

Hunting and Wildlife Conservation Council

June 5, 2024

The Honorable Deb Holland
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Dear Secretary Holland and Secretary Vilsack:

On behalf of the Hunting and Wildlife Conservation Council, I want to thank you both for the work that your respective Departments and agencies are undertaking to benefit wildlife and their habitat and the American citizens that enjoy them.

As you know, this Council along with many conservation organizations, have strongly supported the historic conservation investments provided to your departments through the Infrastructure Investment and Jobs Act (IIJA), known also as the Bipartisan Infrastructure Law or "BIL" and the Inflation Reduction Act (IRA). Over the last 2 years, this Council has provided recommendations for priority uses of this funding as well as suggestions for increasing the efficiency and pace of putting the money to work for the intended purposes.

As we near the halfway point of the period authorized for the expenditure of this historic funding, we are encouraged by many of the investments, partnerships, programs, and collaboration that have been implemented to ensure that we maximize the impact and have lasting results. However, we remain concerned about some aspects of implementation and offer the following recommendations to improve delivery of remaining BIL and IRA related funding and programs.

Enhanced coordination and collaboration among Federal agencies

The broad and extensive funding opportunities provided through BIL and IRA span numerous federal agencies and programs. Consequently, there is the opportunity to achieve transformational change at the landscape level if there is deliberate coordination among agencies to coordinate projects across boundaries. The Council is concerned that agencies are funding a large number of projects without an overarching coordinated vision or plan. The lack of a coordinated approach has resulted in a complex network of funding opportunities that grantees need to knit together to address the full scope of a project. This adds to the administrative burden for both grantees and the agencies and reduces the potential for transformational outcomes. We recommend the use of existing

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landscape and watershed-scale plans to guide federal investments of BIL and IRA funds to maximize impact for fish and wildlife conservation.

Further, enhanced coordination amongst Federal agencies that receive funding for similar and related purposes is essential to maximize potential for landscape and watershed scale conservation. We encourage your respective agencies to better coordinate your funding and programs, government wide, for enhanced successful conservation outcomes. The Interagency Fish Passage Task Force, under the leadership of the U.S. Fish and Wildlife Service, is an excellent example of an effort to facilitate the development of shared priorities and outcomes in other areas.

Address Federal Agency Workforce Capacity

A recurring theme that Council members have heard when working with the Federal agencies is a lack of staff capacity and technical expertise needed to effectively deploy the resources granted by unprecedented amounts of BIL and IRA funding. The lack of staffing ranges from foresters and range managers that can implement projects on the ground to grants and agreements specialists that approve contracts with outside partners for delivery of projects and services.

Despite efforts to accelerate hiring for key agency positions and the utilization of approved hiring flexibilities, agencies still face challenges in ensuring they can promptly deploy the funding, maintain staffing and resource capacity, produce reliable information, and establish appropriate program controls. To address this challenge, the Council recommends expanding initiatives such as OPM's Talent Surge Executive Playbook, Schedule A authority, and the Intergovernmental Personnel Act Mobility Program to address staffing and technical expertise challenges. As staff are acquired, agencies should require regular training and continuing education for new and existing employees to ensure all staff are familiar with current policies and procedures. This will reduce the inconsistency in interpretation and application that is currently experienced by many partners. Additionally, we strongly encourage the use of federal contractors with a demonstrated ability and track record for managing large project portfolios, who can navigate the planning and federal review processes, and deliver federal funds to on-the-ground projects in an efficient and environmentally beneficial manner.

The Council further recommends the continued and expanded use of partnership agreements between federal agencies and conservation partners. Cooperative agreements, shared stewardship agreements, and MOUs (e.g., Mule Deer Foundation, Trout Unlimited, The Nature Conservancy, and the National Wildlife Turkey Federation), and other formal methods of collaboration with state, territorial, tribal, and local governments as well as the NGO, research, and university sectors have proven effective. These types of agreements often allow an agency to execute priority projects quickly and efficiently, foster innovation, and encourage critical collaboration among partners.

Address Capacity and Provide Process Improvements for Grantees

Lack of capacity and non-federal funding at state, territory, local agencies, and NGOs has been identified as a major barrier to delivering cost-effective projects. The principal challenges

include (a) the ability for grantees to provide the match required for funding opportunities, (b) the lack of sufficient workforce, skilled personnel, and expertise necessary to write a competitive grant proposal, and (c) the overall capacity to manage compliance required by federally funded projects. We encourage a standardized and coordinated grant administration process across the federal government to make it easier for communities and organizations to apply for grants. This process should be designed to reduce barriers to accessing federal resources for underserved communities.

To further utilize outside partners, grants and agreements should minimize the required non-federal match, which is an insurmountable barrier for many potential partners. Further, agencies should recognize that staffing is essential to project implementation and allow funding for staffing to be included – including for administrative staffing needed to ensure required compliance. Finally, when working at the scale made possible by these historic investments, most grantees require advanced funding to be able to maintain operations without interruption. Some internal agency policies are onerous for the grantees to abide by. For example, the U.S. Forest service currently only allows an advance of funds for 30 days for project expenses and will not allow an additional advance to the grantee until that funding has been completely expended. This greatly increases the reporting workload on both the grantee and the agency. We recommend that the advance period be increased to a minimum of 90 days and allow for a rolling advance so that additional funds can be requested when the balance gets below a certain threshold.

Environmental Review Process Improvements

Council members have heard anecdotal reports from project collaborators that federal environmental review and permitting processes present a consistent bottleneck to timely implementation of projects. These delays are a significant threat to success if they are not addressed. Improving the permitting process is a critical component of BIL and IRA implementation to deliver faster science informed decisions that maintain or enhance environmental outcomes. The Council sees significant opportunity for streamlining permitting for projects with significant environmental benefits, such as wetlands restoration, nature-based climate resiliency projects, outdoor recreation opportunities, and work that restores habitat or ecological function.


The Council recommends the expanded use of programmatic NEPA reviews for conservation and restoration initiatives, as well as the responsible use of Categorical Exclusions to enhance and restore priority habitats and certain nature-based solutions. Measures like these and others can save agencies time and resources and provide an opportunity for federal agencies to dramatically increase the efficiency and predictability of the NEPA review process, while still satisfying their obligation to assess the environmental effects of major federal actions under NEPA. In addition, permit processing time could be decreased through training of agency staff on permitting authorities to create more consistency and ease uncertainties with processing.

Sharing Success Stories

While much conservation success can be achieved through implementation of BIL and IRA funded projects, this historic investment is only a start on what is needed to address the conservation needs of this country. To ensure the current impact is understood, and to demonstrate the positive return on the investment of federal funds, it is critical that the agencies share success stories with the public. The same partners that are helping to implement the projects also have tremendous ability to help share those success stories to a broader audience. The Council recommends that your agencies continue and increase efforts to work closely with grantees and partner conservation organizations to amplify the success stories through their communications their networks and communications platforms. These organizations can often communicate more effectively about the important conservation work occurring across the landscape to a broad segment of the American public, expanding its understanding of the collective benefits that BIL and IRA projects provide.

Thank you for your consideration of this matter. The Council looks forward to working with you to improve the implementation of these important federal investment activities. Should you have questions or need more information, please contact Doug Hobbs, the Council's Designated Federal Officer, at doug_hobbs@fws.gov or (703) 358-2336.

Sincerely,



John Devney
Chair

Cc: HWCC members
Robert Bonnie, Under Secretary – Farm Production and Conservation, Department of Agriculture
Dr. Homer Wilkes, Under Secretary – Natural Resources and Environment, Department of Agriculture
Matt Strickler, Deputy Assistant Secretary – Department of the Interior
Martha Williams, Director – U.S. Fish and Wildlife Service
Tracey Stone-Manning, Director – Bureau of Land Management