

**United States House of Representatives Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
Public Witness Hearing**

**State Wildlife Data and Its Use by Federal Land Management Agencies
Testimony of James D. Ogsbury, Executive Director
Western Governors' Association
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Mr. Chairman and members of the Subcommittee, thank you for inviting the Western Governors' Association (WGA) to testify today. My name is James D. Ogsbury and I am the Executive Director of the WGA. Earlier in my career, I was a staff member of this upstanding committee so I am especially honored to be appearing before you today.

The WGA is an independent, non-partisan organization of Governors from 19 Western states, two Pacific-flag territories and one commonwealth. The WGA provides strong multistate leadership in an era of critical change in the economy and demography of the West. The WGA recognizes that many vital issues and opportunities shaping our future cross state lines and are shared throughout the West. Western Governors are therefore working together to identify and address key policy and governance issues.

The Western Governors' Wildlife Council and Crucial Habitat in Western States

State wildlife agencies are the vested constitutional authorities on wildlife in the United States. Federal agencies, other state agencies, local governments, tribes, conservation groups, businesses – even other countries – look to state fish and wildlife agencies for accurate data and information on fish and wildlife species and habitats. These "customers" need to know which species are most important, where their habitat is located, what habitat is needed to maintain movement across the landscape, and how species should be managed and conserved. This information is vital to help communities and states grow, develop resources and to allow citizens to recreate in accord with our environment.¹

In 2008, the WGA established the Western Governors' Wildlife Council to identify key wildlife corridors and crucial wildlife habitats² in the West, and to develop and coordinate policy options

¹ Up-to-date information on wildlife habitat also helps states to foster hunting, fishing and wildlife viewing. Wildlife is not only important to the heritage and history of the West, but it is also an important economic contributor to the region. Recent studies indicate that wildlife-related activities generate over \$65 billion annually in 19 western states. See, "Sportfishing in America: An Economic Force for Conservation," American Sportfishing Association (January 2013); "Hunting in America: An Economic Force for Conservation," National Shooting Sports Foundation/Association of Fish and Wildlife Agencies (January 2013); "Wildlife Watching in the U.S.: The Economic Impact on National and State Economies in 2006," U.S. Fish and Wildlife Service Pub. 2006-1.

² Crucial habitat as used by the Western Governors' Wildlife Council should not be confused with the legally defined "critical habitat" designation. Critical habitat is determined by the U.S. Fish and Wildlife Service or the National Oceanic and Atmospheric Administration's National Marine Fisheries Service to be habitat necessary for conservation of a species listed under the provisions of the Endangered Species Act. The Western Governors' Wildlife Council's definitions and categories of crucial habitat are set forth in the Council's White Paper that can be located at <http://www.westgov.org/initiatives/wildlife> in the Background section of that web page.

and tools to conserve these landscapes. To accomplish this objective, the Wildlife Council has led the development of user-friendly online tools that display crucial habitats for fish and wildlife in the states. These tools range from state-specific sites, such as Arizona's HabiMap™, to species-specific efforts, like the Southern Great Plains Crucial Habitat Assessment Tool that focuses on Lesser Prairie Chicken habitat across five states.³ These websites contain GIS-based information for use by all government agencies, industries and the public to assess landscapes and better inform land use decisions.

This data provides users with a greater level of informational certainty for pre-planning efforts, leading to fewer conflicts and development surprises with respect to fish and wildlife values. As a result, analyses of energy, transmission, land use and transportation projects -- as well as land conservation and adaptation strategies -- are improved by providing prioritized information through state-specific tools. A West-wide Crucial Habitat Assessment Tool (CHAT) will be publically available in December 2013. It will compile compatible information from 17 states to display a regional picture of habitat for multiple species of fish and wildlife and corridors that support these species.⁴

In a time of fiscal austerity, western states are making significant investments of diminishing public resources to develop these tools, in concert with federal partners, because of the critical need to help shape state and national conservation priorities. Federal and states agencies are looking for collaborative, data-driven science, mapping and analysis to address the West's landscape challenges, including potential listing of species such as the greater sage-grouse, as well as climate adaptation, water, and energy. At the same time, providing these data and maps - in one place - offers industry and the public analytical tools and information that are efficient, effective and not otherwise available to them.

The Use of State Wildlife Data by Federal Land Management Agencies

A WGA policy resolution is guiding the Western Governors' Wildlife Council's work to make information on important fish and wildlife habitat compatible across 17 states and, available for use by decision makers across the West. In part, the resolution states as follows:

The Governors encourage widespread use of these systems as they are developed. Decision makers at all levels in the public and private sectors should use state wildlife [data] to better inform planning and to evaluate a variety of land uses while providing healthy and productive landscapes. The utilization of these systems will enhance coordination with states in the development of all land planning decisions affecting wildlife. In particular, federal agencies should be required to consult state wildlife [data]

³ The state websites include: Arizona: HabiMap™ Arizona; California: Areas of Conservation Emphasis (ACE-II); Montana: Crucial Areas Assessment and Planning System (CAPS); Washington: Priority Habitats and Species (PHS); Wyoming: The Wyoming Interagency Spatial Database & Online Management (WISDOM) System; and in the Southern Great Plains states of Colorado, Kansas, Oklahoma, Texas, and New Mexico: The Southern Great Plains Crucial Habitat Assessment Tool.

⁴ The states of Hawaii and North Dakota are not yet participating in this WGA initiative. Texas data on the Lesser Prairie Chicken from the five-state Southern Great Planes CHAT will likely be integrated into the region wide CHAT.

and integrate appropriate information early into their planning processes, particularly those involving land management, energy/transmission or transportation planning. Use of state wildlife [data] should also occur amongst all state agencies and local governments.⁵

To advance the efforts of the Council, and to facilitate federal support and coordination, Western Governors signed a Memorandum of Understanding with the Secretaries of the Interior, Energy and Agriculture in June 2009.⁶ WGA subsequently received U.S. Department of Energy funds to launch pilot studies to advance CHAT development. The Bureau of Land Management (BLM), the U.S. Forest Service (USFS) and the U.S. Fish and Wildlife Service (USFWS) have provided resources to WGA to coordinate this effort and/or to state wildlife agencies directly to support state-specific efforts to improve fish and wildlife data for public display. The WGA is very appreciative of this federal support. It has been instrumental in our success to-date, as has been the substantial resources, expertise and dedication put forward by Western states' wildlife agencies' leadership and staff.

Western Governors Urge Congress to Require Federal Use of State Wildlife Data

In order to make good on this substantial state and federal investment, and to assure that federal land and species management operations are efficient, non-duplicative and based on accurate information, this Committee should ensure that the use of state data becomes an ongoing part of the procedure and culture of federal land managers, and an integral tool for informing their decision making. As demonstrated by the WGA-DOE/DOI/USDA 2009 MOU, set to expire shortly, and a follow-up agreement to the MOU signed between WGA and DOI/USFS officials in 2011,⁷ there has been high-level federal support for making use of state wildlife data. Congressional direction would be consistent with this stated federal agency intention.

To their credit, both the BLM and USFS have sent correspondence to their field offices to urge the use of state data.⁸ These documents are, in the short-term, likely to encourage field-level use of state data and consultations with state wildlife staff. Yet, these types of communications are unlikely to create a permanent obligation in the federal agencies as leadership changes and staff turns over. States can continue to seek federal agency collaboration over the long-term on a forest-by-forest and office-by-office basis, but a legislative statement on this topic would have greater staying power and would go far in making sure that federal agencies base their regulatory decision making, in part, on the data and expertise of state wildlife agencies.⁹

⁵ WGA policy resolution 10-10, *Conserving Wildlife Corridors and Crucial Wildlife Habitat in the West*, can be found at: <http://www.westgov.org/policies>

⁶ See, www.westgov.org/initiatives/wildlife. The web page Background section has links to referenced documents.

⁷ See, www.westgov.org/initiatives/wildlife. The "Background" section of this web page links to referenced documents.

⁸ See, www.westgov.org/initiatives/wildlife. On the "Crucial Habitat Assessment Tools" page, there are links to these federal documents under "CHAT in Use."

⁹ Another issue for states, although not addressed in this testimony as it is not pertinent to this committee, involves state and federal jurisdiction over wildlife matters. Federal agencies are now evaluating western lands using a landscape-scale approach through Landscape Conservation Cooperatives and a Surrogate Species initiative,

This Committee previously provided important direction to federal agencies in a somewhat analogous manner to that being requested in this testimony regarding state fish and wildlife data. After catastrophic wildfires swept across the West in the summer of 2000, Western Governors immediately began working with the Secretaries of the Interior and Agriculture to develop a 10-year strategy on forest health and wildfire. This Committee understood the value of a collaborative state-federal approach to improve forest health across Western lands, and legislated the following:

The Secretaries should also work with Governors on a long-term strategy to work on the wildland fire and hazardous fuels situation as well as the needs for habitat restoration and rehabilitation in the Nation. The managers expect that a collaborative structure, with the states and local governments as full partners, will be the most efficient and effective way of implementing a long-term program.

The managers are very concerned that the agencies need to work closely with the affected states, including Governors, county officials and other citizens. Successful implementation of this program will require close collaboration among citizens and governments at all levels . . . The managers direct the Secretaries to engage governors in a collaborative structure to cooperatively develop a coordinated, National 10-year comprehensive strategy with the states as full partners in the planning, implementation and decision-making of the plan. Key decisions should be made at local levels.¹⁰

This direction from the Committee provided important additional impetus to the efforts of the Governors and Secretaries to create an "all lands" approach to forest health and wildfire. That Congressional directive is still bearing fruit today, ensuring strong federal-state collaboration. The Governors believe comparable direction is now required from this Committee to the land management agencies within the Department of the Interior and Agriculture to help create a long-term and cost effective federal partnership with state wildlife agencies. Congressional direction would, in effect, not just highlight the state-federal agreements reached so far, but memorialize those relationships, thus ensuring that all federal land managers work closely with state wildlife officials to use the high quality data states have developed.

Conclusion

The substantial public investment in advanced state wildlife data deserves to be maximized. Direction from this Committee will result in budgetary savings and better service to the public. Thank you again for inviting the Western Governors' Association to testify today.

supported by the USFWS and through BLM's Rapid Ecological Assessments. These initiatives encompass non-federal lands where state wildlife jurisdiction is paramount and federal lands where states have authority over almost all species.

¹⁰ Conference Report 106-914 that accompanied HR 4578, pages 193-194, 106th Congress; 2d Session (2000).