tribes and local governments.

In addition to being one of the federal government's most effective conservation programs, NAWCA is a model of fiscal responsibility, providing an excellent return on a relatively modest federal investment. The law requires every federal dollar put into the program to be matched by at least \$1 of non-federal money. On average, however, non-federal partner matches have averaged \$3.20 for every \$1 of federal money. The partner investment in NAWCA totals more than \$4 billion during the life of the program.

Undeniably, the benefits of NAWCA extend beyond waterfowl. Wetlands provide a home to more than 900 wildlife species at some point during the year. As Congress intended, the criteria for NAWCA projects include waterfowl as well as other wetland-associated migratory birds and threatened and endangered species. Under this guidance, NAWCA projects benefit an array of species, including commercially and recreationally important fish such as salmon.

NAWCA is vital for cooperative efforts to address landscape-level habitat challenges in key areas for waterfowl and other migratory birds, including inland wetland systems such as the Prairie Pothole Region of the Great Plains, the Lower Mississippi River Valley, and iconic coastal areas such as the Gulf Coast, Great Lakes, Pacific Northwest and Chesapeake Bay.

What began in 1989 as a way to implement the North American Waterfowl Management Plan, the agreement between the United States, Canada, and Mexico on managing waterfowl populations, has developed into a program with widespread support and success. NAWCA has stimulated hundreds of conservation partnerships that would not otherwise exist. The result is millions of acres of conserved wetlands and associated uplands that benefit our nation's water quality and supply, wildlife and fish populations, economy and ultimately – our people.

NAWCA is the most effective voluntary wetland restoration program in history. Ducks Unlimited and our more than one million members and supporters strongly support this legislation, and we urge the Congress to reauthorize it to continue NAWCA's benefits to all Americans.

Baiting of Migratory Game Birds

Ducks Unlimited supports an approach that would, in effect, allow normal agricultural practices to be determined through the concurrence of the state cooperative extension service and the state fish and wildlife agency, in consultation with the U.S. Department of the Interior. This approach ensures appropriate state-level conversations occur regarding agricultural practices (based on the crop type and conditions) and guarantees that U.S. Fish and Wildlife Service perspectives are considered. The process will encourage producers to grow ratoon rice (second crop rice) in the Mississippi Alluvial Valley (MAV) and along the Gulf Coast to improve winter waterfowl foraging habitat. And it should provide clarity to producers, landowners, hunters and law enforcement officials regarding hunting waterfowl over second-growth rice.

Gulf Coast Joint Venture (GCJV) conservation planning established population-based waterfowl habitat goals that depend on the presence of rice agriculture—in particular ratoon rice—on the landscape. Within rice-growing areas of coastal Louisiana, GCJV conservation planning assumes that rice agricultural habitat will support 41 percent of its midwinter waterfowl population objective. Across the border in Texas, 63 percent of the total midwinter population objective is assumed to rely on rice agricultural habitats. Stated another way, GCJV plans call for approximately 4.45 million ducks and geese wintering along the Gulf Coast to depend primarily on rice agricultural habitats, of which ratoon (harvested or unharvested) provides the most energy because of the timing of seed production and harvest. Flooded rice fields, in fact, provide an estimated 44 percent of food energy available to wintering waterfowl along the Gulf Coast, with coastal marsh responsible for the remainder. Notably, rice agriculture is equally important

to meeting conservation plan objectives for migratory birds in the Central Valley of California and in the Lower Mississippi Alluvial Valley region encompassing parts of Missouri, Arkansas, Tennessee, Mississippi and Louisiana.

Hunters, farmers, landowners and conservation law enforcement would all benefit from increased clarity regarding the definition of normal agricultural practices relative to ratoon rice. Presently, hunters who lease rice fields from producers pay \$5,000 to \$10,000 per field or blind. As noted previously, in the MAV, ratoon crops are increasingly common, and with the increasing length of growing seasons, ratoon crops are expected to increase in this landscape. If the producer has performed any rolling, disking, mowing, or other treatment of a ratoon rice field, it currently remains unclear whether that field may be legally hunted under existing Migratory Bird Treaty Act (MBTA) language. Hunting leases often are executed in the summer or early fall while ratoon crops may be developing, leading to concerns and questions as to whether even a small standing ratoon crop near a blind may be altered to facilitate waterfowl hunting.

Ducks Unlimited and conservation partners recognize that rice agriculture is an essential habitat type along the Gulf Coast and in the MAV to meet population-based habitat objectives. Prior to 1990, rice in the MAV provided substantial habitat benefits through provision of waste grain to wintering waterfowl. Changes in rice agriculture since 1990 have made rice fields significantly less valuable (about 71 percent less waste rice is present) as foraging habitat for waterfowl in the MAV. Developing ratoon crops, developing rice cultivars that readily ratoon, and accepting ratoon crops as part of producers' annual business plans would be a favorable development for producers, wintering waterfowl, and migratory shorebirds and wading birds. Producers would have an additional source of income via ratoon harvest and premium lease prices for optimal waterfowl habitat. Waterfowl would find about 2.3 to 5.9 times more waste rice in fields with availability timed to their traditional arrival in the MAV in November and December, much as it was in decades past when rice harvest was later in the calendar year. Finally, science has also shown that winter-impounded rice fields hold winter precipitation on fields resulting in significant improvements to water quality.

This language seeks to provide the clarity hunters, farmers, landowners and conservation law enforcement desire with respect to MBTA baiting regulations. Furthermore, and our rice industry partners agree, this bill provides clarity that ultimately may encourage rice variety development favoring ratoon crop traits. This would likely increase profit margins from both rice production and waterfowl hunting leases, and enable producers to provide premium habitat for waterfowl and other migratory birds that otherwise would not be on the landscape.

Chesapeake Bay

I'd also like to thank the Committee, and especially Senators Cardin and Capito, for their leadership to ensure that this bill includes provisions that will help Chesapeake Bay. The Chesapeake is North America's largest estuary and is considered an iconic national treasure.

The incredible efforts by federal, state and local governments combined with extraordinary efforts of non-profit organizations have had a positive impact on the Bay and its wildlife. The

Bay and its tributaries are getting cleaner, and this legislation recognizes that we must continue these efforts to bring the Bay back to its former productivity.

On the Eastern Shore of Maryland alone, we saw more than 812,000 migratory ducks, geese and swans wintering over in 2017. This number is higher than the five-year average and is a 22 percent increase over the previous winter. Submerged aquatic vegetation (SAV or underwater bay grasses) is critical habitat for various fish and wildlife species, which filters out pollutants and provides a critical food source for waterfowl. Last year, SAV covered more than 97,000 acres of Bay bottom – the most coverage, by a large margin, since the annual survey began in the early 1980s.

Decades of work are finally paying dividends in the Chesapeake, and this legislation ensures that progress will continue. The reauthorization of the Chesapeake Bay Program ensures that the science, data analysis, coordination, and restoration funding will continue, and the Chesapeake Gateways reauthorization helps to provide public access to these great natural resources. Public access is paramount to increasing local economic benefits as fishermen, hunters, boaters and others travel to the Bay to enjoy its recreational opportunities, and in doing so spend money at local restaurants, hotels, convenience stores, hunting and fishing supply stores and other business woven into the fabric of the region's economy.

In addition, the reauthorization of the National Fish and Wildlife Foundation (NFWF) is critical to the Chesapeake. NFWF administers two very important grant programs for the EPA in the Chesapeake – the Chesapeake Small Watershed Grants and Innovative Nutrient and Sediment Reduction Grants. NFWF does great work all over the country, but in the Chesapeake, they make a big impact. Since 2010, NFWF projects in the six Chesapeake Bay watershed states, and the District of Columbia, have restored 49 miles of in-stream habitat, 692 miles of riparian habitat, and 541 acres of wetlands – all of which work to improve the Bay's water quality and lead to increased productivity at the root of the local and regional economy.

Conclusion

Once again, I appreciate the opportunity to testify regarding this important legislation, including the reauthorization of NAWCA and the other important provisions I have discussed today. With your continued support of these programs, NAWCA will remain an essential voluntary tool to protect and conserve migratory bird populations, enable wetlands to provide important benefits to our nation's water quality and quantity, provide important contributions to our nation's economy, and serve as a model of how government can and should work.

I look forward to working with your committee and our partners as the HELP Act moves forward, and to continue to support the benefits the bill would provide to wildlife and the millions of people who enjoy, or make their livings, in the outdoors.

Mr. Chairman, I thank you again for the opportunity to testify today and I will be pleased to answer any questions you may have.