OBAMA-BIDEN TRANSITION PROJECT

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The Nature Conservancy

Protecting nature. Preserving life.™

TRANSITION PROPOSALS FOR A NEW ADMINISTRATION AND A NEW CONGRESS

The Nature Conservancy

October, 2008

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Purpose of Document

Conservation progress in America has come in moments of national realization that our future is threatened by the destruction of our natural resources. Now is one of those times. This document contains The Nature Conservancy's recommendations to a new Presidential Administration and to a new Congress for acting now to address the most pressing threats to our environment. More detailed explanations are attached.

The Nature Conservancy's Perspective

The Nature Conservancy's mission is "to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive". We pursue that mission by helping to create conservation policy advances at the local, state, national and international levels and by carrying out tangible and practical conservation projects at every scale. We rely heavily on science in deciding what to do. Our staff lives and works in hundreds of communities across the U.S. and around the world. They are supported by almost a million members and by state Boards of Trustees made up of local leaders in conservation, business, academia and philanthropy. Our experience on the ground has led us to believe that the health of natural systems and the welfare of human communities are inextricably linked and that diverse public and private interests must work together to achieve lasting conservation success. We are enthusiastic about helping a new administration and a new Congress to accomplish its environmental and conservation goals.

The Big Picture

The U.S. has played an important role in creating the idea of conservation of nature. For many decades America was the conservation leader in the world—environmental initiatives born here became global standards for saving wilderness and restoring and protecting the quality of air, land, and water. But now, with the urgent threats of a changing climate, energy shortages, poorly planned development, and continued population growth, our natural lands, waterways, coastlines and working landscapes (and those beyond our shores) have never been more at risk.

The degradation of our environment is by no means inevitable. With leadership from a new President, the U.S. can build on its rich conservation tradition to create a framework of healthy air, land and water that will protect natural systems and around which the next generations of Americans can create secure and rewarding lives. Initiatives already pending in Congress and the untapped potential of the professional staffs of federal agencies can be brought together with new ideas to achieve environmental progress right away.

We can no longer think about conservation being separate from building a strong American economy. Investments in environmental infrastructure, in low carbon sources of energy production, in adapting to climate change are integral to creating economic growth that is sustainable and more resilient to change. And as has been the case in the past, conservation progress at home can create a platform for the global conservation leadership required during a time of acute threats to the world's environment.

A Summary of Our Recommendations

The Nature Conservancy recommends swift action to save our air, land and water:

STABILIZING EARTH'S CLIMATE

Burning rainforest in the Amazon region of Brazil. © Digital Vision/Getty Images

There is no greater threat to the natural environment and human communities than runaway climate change caused by greenhouse gas emissions. To meet this challenge Congress should move quickly to pass cap and trade legislation to reduce greenhouse gas emissions by at least 20% by 2020 and at least 80% by 2050. Such legislation should be designed to encourage investment in energy efficient and low or zero carbon energy technology, recognize and reward the carbon storage capabilities of forests and other landscapes in the U.S. and around the world, and provide funding to help natural and human communities adapt to the impacts of climate change. In tandem with cap-and-trade legislation, we recommend actions to stimulate our economy through spending on energy conservation and cleaner energy technology. New and alternative energy investment should be designed to minimize environmental impacts and to offset those impacts that cannot be avoided. The next transportation bill should focus on transportation spending and incentives that lessen our dependence on fossil fuels.

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CONSERVING NATURAL HABITAT AND PRODUCTIVE LANDS

Roy Creamer on his ranch in Milnesand, New Mexico. The ranch hosts the highest concentration of breeding prairie chickens in New Mexico. © David McLain

In recent years, states and private land trusts have taken the initiative to conserve open space for its habitat, economic, ecosystem service and recreational value and have worked in partnership with private landowners to save ranches, farms and forests that would otherwise have been subdivided and developed. This broad-based groundswell of public and private action reflects the deep bond Americans have with their beautiful and productive lands. Guided by State Wildlife, Forest and Coastal Plans already authorized in law, the federal government should renew its support for land conservation by making permanent tax incentives for the donation of conservation easements, providing grants to state governments to create coherent systems of open space (such as through the Forest Legacy Program), and implementing assistance through the Farm Bill for agricultural and forestland owners to manage their lands in an environmentally sound manner.

America's Federal lands are a legacy of immense value. With the pressures of nearby development, from many, often competing, uses, invasive species, and climate change, these National Parks, Forests, Wildlife Refuges and BLM lands require our continuing stewardship. These exceptional places should be connected to larger open space systems (such as in the wildlife corridors being proposed by the Western Governors' Association) if they are to survive the test of time. We recommend appropriating the authorized amounts from the Land and Water Conservation Fund and other sources of funding to expand our federal conservation lands in accordance with careful planning and in consultation with local and state officials. We advocate passage of the Federal Land Assistance Management and Enhancement Act (FLAME Act) and the Forest Landscape Restoration Act to confront the growing problem of wildfire, and we support, as well, pending measures to control the spread of invasive plants and animals. The Federal Land Transaction Facilitation Act should be re-authorized to allow land exchanges that help both communities and conservation. The Planning Rule for Forest and BLM lands should be altered to better ensure balanced conservation outcomes.

RESTORING AND SUSTAINING WATER RESOURCES

A cow moose with calf at Hidden Lake, Isle Royale National Park located off Minnesota's north shore of Lake Superior. © Mark Godfrey

No natural resources in America are more endangered than the lakes, rivers, streams, wetlands and nearshore waters that are so critical to human welfare and that are habitat to increasingly threatened freshwater and marine species. The Army Corps of Engineers and the Bureau of Reclamation can play important roles in re-evaluating the operation of dams and other water infrastructure to optimize downstream flows that protect aquatic species while providing water for human use. Restoration of Florida's Everglades has shown how federal agencies, including the ACOE and NOAA, can work together to restore natural systems for both human and ecological benefits. The Administration should set and commit to achieving an ambitious multi-agency goal to double the restoration of wetlands and other freshwater and coastal ecosystems. Such restoration should be eligible for infrastructure investment designed to stimulate the economy. And, if implemented quickly, the sound new Wetlands Regulations adopted by the ACOE can ensure that the $3 billion spent annually in our country on wetlands mitigation will have lasting impacts on restoring freshwater resources. And we support passage of the recently introduced National Fish Habitat Conservation Act which can restore rivers and streams for sports-fish while saving habitat for many endangered species.

Our nation´s oceans and coasts face serious challenges as a result of increasing coastal populations, climate change, and expanding coastal energy production. Managed to their full potential, our oceans and coasts can sustain resilient communities with healthy natural ecosystems that provide the economic, energy, and ecological foundation for our way of life. We advocate re-authorization and adequate funding for the implementation of the federal programs that address these challenges, including the Coastal Zone Management Act, the Coral Reef

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Conservation Act, and the Coastal and Estuarine Land Conservation Program. In particular, as potential ocean uses multiply, including traditional and alternative energy sources, aquaculture, commercial and recreational fishing, and commercial shipping, we will need better data and policy frameworks in which to make comprehensive planning decisions that can best accommodate the highest value uses while protecting important marine habitats. This will require leadership and coordination across the federal agencies that manage these sectors, and participation from states, and other important stakeholders.

WORKING WITH PEOPLE AROUND THE WORLD TO ADDRESS CONSERVATION CHALLENGES

Pollution related smog, greeenhouse gasses. from traffic blankets the streets of Bangkok, Thailand. © Mark Godfrey

With programs and projects in 34 countries outside the U.S., The Nature Conservancy understands how inter-connected our world has become. We see the toll taken on natural areas in developing countries by growing populations, rapid urbanization, and climate change. The U.S. should again become a leader for conservation of Earth's environment by becoming an active and constructive participant in negotiations for a new Climate Treaty in Copenhagen in 2009 and by ratifying the international Convention on Biological Diversity (CBD). We favor substantial increases in support for U.S. A.I.D. for projects that join human well being to restoration of the environment in developing countries. We also support additional funding for the international programs of the U.S. Fish and Wildlife, Forest Service and National Park Service, and the Army Corps of Engineers. Increasing assistance through investing in the environment of developing countries will provide tangible benefits for people and wildlife and will help to avoid conflicts over resources that ultimately threaten our own security.

Children along The Buzzardroost Trail at the Edge of Appalachia Preserve © TNC

The Path Ahead

All of these recommendations are achievable politically and practically. Much is already underway; more can be done with innovation and new ideas. Yes, money is an issue, but the leasing of federally-owned energy resources and the conversion to a lower-carbon economy can be sources of funding. Offsets to unavoidable environmental damage from energy and infrastructure projects can be another important source of funding. Our last one-hundred years of conservation tell us that expenditures on the environment are not costs but investments in the future.

The actions we suggest here are inter-related, and our success in addressing environmental problems on a crowded Earth will depend on our ability to work across boundaries, to see things as a whole. This strongly suggests a more important role for the White House staff offices (including the Council on Environmental Quality) and for the new agency heads in helping federal agencies to find synergies and efficiencies in working much more effectively together. And it suggests a role for the President in convincing the public and private sectors, urban and rural interests that they all share and must take responsibility for our one connected environment.

While the path ahead is steep, the journey to saving America's environmental heritage should never be thought of as a burden, but rather as the shared national privilege of passing on to those who follow us the healthy and beautiful natural systems that sustain the diversity of our native plants and animals and upon which our own lives depend.

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Climate Policy

STRENGTHENING CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Support rapid enactment of cap and trade legislation

Karen Mogensen F. Reserve © The Nature Conservancy/Sergio Pucci

The Intergovernmental Panel on Climate Change's (IPCC) 2007 Fourth Assessment Report has added further confirmation that Earth's climate is warming, that this trend is - if anything - accelerating, that human-caused emissions of carbon and other greenhouse gases are the primary cause of rapid warming, and that unless very significant action is taken quickly, natural systems and human communities across Earth face dire consequences.

The primary strategy for addressing this global threat is to quickly and sharply reduce the rate of increase, and then to decrease greenhouse gas emissions from human causes. The Nature Conservancy believes an approach based on greenhouse gas cap-and-trade legislation complemented by other measures will be the most effective strategy for the United States to reach these emissions goals. Efforts to reduce U.S. emissions should be complemented by a global agreement under the United Nations that engages all countries in action to reduce emissions

Because deforestation produces as much as 20%-25% of the world's greenhouse gas emissions, reducing emissions from the combustion of fossil fuels alone cannot solve the problem of climate change. Carbon emissions reductions from avoided deforestation, reforestation, and improved forest management - particularly in developing countries - offer great potential to increase the probability of achieving the necessary reduction levels as quickly as possible and in a cost-effective manner. Protection and expansion of forests can also provide numerous additional environmental, economic, and social benefits in some of the world's poorest countries, including protection of biodiversity, restoration of degraded lands and watersheds, clean water, and enhanced incomes for the rural poor.

Even if efforts to reduce emissions are successful, atmospheric carbon will continue to increase for some time and significant climate impacts, including sea level rise and changes in ocean acidity, are almost certain. It will be imperative to fund efforts to facilitate adaptation efforts that can strengthen and protect natural systems in the face of changing conditions to assure they continue to provide needed services to human communities, protect biodiversity, and avoid systemic collapses and mass extinctions. Therefore, the Conservancy urges the new Administration to submit cap-and-trade legislation to Congress early in 2009, and support enactment of legislation that includes:

- a schedule of declining caps to achieve reductions of at least 20% in 2020 and at least 80% in 2050;

- an approach that credits verifiable emission reductions and increased carbon sequestration by natural systems, within and outside the U.S.

- the dedication of revenues from allowance sales and other sources to support adaptation efforts, as well as investments in energy conservation and technologies.

Include investments in energy conservation and cleaner energy production in any economic stimulus package and in the use of allowance proceeds

While cap-and-trade legislation can achieve significant carbon reductions, it will take time for the market to produce these results. Shorter term benefits can be achieved by investing in household, transportation and commercial energy conservation and deployment of low-carbon energy generating sources. The Conservancy recommends that any economic stimulus packages include spending for energy conservation and emissions reductions.

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Require federal agencies to take climate change into account in all planning activities

The emissions that accelerate climate change result in part from a broad range of activities influenced by Federal agencies. Through Presidential Executive Orders, agencies should be required to examine their operations to find ways to reduce carbon emissions and to save energy. Similarly, natural resource agencies must take into account changing climate conditions and rising sea levels in planning for conservation and management, to facilitate the adaptation of natural systems to climate change.

Be a leader in international negotiations to develop a new climate change agreeement at Copenhagen in December 2009to further reduce greenhouse gas emissions.

To galvanize global action on climate change, the U.S. should become an active and constructive participant in negotiations for a new, legally binding, enforceable and effective climate treaty in Copenhagen in December 2009. This agreement should establish a balanced framework under which industrialized countries take on new internationally binding emissions reductions obligations, and developing countries - particularly leading emitters and the emerging economies - take measurable and verifiable actions to mitigate emissions. A negotiating team should be established as a matter of first priority to pursue this global agreement.

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IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Ensure sustainable cellulosic biofuel development

A combine harvesting on the Franklin family farm, located near Lexington, Illinois, on the banks of the Mackinaw River © Tim Lindenbaum/TNC

DOE has a research and development program to bring cellulosic biofuel technologies to the commercial stage of development. DOE is working with the U.S. Department of Agriculture (USDA), the Environmental Protection Agency (EPA) and other agencies to develop sustainability standards for biofuels production.

The Energy Independence and Security Act of 2007 mandates the production of 21 billion gallons of biofuels by 2022. Of this amount, 16 billion gallons is to come from cellulosic sources. The Nature Conservancy has been participating in U.S. and international dialogues on the development of certification systems for the production of second generation biofuels. DOE is also a participant in these discussions. It is likely that 2009 will be the year to pilot test sustainability principles for feedstock growers with the expectation that certification systems for sustainable production can be launched in 2010. The Conservancy will work with refiners and growers receiving assistance from DOE in developing these principles.

Ensure that new renewable fuels standards do not result in an increase in carbon dixiode emissions through the conversion of native ecosystems

The Bush Administration will be proposing regulations to implement the biofuels mandate in the Energy Independence and Security Act of 2007 in November 2008 with a final rule expected early in 2009. The Conservancy will be interacting with DOE, EPA and other agencies during this period to understand the impact of the new standards on carbon dioxide emissions and the conversion of native ecosystems.

The principal issue for the Conservancy in this regulation will be the treatment of greenhouse gas emissions from land use change. The statute requires that greenhouse gas emissions associated with direct and indirect land use change be considered in the Life Cycle Assessment to determine whether advanced biofuels can reduce greenhouse gas emissions by the amounts required (60 percent for cellulosic ethanol and 50 percent for other advanced biofuels). Work done by Conservancy scientists including a paper published by Joe Fargione, the Conservancy's central region scientist, and colleagues in February indicates that substantial greenhouse gas emissions may occur if the EISA mandate results in the direct or indirect conversion of forest and grasslands. However, there is considerable uncertainty with respect to the amount of conversion that may be attributable to the EISA policy. Therefore, the Conservancy looks forward to the opportunity to work with DOE, EPA and other agencies on the models used in support of the regulation issued to carry out the Renewable Fuels Standard.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Support modification to the definition of renewable biomass contained in the Energy Independence and Security Act of 2007 to allow for sourcing feedstocks from federal lands and private forests and to protect native ecosystems on private land more efficiently.

The Energy Independence and Security Act of 2007 requires the production and utilization of 36 billion gallons of biofuels by 2022. The law includes restrictions on the types of biomass that can be used as a feedstock to produce the mandated fuels. No feedstock can be taken from federal lands. This would exclude the use of materials from national forests and forested lands managed by BLM. The Conservancy believes that these restrictions should be

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modified so that the biofuels market may provide revenue to support the removal of hazardous fuel loads from all federal lands.

In addition, the definitions in EISA restrict the use of waste materials from privately-owned forested lands for biofuels production. The Conservancy believes that revenues from a biofuels market for sustainably harvested or waste-derived feedstocks drawn from privately owned forest lands would provide support for keeping such lands in forest cover.

If expanded in the ways described above, the biofuels mandate in EISA could contribute to the restoration of natural fire regimes on federal lands and the retention of working forests on family-owned forest lands.

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Department of Transportation

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Develop and implement additional atandards to integrate wildlife considerations into transportation plans

Highway 101 divides a critical wildlife habitat corridor through Agoura Hills, shown here at the Chesebro exit, Los Angeles County, southern California. ©Bill Evarts

Federal transportation law requires states and metropolitan areas to develop long-range transportation plans that integrate mobility demands with other community needs. Along with other organizations, the Conservancy was instrumental in the most recent authorization of the 2005 surface transportation law in securing amendments to the planning provisions that provide for the consideration and mitigation of wildlife impacts. The Conservancy continues to work with the Deparment of Transportation(DOT) and state and metropolitan agencies to assure that wildlife considerations are fully integrated into the long-range transportation plans that guide highway development. Recently, DOT has expressed interest in furthering these objectives through bridge and culvert design standards that would protect fish passage and other wildlife values. The Conservancy will support DOT efforts in this direction.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Establish greenhouse gas reduction goals for a new Transportation Bill

The current authorization for highway, transit, and highway safety programs expires on September 30, 2009. The next Administration will likely submit a reauthorization proposal to Congress. It should include goals and objective measures to reduce greenhouse gas emissions from the transportation sector including a goal of no net increase in vehicle miles traveled per capita.

Thirty-three percent of U.S. greenhouse gas emissions come from the transportation sector. If our goals to prevent the most dangerous impacts of global warming are to be achieved, emissions from the transportation sector must be substantially reduced. A cap and trade program by itself does not achieve early reductions in transportation emissions because the price signals are not strong enough to change vehicle use in the near-term.

Current authority for spending on highway, transit and safety programs expires in 2009. Reauthorization of the surface transportation programs gives the new Administration and Congress a real opportunity to set a new course of global warming emissions for the nation. Among other very difficult issues, it is clear the Congress will need to establish new funding authorities for the surface transportation program as the current gasoline tax is not sufficient to maintain the highway and road infrastructure and assure efficient movement of people and freight.

The Administration should propose and Congress should enact modifications in the planning, accounting and financing provisions of the surface transportation programs that will assure a significant reduction in greenhouse gas emissions from the transportation sector over the long-term. In particular, these policies should focus on the miles traveled by vehicles carrying passengers and should seek to achieve a goal of no net increase in vehicle miles traveled

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U.S. Fish and Wildlfe Service

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Invest in the Cooperative Endangered Species Program

The Nature Conservancy encourages the Administration to ramp up funding for this critical program to meet the large-scale demand for on-the-ground habitat conservation, recovery planning, and land acquisition efforts. The Conservancy and its partners, including multiple state and county governments, have used the Habitat Conservation Plan (HCP) and Recovery Land Acquisition Programs to secure key habitat for numerous threatened, endangered and at-risk species. In recent years, this program has permanently protected habitat in such significant landscapes as Montana's Blackfoot Valley, Washington's Tieton River Canyon and Califonia's Ramona Grasslands.

Upper Mississippi River National Wildlife Refuge. © Bob Hurt

Restore funding for the Land and Water Conservation Fund (LWCF)

The new Administration should reverse the recent decline in LWCF funding, the largest source of land acquisition funding for the Service. LWCF funding has long been used to protect the nation's most significant wildlife habitats. Key project areas include West Virginia's Canann Valley National Wildlife Refuge (NWR), Florida's St. Marks NWR, Montanta's Rocky Mountain Front Conservation Area, New England's Silvio O. Conte National Fish & Wildlife Refuge and the Northern Tallgrass Prairie NWR in Minnesota and Iowa.

Support and expand funding for State Wildlife Action Plans

State Wildlife Action Plans help states outline the steps needed to conserve wildlife and habitat before they become more rare and costly to protect. These plans have been vital for establishing a nationwide program to conserve fish and wildlife and their habitats in each state. Strong annual funds are critical for the implementation phase of these plans. The Nature Conservancy urges the Administration to continue to emphasize the importance of these plans and to provide robust funding.

Support strategic, landscape-scale conservation consistent with the Strategic Habitat Conservation Framework

In 2006, the Fish and Wildlife Service (FWS) developed the Strategic Habitat Conservation framework to help ensure that the agency utilized the best process to make effective decisions about local conservation actions to achieve broad-scale objectives as efficiently as possible. The framework is an adaptive management approach to achieving conservation goals in four basic steps: biological planning, conservation design, delivery, and monitoring and research. The Nature Conservancy supports the implementation of this framework to help prioritize Agency funding decisions, priorities, and areas of focus.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Support passage of the Non-Native Wildlife Invasion Prevention Act

The Non-Native Wildlife Invasion Prevention Act, a bill introduced in June 2008, would help prevent the introduction of invasive species, one of the major threats to biodiversity worldwide. The Conservancy supports authorization of this legislation to grant the Department of Interior (FWS) the authority to screen proposed

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imported wildlife (generally, all taxa except plants) for their invasive potential, and to prohibit those species that are invasive. The law would complement, not supercede, existing authority available to several agencies to screen imported species for their invasive potential.

By focusing targeted efforts on preventing invasive species, rather than merely responding to invasive species threats once these species are introduced in the United States, we would help better protect ecosystems, communities, and the economy. We appreciate that Fish and Wildlife Service has supported both the need for this authority and the general framework of this legislation, and would like to work with the Administration and Congress to see this legislation enacted.

Take leadership role in developing climate change adaptation techniques and recommendations

By October 2008, nearly every one of the FWS Regional Offices has held at least one climate change workshop. The Conservancy encourages FWS to continue these efforts and reach out to partners to delve further into climate change, its impacts on fish, wildlife and ecosystems, and to explore adaptation opportunities. The FWS' broad authority over threatened and endangered species, migratory birds, and other trust species, as well as the agency's suite of grant programs to assist in the conservation and restoration of habitat, places the agency at the forefront in developing and implementing a national policy for climate change natural resources adaptation. The incoming Administration should allow the FWS to continue a leadership role in natural resources adaptation decision making.

Maintain effective partnerships in implementing landscape-scale restoration

Reinstitution or renewed focus on funding for landscape-scale restoration work on public and private lands is critical. In continued implementation of such programs as the Partners for Fish and Wildlife and Section 6 Cooperative Endangered Species Programs, the FWS should prioritize focus on landscape scale conservation, based on objectives such as those identified in State Wildlife Action Plans, National Fish Habitat Action Plans, and the Nature Conservancy's ecoregional plans and Conservation Action Plans.

Support the National Fish Habitat Conservation Act

This bill, if enacted, would authorize $75 million annual for projects to enhance, protect, and conserve fish habitat nationwide. Healthy populations of fish and other aquatic organisms depend on the restoration and conservation of aquatic habitats in the United States. With 40% of the nation's fish in decline and more than half of our waters listed as impaired, existing efforts across agencies to conserve fish habitat have not provided sustainability. This legislation provides a framework for maintaining and restoring fish habitat, and encourages collaborative regional conservation efforts that bring together federal government agencies, state and local governments, conservation groups, fishing industry groups, and businesses.

Support and strengthen Neotropical Migratory Bird Conservation Act

TNC encourages support for reauthorizing this important legislation to provide increased levels of grant funding for migratory bird conservation in the US, Canada, the Caribbean, and Latin America.

Support enactment of the Duck Stamp Reauthorization Act

This proposed legislation would increase the federal Duck Stamp from $15 to $25 to raise critical new funds for wetlands protection nationwide.

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U.S. Department of Agriculture

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Enhancing opportunities for forestland owners in NRCS programs

After a six-year farm bill process, including the veto (twice) of the bill, USDA is now in the midst of implementing the 2008 farm bill. Critical interpretative decisions abound throughout the bill. The implementation process will carry over into the next Administration, as many regulations will not be promulgated prior to January.

USDA should ensure the new opportunities for forestland owners are communicated at the regional, state and county level to ensure robust participation. NRCS and the Forest and the Farm Bill Coalition are holding workshops across the country to inform forest landowners, resource professionals and others about these new programs.

Pastoral view of valley oak, rolling pastures and ranch headquarters at Rancho Cienega del Gabilan, or Gabilan Ranch, 11,190 acres of working ranch and a Conservancy acquired conservation easement. ©Harold Malde

Conservation Reserve Program

Given the increase demand for corn due to ethanol production, commodity prices spiked in 2008. The increased commodity prices are bidding land into production. The Conservation Reserve Program (CRP) is one large source of land that currently is not in production. Some 34 million acres are enrolled in the CRP and the Secretary has authority to waive penalties to allow landowners an "early out" from 10 year rental contracts. The Secretary decided twice in 2008, under heavy pressure, to not waive penalties but could certainly revisit the decision. The Conservancy opposes these waivers given the environmental sensitivity of the land and has made public statements with partners in opposition.

Swiftly revise and implement Plant Protection Act Quarantine 37 regulations to protect against invasive species

The Plant Protection Act grants USDA APHIS the authority to regulate importation processes and products to prevent introduction of invasive species that threaten plant health. In 2004, USDA proposed to revise the Act's Quarantine 37 regulations, which govern the importation of live plants in order to better prevent invasive plants and the insects and diseases that may be carried on imported plants. This revision is the single most important regulatory effort under way to prevent harmful invasive species and their associated environmental and economic threats.

We urge the Administration to move swiftly to implement these regulatory revisions, expected to unfold in a series of rulemakings. Currently, USDA Departmental approval is pending on a rule that would create a new category of regulated plants whose importation is Not Authorized until a Pest Risk Assessment has been completed and adequate pest risk mitigation measures are put in place (NAPPRA Rule). Initially the types of plants not authorized for import will be limited to plant species that are not currently being imported, or are not being imported in significant volumes. However, as the Quarantine 37 regulation revisions unfold, we urge USDA to expand its scope such that all imported plants are first assessed for their invasive potential, and that effective measures are adapted to minimize the risk that imported plants of all types might carry invasive insects and diseases.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Sodsaver

A robust sodsaver provision could slow the accelerated loss of native grassland and prairie to cropland conversion. The sodsaver provision would eliminate federal subsidy support of any kind – including direct, counter-cyclical, loan deficiency, disaster, and crop insurance payments – on any new cropland acres that are put into production as a result of breaking grassland that had no previous cropping history.

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IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Ensure Sound Management and Conservation of Private Forestlands

The Forests in the Farm Bill Coalition highlighted the increasing concern and need for programs supporting privately owned forestlands. The 2008 Farm Bill provided significant opportunities to private forestland conservation.

The national priorities for private forest conservation, established in the Farm Bill, should focus forest conservation efforts on a landscape scale and be integrated throughout the various programs. The new Statewide Forest Assessments should also provide a strategic approach to funding private forestland conservation priorities.

The Hells Canyon conservation area along the Oregon-Idaho border.
© The Nature Conservancy

Encourage the formation of the Forest Resources Coordinating Committee as established in the Farm Bill. The Committee should provide a stronger role for coordinating efforts with in USDA and be responsible for ensuring the National Priorities are addressed.

Our nation's forests provide a suite of natural assets; we should encourage opportunities to advance markets and payments for ecosystems services. The Farm Bill outlined new steps toward advancing private landowner participation in ecosystem services markets.

Restore Funding for the Land and Water Conservation Fund (LWCF)

The new Administration should reverse the recent decline in LWCF funding, the largest source of land acquisition funding for the U.S. Forest Service. LWCF funding has long been used to protect the nation's most significant wildlife habitats and forested areas. Acquisition of critical inholdings protects fish and wildlife habitat from forest fragmentation and can abate the future costs of protecting residential developments from the soaring costs of suppressing wildfire. Key project areas include Illinois's Shawnee National Forest, Oregon's Hells Canyon National Recreation Area, South Carolina's Francis Marion NF and Georgia's Chattahoochee NF.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Ensure the Sound Management of Federal Lands

The forest health problems on federal lands have been getting steadily worse, as demonstrated by increasing insect and disease problems, catastrophic wildfires, and loss of habitat for fish and wildlife. To ensure the sound management of federal lands into the future, the new administration should initiate the following actions:

Partition the Forest Service fire suppression budget from their conservation program budget to ensure that management funds for the 193 million acre National Forest System are available and that the public is protected from damaging fires. New funding sources to cover these rapidly increasing costs will be necessary to make partitioning viable.

Support passage of the Federal Land Assistance Management and Enhancement Act (FLAME Act). This legislation, if enacted, would to authorize dedicated funding for catastrophic fires, separate from Forest Service Base Funding. The Conservancy additionally requests support for the Forest Landscape Restoration Act

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(FLRA), to authorize up to ten large tracks of land selected annually to receive 10 years of sustained forest health restoration and funding. This legislation would restore America´s forests and create local, sustainable jobs.

Create new legislation to repeal the unsustainable and outdated requirements in the Multiple Use Sustained Yield Act of 1960 (MUSYA), which amended the Forest Service Organic Act and provided new direction for the Bureau of Land Management. New legislation is needed to shift the authority from providing "products and services" to providing "ecosystem services and compatible recreation" that meets the needs of the American people. The Organic Act should provide the foundation for the definition of ecosystem services in new authorizing legislation that moves away from the multiple use mandate and provides a framework to ensure that the ecological health of federal lands is restored and maintained for future generations.

Revise the Interior Bill appropriations structure for the Forest Service and BLM to support the transition from multiple use to ecosystem services. Phase out targets for products and services with targets for ecosystem services, and use receipts from ecosystem services to boost appropriated funds in a new ecological restoration line item.

Memorialize the Northwest Forest Plan's provisions for old growth and late successional forest protection, and for restoration of riparian systems and endangered species habitat in new legislation.

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Bureau of Land Management

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Support efforts to develop ecoregional assessments

South Fork of the Snake River. © S. Vanslow

In recent years, the Bureau of Land Management has been tasked with working at the landscape level to restore habitats. This has been an important step towards enhancing the management tools of the BLM. However, to be effective BLM must also focus its efforts on assessments, planning and monitoring.

BLM already has a significant amount of regional information; however, this information does not exist in a common framework, and it is generally unknown how these data relate to BLM's National Land Health Standards. This information needs to be collected and reviewed for gaps and overlaps, consistent with the Land Health Standards and/or other criteria determined to be relevant. The Secretary should direct the BLM and the Department to identify a common ecoregional framework for assessments. For BLM to be successful at managing public lands, BLM must identify an ecoregional classification framework using a science based methodology, consistent with other federal, state and private organizations.

Support efforts to ensure assessments are strategically conducted and incorporated into agency planning and decision-making

Often, many of BLM's assessments are unrelated to the planning process or not incorporated into BLM's planning process. Once conducted, BLM must incorporate ecoregional assessment information into each phase of the planning process. In addition, once BLM identifies an appropriate framework for ecoregional assessments, that information can be scaled to a state level and tied to State level activities, such as the State Wildlife Action Plans. Such an effort will integrate more fully all available information regarding the condition of the lands and allow for more effective planning decisions. In addition, it will allow budgetary decisions to be driven more effectively.

Restore funding for the Land and Water Conservation Fund

The new Administration should reverse the recent decline in LWCF funding, the largest source of land acquisition funding for the Bureau of Land Management. LWCF funding has long been used to protect fish and wildlife habitat in areas administered by BLM. Key project areas include Idaho's Henry's Lake Area of Critical Concern, Montana's Blackfoot Valley, and the agency's California Wilderness project.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Develop an integrated national conservation map

As a nation, we are experiencing an unprecedented use of our nation's public lands due to increased demands for energy development, national security (DoD expansions) infrastructure related needs (including transition lines and roads), energy security, recreation, agriculture (forestry and ranching) , endangered species protection, and other ecological and cultural needs (e.g. water and historic preservation). While the Energy and Policy Act of 2005 directed a series of studies and maps regarding energy resources, there has been no comparable overlay of this nation's natural resources. Because more and more users want an answer to the question of where they can go to conduct the uses they seek, developing a national conservation or natural resource map, based on a scientific approach, would help answer this question.

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Currently, there are several conservation mapping activities being created to address various issues, including wetlands, migration corridors, State Wildlife Action Plans, adaptation, etc. However, there is no process to integrate these various efforts and determine gaps and overlaps for identifying federal lands of high conservation value. The multiple use agencies (USFS and BLM) and states (for state owned lands) should have access to a national integrated map that clearly delineates areas of high conservation value lands (limited access or avoidance). Criteria should be based on science with the input of users, and include federal, state, tribal and local governments.

Once constructed, the map should be leveraged to drive efficiency and funding into widespread land use decision processes. Not only would it help answer the question of "where", but management funds could be directed more effectively to those areas offering the highest conservation values. The map could also be updated on a periodic basis to incorporate new information and criteria.

Institutionalize a mitigation approach that adheres to the mitigation hierarchy and incorporates concepts of The Nature Conservancy's Energy by Design framework to establish a tiered system of use

Mitigation planning should clearly incorporate the mitigation hierarchy (avoid, minimize, restore and offset). Areas for avoidance and offset potential could be incorporated into the assessment and planning processes previously described. The mitigation process should identify, implement, and adapt the highest priority habitat conservation and mitigation opportunities by looking at habitat conservation across a region (e.g., basin) and/or for a particular site (e.g., well field), based on goals for and potential impacts to species and habitats.

By clearly incorporating the hierarchy and adopting the framework of Energy by Design, BLM should structure a tiered system of uses that are tied to the National Land Health Standards, ecoregional assessments and incorporated into their planning documents. Such a system would recognize that some areas should only be used for development and some areas should only be used for conservation, recreation, etc. BLM has experimented with various ideas of this type of zoning model (e.g. the Mojave), but has not captured best practices or other issues associated this type of system.

Reauthorize and strengthen the Federal Land Transfer and Facilitation Act (FLTFA)

The Nature Conservancy will support the reauthorization of FLTFA and adjust the date that BLM disposal lands become eligible for FLTFA activities. Currently only lands identified for disposal in a BLM land use plan prior to July 25 2000 are eligible. This deadline should be eliminated. In addition, BLM has not used FLTFA in a strategic manner to support acquisitions of properties that help them meet particular conservation goals. By including FLTFA as a strategy for conservation goals (developed through landscape assessments and plans), BLM can increase its ability to meet specific conservation goals related to mitigation, species protection and habitat conservation.

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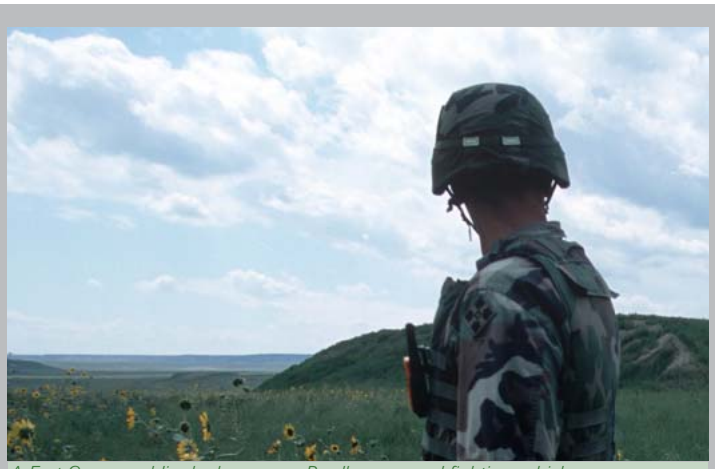
Department of Defense

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Continue and expand the Readiness and Environmental Protection Initiative (REPI) to sustain military readiness by protecting sensitive habitat



A Fort Carson soldier looks on as a Bradley armored fighting vehicles maneuver a few hundred yards from the post's border. © Peter McBride

The Nature Conservancy and the US Army formed an innovative and highly successful partnership to work together to protect important habitat in the vicinity of Fort Bragg, NC in order to ensure that the Army could train as it needed to while fully meeting its obligations under the Endangered Species Act. Based on the model of that partnership, REPI has evolved into a nation-wide series of partnerships among the Department of Defense (DoD) states, local governments, conservation groups, and private landowners to work together to protect sensitive habitat in ways that benefit both military readiness and biodiversity.

As the RAND Corporation confirmed in a detailed study of REPI, the program has been highly successful in meeting its multiple objectives of protecting military readiness and the environment, while providing multiple other benefits for landowners and local communities. This highly successful program is one of the fastest-growing conservation programs in the federal government, enjoys strong bipartisan support in Congress, and is a model of how groups often thought of as being at odds can come together and work creatively to achieve shared goals and objectives.

Support and expand DoD's initiative to build on the REPI concept by forming regional conservation partnerships

DoD has formed two regional partnerships (one in the Southeast and one in the Southwest) involving other federal agencies, multiple states, NGOs, and landowners. The purpose of these regional partnerships is to protect habitat and working farms and forests at landscape and regional scales to assure military readiness while advancing multiple environmental, economic, and quality of life benefits. These innovative partnerships are exploring new ways to more effectively integrate the programs of multiple federal and state agencies. This new program can become a laboratory for the development of new techniques to effectively integrate, at regional and landscape-scale levels, multiple federal and state conservation programs for the accomplishment of shared goals, such as identifying and protecting key wildlife migration corridors and refugia under a national climate change adaptation strategy.

STRENGTHENING CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Fully integrate the DoD in efforts to address global climate change and to assure energy security through advances in renewable energy, energy efficiency, and conservation

There is a growing recognition in DoD, the Congress, and among defense and security experts that the threat of global climate change and the need to attain energy security are and will remain two of the most significant national security challenges facing the United States and the world community as a whole in the decades ahead. Less well recognized is the vital role that the Department of Defense can and should have in addressing these challenges.

DoD has begun significant efforts to decrease reliance on fossil fuels and incorporate energy efficiency and conservation in its activities both in the United States and while deployed. However, there has been insufficient emphasis on DoD´s enormous potential to greatly expand its basic and applied research and development related to these efforts and to implement policies and adopt technological and other solutions that could serve as models for adoption by other federal agencies, the states, and society at large.

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Just as DoD has served as an engine of progress in developing and taking full advantage of information technology, it can serve as an engine of technical and policy advances related to reducing greenhouse gases, reducing reliance on fossil fuels, greatly improving energy efficiency and conservation, and attaining energy security.

Through reauthorization of the Sikes Act, enhance the ability of federal agencies to cooperate and act jointly on regional and landscape scale conservation initiatives

The Sikes Act, due for reauthorization in 2009, addresses, among other things, cooperation on conservation between DoD and state and local agencies and private landowners (Title I), and between the Department of the Interior and the Department of Agriculture with those entities (Title II). However, there are inadequate provisions in the Act focused on facilitating cooperation between and among federal agencies in efforts to work with each other and with state and local governments and private landowners on conservation.

Proposals for changes and updates to the Sikes Act should focus on such facilitation by enhancing the ability of federal agencies to pool resources, fund long-term management endowments, and enter into multi-agency and multi-state cooperative agreements.

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U.S. Army Corps of Engineers

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Create an initiative to revise current dam operations to more efficiently meet flood risk reduction, navigation and water supply needs while improving health of downstream ecosystems.

Given increasing demands on the nation's reservoirs to provide for water supply, flood risk reduction and navigation, and the growing challenge of meeting these needs in the wake of climate change, it is critical that the Corps modernize its reservoir operations. Many reservoirs are governed by operating procedures developed decades ago. Investing in updating operations would allow the Corps to more efficiently meet changing demands while maintaining flexibility in the future by avoiding contentious environmental conflicts.

The Illinois River, an important conduit for both commerce and wildlife.
© The Nature Conservancy

In 2002, the Corps launched an initiative with The Nature Conservancy called the Sustainable Rivers Project to evaluate ecological flow needs in 8 river basins and study the feasibility of re-operating reservoirs to restore river ecosystems. These efforts are in various stages of completion at 36 reservoirs nation-wide, but this effort has struggled due to a lack of dedicated funding. The new Administration could go a long way towards improving reservoir management while highlighting the Corps' interest in long-term sustainability by significantly expanding the Sustainable Rivers Project through the creation of a dedicated budget line item for reservoir re-operations and making improved reservoir management a high-profile agency initiative.

Continue update of Economic and Environmental Principles and Guidelines with goal of promoting sustainability in the nation's water resources development

The Water Resources Development Act of 2007 required the Corps to update the Economic and Environmental Principles and Guidelines that govern the planning of all water resources projects. The statute required the update to maximize sustainable economic development, wise use of floodplains, and the restoration of ecosystems. The previous Administration began this process, and it is critical that the new Administration make this a high priority for the agency. The update should ensure that Corps planning better reflect watershed management, account for ecosystem services, prioritize non-structural flood protection measures, and balance economic development with impacts on ecosystems.

Quickly implement the watershed approach outlined in new Clean Water Act 404 mitigation regulations by conducting pilot projects in 3 Corps Districts to develop best practices

In May of 2008, the Corps and EPA finalized new regulations governing mitigation for impacts to streams and wetlands regulated under the Clean Water Act. The regulations adopt the recommendations of the National Research Council and multiple other reviewers who have called for a more strategic watershed-based approach to approving and siting compensatory mitigation. The watershed approach encourages larger-scale, more ecologically significant mitigation projects that truly replace lost ecological values, unlike the current piecemeal approach. With nearly $ 3 billion spent annually on wetland and stream mitigation, successfully implementing the watershed approach could have significant ecological returns. However, this is a novel approach to mitigation for the Corps and EPA. Therefore, implementing pilot projects in geographically varied Corps districts would allow the Corps and local stakeholders to identify information needs and necessary resources and develop best practices for a broader implementation of the watershed approach nation-wide.

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Develop and implement a national goal to double the restoration of freshwater and coastal ecosystems

The nation's rivers, coasts, and estuaries are directly and indirectly linked to billions of dollars in economic productivity and provide important habitat and ecological services. Unfortunately, many of these critical ecosystems have been in decline for years. For example, a recent report indicated that over 40% of freshwater fish in the US are under threat of extinction in the next 20 years. These and many other statistics on the state of our nation's aquatic ecosystems indicates why aquatic restoration should be a top priority.

Multiple federal agencies are currently involved in restoration, but there is little coordination between agencies and current Federal investment in restoration falls well short of the national need. Furthermore, many Federal restoration programs could be improved to ensure more efficient outcomes and greater ecological return. Therefore, a Presidential initiative on restoration is needed to raise the profile of ecosystem restoration as a national priority and to ensure the Federal government is effectively partnering with states and other non-Federal entities to increase the pace and scale of restoration. This will not only improve the ecological health of our nations rivers, coasts and estuaries, but since restoration projects often require significant engineering and construction resources, federal dollars invested in restoration projects can create much needed jobs in an uncertain economic time.

Develop tools and support planning and budgeting of water resources projects on a watershed or regional basis

Scientific and engineering practice is increasingly moving towards watershed-based management of water resources projects. Whether the purpose is flood risk reduction, navigation or ecosystem restoration, all projects in a watershed or coastal area are impacted by other projects and the natural processes that operate in a given watershed. Furthermore, as climate change results in sea level rise and more frequent inland flooding, it will be critical to take a regional look at where increased infrastructure investment is needed and similarly, where restoration of ecosystems would provide both habitat and ecological services.

For decades Corps planning, budgeting and management have focused on individual projects. To meet modern demands, the planning and budgeting process needs to be reformed to allow the Corps to manage on a watershed or regional basis. By managing Federal projects collectively and engaging watershed stakeholders in making decisions on projects and activities within a watershed, the Corps will be more efficient and able to better balance multiple water resource goals.

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Bureau of Reclamation

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Establish a program within the Bureau of Reclamation to reduce demand on water resources and improve the efficiency of water infrastructure

Chronic water shortages, dramatic population growth, and aging water facilities are increasing the potential for conflict over water resources around the nation. The impacts of climate change on existing water supply shortages will only exacerbate this problem. However, as a nation, we are limited in our ability to respond to this pending crisis. If the country is going to avoid a water crisis, proactive investment in reducing our demand for water will be needed. In FY09, the Department of Interior proposed a new budget initiative, the Water for America initiative, to begin to tackle this issue. Unfortunately, the multi-agency initiative did not propose new resources, instead cutting other important water programs to fund important water conservation activities.

Water is released from the spillways at Hoover Dam on the Colorado River. Photo courtesy of the Bureau of Reclamation.

We urge the next Administration to build on the concept of the Water for America initiative by launching and funding a water initiative within the Department of Interior that will help prepare the nation to address the impending water crisis. As one of the largest providers of water in the western U.S., the Bureau of Reclamation would play a critical role in implementing this new initiative through multiple new efforts, as outlined below. In addition, the Administration should support passage of the SECURE Water Act, which will ensure the Bureau of Reclamation and other relevant agencies have the authorities necessary to address our future water supply needs.

Broaden and expand the Water 2025 program to allow the Bureau of Reclamation to partner with stakeholders to improve water conservation for environmental benefit

The Water 2025 program has funded challenge grants for improving water efficiency and delivery since 2004. However, the program must be revamped and expanded if it is going to be an effective tool for preventing future water conflicts. First, the funding should be dramatically increased. The small amount of funding Water 2025 has received to date has prevented the program from doing much more than small-scale projects. Furthermore, the program should expand the list of eligible participants so that it encourages diverse partnerships of water providers, producers, governments, and NGOs to collectively address water quality and quantity concerns. Lastly, projects funded through the program should be focused on achieving clearly identified water quality or quantity outcomes, such as reducing the net water consumption in a given watershed. Collectively, these changes could make Water 2025 a useful tool for water conservation in the west.

In partnership with the U.S. Geological Survey (USGS) and state and local governments, help plan for the nation's future water use by undertaking regional studies of water availability that include analyses of environmental flow needs

One of the critical needs in better managing our water resources to avoid future conflicts is giving information on water availability as well as both human and environmental water needs to water managers. USGS has the expertise to analyze water use, model future water needs, and quantify the linkages between hydrology and ecosystem health and the Bureau of Reclamation is the largest water manager in the west. These two agencies should work in partnership to plan for our nation's water future. The Water for America initiative proposed regional studies of water availability and use. These studies should be funded and implemented and should include a specific focus on the water needs of ecosystems.

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Launch a climate change adaptation program to identify strategies and implement projects to prepare for future climate change impacts

Around the world, natural systems and the lives they support are threatened by the inevitable impacts of climate change. The Bureau of Reclamation should establish a program to fund projects that help prepare for changes in water availability due to climate change. Projects should be focused on minimizing environmental impacts and building resiliency in water delivery systems that help to avoid future water conflicts. While this initiative could be launched without changes to the Bureau's existing authorities, the SECURE Water Act contains specific provisions establishing such a program.

Create a budgetary and programmatic initiative to study current dam operations and re-operate dams to more efficiently meet water supply needs while improving health of downstream ecosystems

Given increasing demands on the nation's reservoirs to provide for water supply and the growing challenge of meeting these needs in the wake of climate change, it is critical that the Bureau modernize its reservoir operations. Many reservoirs are governed by operating procedures developed decades ago. Investing in updating operations would allow the Bureau to more efficiently meet changing demands while maintaining flexibility in the future by avoiding contentious environmental conflicts.

In 2002, the Corps of Engineers launched an initiative with The Nature Conservancy called the Sustainable Rivers Project to evaluate ecological flow needs in 8 river basins and study the feasibility of re-operating reservoirs to restore river ecosystems. We urge the Administration to launch a similar interest within the Bureau of Reclamation that would involve the creation of a dedicated budget line item for reservoir re-operations and making improved reservoir management a high-profile agency initiative.

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National Oceanic and Atmospheric Administration

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Reauthorize the Coastal Zone Management Act (CZMA) to provide for healthy coastal and marine ecosystems, while ensuring that our energy and infrastructure goals are met

West Content Key, Florida © Jeff Ripple

Our oceans and coasts have the potential to provide the economic and ecological foundation for resilient communities and healthy natural ecosystems. However, with increasing coastal populations, climate change, and expanding coastal energy production, these areas are under extreme pressure. NOAA should play a leadership role in working with states and local governments through the CZMA to meet our energy goals while maintaining healthy coastal ecosystems. The CZMA framework allows the states and NOAA to evaluate energy infrastructure as well as other ocean uses such as fishing, aquaculture, dredging, transportation, and marine protected areas. This long-standing partnership program needs to be comprehensively updated and sharpened in order to meet these new, pressing challenges.

Increase NOAA's capacity to facilitate adaptation to the impacts of climate change

NOAA has an important role to play in guiding how our nation adapts to the impacts of climate change. Both the natural and built coastal environments will need to adapt to sea level rise and changes in storm intensity and frequency. NOAA should provide data, models, and decision-support tools at appropriate resolutions so that policy and natural resource managers can carry out adaptation planning based on sound science. NOAA should also help coastal communities develop and implement adaptation strategies that promote win-win solutions for natural and built systems. Adaptation approaches such as natural shorelines and buffer zones can improve the resilience of ecosystems while offering important protections to coastal infrastructure. NOAA's programs that contribute to this effort will need increased resources, including climate research, coastal management programs and ocean observing systems. Creation of a National Climate Service would strengthen NOAA's climate mission, but should also integrate efforts across all climate science agencies. In addition, reauthorization of the CZMA to include coastal adaptation planning would give NOAA better tools to help states with this challenge.

Expand the NOAA Coral Reef Program to address threats domestically and internationally

The Coral Reef Program has developed a solid roadmap to strategically focus resources on priority threats and more effectively engage partners in achieving common goals. NOAA should continue to support the program's sharpened focus. In addition, the Administration should provide increased resources to fulfill new and pending authorities to address cold water corals, ocean acidification, and ship groundings. Finally, coral ecosystems around the globe function as connected systems, with some areas serving as sources of larval dispersion for others. NOAA's role as a world leader in advancing coral reef conservation is therefore critically important. Through technical assistance and international funding NOAA can help protect reefs internationally as well as within the US. In particular, NOAA should continue to support multinational challenges including, the Micronesia Challenge, the Coral Triangle Initiative and the Caribbean Challenge.

Improve fisheries management to promote healthy marine ecosystems and resilient coastal economies

The 2006 reauthorization of the Magnuson-Stevens Fisheries Conservation and Management Act called for an end to overfishing, strengthened NOAA's tools to pursue ecosystem-based management of living marine resources, and

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provided new authorities to protect and restore important fisheries habitat. The Administration should continue to invest in implementing these provisions in the Act. In particular, the Conservancy supports the use of innovative approaches to fisheries and habitat management problems, including rights-based management approaches, such as catch shares and community fishing associations.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Direct revenue from new ocean uses and cap and trade climate legislation to fund ocean and coastal science, protection, and management

Ocean resources are public trust resources. A portion of revenues from new ocean uses, such as expanded oil and gas drilling, alternative energy, and offshore aquaculture should be dedicated to providing science, protection and management of sensitive marine and coastal habitats. This will ensure that American taxpayers receive a share of the revenue generated by public trust resources as well as help mitigate potential impacts of these expanded ocean activities. In addition, revenue from climate change cap and trade legislation should be dedicated to helping coastal areas adapt to sea level rise and other impacts of climate change.

Set a national goal to double the restoration of freshwater and coastal ecosystems

The nation's rivers, coasts, and estuaries are directly and indirectly linked to billions of dollars in economic productivity and provide important habitat and ecological services. Unfortunately, many of these critical ecosystems have been in decline for years.

Multiple federal agencies are currently involved in restoration, but there is little coordination and current Federal investment in restoration falls well short of the national need. Furthermore, many Federal restoration programs could be improved to more efficiently provide greater ecological return. A Presidential initiative on restoration is needed to raise the profile of ecosystem restoration as a national priority. This initiative should be aimed at achieving important habitat values and as well as contributing to implementing federal, regional, state and local climate change adaptation strategies. It should also ensure the Federal government is effectively partnering with states and other non-Federal entities to increase the pace and scale of restoration. This will not only improve the ecological health of our nations rivers, coasts and estuaries, but since restoration projects often require significant engineering and construction resources, federal dollars invested in restoration projects can create much needed jobs in an uncertain economic time.

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Environmental Protection Agency

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Implement pilot projects in various habitat types to test climate adaptation strategies

Photo © Stephen Morton

Around the world, natural systems and the lives they support are threatened by the inevitable impacts of climate change. EPA's ability to analyze the likely impacts of climate change can empower the nation to better design strategies to lessen these harmful impacts, help prioritize the places we should conserve, and identify the most effective approaches to be applied at similar sites. Building on our work to help ecosystems adapt to climate change in North Carolina's Albemarle Sound and our efforts to create more resilient coral reefs off the Florida Coast, the Conservancy is ready to assist EPA in developing strategies to help natural areas adapt and stand resilient to the impacts of climate change. EPA should create an initiative to fund pilot projects in multiple geographies and various habitat types to test approaches and design strategies to guide future conservation investments.

Expand the Targeted Watershed Grants Program to fund multi-stakeholder, watershed based efforts to address water quality and quantity issues

Established in 2003, the Targeted Watersheds Grant program is designed to encourage successful community-based approaches and management techniques to protect and restore the nation´s watersheds. This watershed-based approach allows watershed stakeholders to develop and implement solutions to water quality and quantity problems that provide sustainable, long-term solutions. While this program has received minimal funding and the previous Administration proposed to phase it out, the projects it has funded have been very successful, and it has provided an important Federal incentive to bring multiple stakeholders together to address watershed concerns. We encourage the reinvigoration and robust funding of this program in FY 2010 and out years.

STRENGTHENING CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

Establish and implement a national goal to double the restoration of freahwater and coastal ecosystems

The nation's rivers, coasts, and estuaries are directly and indirectly linked to billions of dollars in economic productivity and provide important habitat and ecological services. Unfortunately, many of these critical ecosystems have been in decline for years. Multiple federal agencies, including EPA, are currently involved in ecosystem restoration, but there is little coordination between agencies and current Federal investment in restoration falls well short of the national need. Furthermore, many Federal restoration programs could be improved to ensure more efficient outcomes and greater ecological return. Therefore, a Presidential initiative on restoration is needed to raise the profile of ecosystem restoration as a national priority and to ensure the Federal government is effectively partnering with states and other non-Federal entities to increase the pace and scale of restoration. This will not only improve the ecological health of our nations rivers, coasts and estuaries, but since restoration projects often require significant engineering and construction resources, federal dollars invested in restoration projects can create much needed jobs in an uncertain economic time.

Working with the Corps of Engineers, implement pilot projects to develop best practices to implement the watershed approach outlined in new Clean Water Act Section 404 mitigation regulations

In May of 2008, the Army Corps of Engineers and EPA finalized new regulations governing mitigation for impacts to streams and wetlands regulated under the Clean Water Act. The regulations adopt the recommendations of the

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National Research Council and multiple other reviewers who have called for a more strategic watershed-based approach to approving and siting compensatory mitigation. The watershed approach encourages larger-scale, more ecologically significant mitigation projects that truly replace lost ecological values, unlike the current piecemeal approach. With nearly $3 billion spent annually on wetland and stream mitigation, successfully implementing the watershed approach could have significant ecological returns. However, this is a novel approach to mitigation for the Corps and EPA. Therefore, we urge EPA to work with the Corps to implement pilot projects in three geographically varied Corps districts that would allow the Corps, EPA and local stakeholders to identify information needs and necessary resources and develop best practices for a broader implementation of the watershed approach nation-wide.

Restore Federal jurisdiction over wetlands and headwater streams and end years of regulatory uncertainty by supporting passage of legislation to clarify the jurisdiction of the Clean Water Act.

Recent U.S. Supreme Court decisions have questioned Congress' intent under the Clean Water Act, creating confusion and eroding protections afforded to ecologically significant resources. For instance, the court´s ruling in *Solid Waste Agency of Northern Cook County v. United States* (SWANCC) removed federal protection of so-called ″isolated″ waters, based solely on their use by migratory birds. The consolidated cases of *Carabell v. United States* and *Rapanos v. United States,* decided in a split Supreme Court decision, left the extent of the Clean Water Act's jurisdiction completely unclear and further eroded protection for vital wetlands as well as ephemeral streams and headwater tributaries. Following these decisions, new guidance issued by EPA and the Corps was not able to offer a clear test or procedure for implementing the Act in the wake of a fractured Supreme Court decision.

The Clean Water Restoration Act, if enacted, would amend the Clean Water Act in order to clarify the jurisdiction of the U.S. federal government in dealing with water pollution. It would make clear that Congress intended the Act to regulate that suite of waters that have been outlined in Corps and EPA regulations for over 20 years. We urge the Administration to rescind its guidance and to support the Clean Water Restoration Act or similar legislation that would restore the Clean Water Act's jurisdiction.

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IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Expand USGS capacity to provide information and analysis to water managers on water availability, use, and ecosystem needs

Wading measurement in the Teton River near Driggs, Idaho. Photo by Mike Nolan, U.S. Geological Survey.

Chronic water shortages, dramatic population growth, and aging water facilities are increasing the potential for conflict over water resources around the nation. The impacts of climate change on existing water supply shortages will only exacerbate this problem. However, as a nation, we are limited in our ability to respond to this pending crisis. In much of the country, we do not have a detailed understanding of the use and availability of our water resources, and in many places we do not account for the water needs of ecosystems. This knowledge gap impairs the ability of water managers to meet current and future needs and avoid contentious environmental conflicts over water. In FY09, the Department of Interior proposed a new budget initiative, called the Water for America initiative to begin to tackle this issue. Unfortunately, the multi-agency initiative did not propose new resources, instead cutting other important water programs to fund these critical data collection and analysis needs.

We urge the next Administration to build on the concept of the Water for America initiative by launching and funding a water initiative within the Department of Interior that will help prepare the nation to address the impending water crisis. The U.S. Geological Survey would play a critical role in implementing this new initiative through multiple new efforts, as outlined below. In addition, the Administration should support passage of the SECURE Water Act, which will ensure the agencies have the authorities necessary to address our future water supply needs.

Modernize water data collection by upgrading aging stream gages and increasing the number of active monitoring stations in the USGS stream gage program

Managing water to meet multiple needs requires up to date and reliable information on water availability and hydrological changes. The USGS stream gage program offers a critical nation-wide data collection system that monitors our water resources. However, due to a lack of funding, the number of active gages has steadily declined in recent years and many gages are woefully outdated. A key component of any new water initiative should be to replace outdated stream gages and restore inactive gages by increasing the funding to the National Streamflow Information Program (NSIP).

Plan for the nation's future water use by undertaking regional studies of water availability that include analyses of environmental flow needs

USGS has unique expertise in analyzing water use, modeling future water needs, and quantifying the linkages between hydrology and ecosystem health. One of the critical needs in better managing our water resources to avoid future conflicts is giving information on water availability and both human and environmental water needs to water managers. The Water for America initiative proposed regional water studies of water availability and use. These studies should be funded and implemented and should include a specific focus on the water needs of ecosystems.

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Within the USGS water program, establish dedicated funding to analyze the relationship between changing river flows and ecosystem health and provide recommendations to water users and river managers

If water managers are going to be able to balance increasing demands on limited water resources with protection of species, it is critical that there is a clear understanding of how river flows and alterations to these flows affect aquatic ecosystems. In many places around the country the scientific analysis has not been undertaken to quantify these relationships, and as a result, water management is often plagued with contentious conflicts over endangered species. We believe there is a better approach -- by proactively investing in quantifying the water needs of ecosystems, better solutions can be identified and contentious regulatory conflicts can be avoided. To date, USGS has played a key role in many efforts around the country to better understand the linkages between river flows and ecosystem health. Therefore, we believe USGS should expand its role in providing such information to water managers. This should be accomplished by creating a dedicated river flow research initiative within the USGS water program.

Launch a climate change adaptation program that would support inter-agency efforts to quantify climate change impacts on water resources and natural systems

Around the world, natural systems and the lives they support are threatened by the inevitable impacts of climate change. USGS' ability to analyze the likely impacts of climate change can empower the nation to better design strategies to lessen these harmful impacts and prepare for the future. USGS should create an initiative to study climate change impacts on water management and ecosystems in multiple geographies and design strategies to guide future management decisions.

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The Nature Conservancy
Protecting nature. Preserving life.™

U.S. Agency for International Development

IMPLEMENT AND EXPAND POSITIVE AGENCY INITIATIVES ALREADY UNDERWAY

Increase USAID's annual appropriation for grants to international conservation significantly above current levels within the context of overall increases in U.S. development assistance to the poor countries of the world

With her baby on her back, a young mother harvests coffee berries on a private farm in Finca Los Tarrales, a nature reserve outside San Lucas Toliman in the highlands of Guatemala. © Susan Ellis / TNC

Conservation in the Less Developing Countries (LDCs) is grossly underfunded. Even basic budgets for operating their networks of protected areas are several billion dollars too small. Great damage is being done. In the wider landscapes, desertification is expanding, especially in Africa. Water quality and usable quantity is declining. Food security is worsening in many countries. Sustainable harvest from nature, especially fisheries, requires greater and greater effort for diminishing returns. Tropical forests are shrinking, which damages not only local interests but also (by releasing vast amounts of carbon) the climate of the whole world. Climate change and population growth will ensure even greater losses unless substantial outside help is mobilized soon. While seemingly large, current USAID grant levels ($195 million per year) are not sufficient to meet pressing shortfalls. US grants should rise promptly and continue to rise for several years, while the US Government and private groups also encourage increases by European donors and governments of the LDCs themselves.

TNC urges that these increases begin in the State and Foreign Operations appropriation for FY2010 and continue in subsequent years until the needs are fully met. New funds might include significant but lesser sums within the Department of Interior appropriation (to support international work by the FWS, USFS and NPS), or that might be done mainly via transfers from the Foreign Operations account to Interior.

STRENGTHEN CONSERVATION THROUGH SUPPORT FOR NEW INITIATIVES

While the focus should be primarily on boosting appropriations, TNC urges that conservation be respected within any modernization of US foreign assistance, to ensure that conservation is recognized as a core task. TNC also supports reauthorization of smaller conservation measures such as the Neotropical Migratory Bird Conservation Act (NMBCA) and the debt-for-nature Tropical Forest Conservation Act (TFCA).

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