



National Headquarters

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November 30, 2009

Sam Hamilton
Director
U.S. Fish and Wildlife Service
1849 C Street, N.W.
Washington, D.C. 20240

RE: Comments on the Fish and Wildlife Service's Strategic Plan for Responding to Accelerating Climate Change

Dear Director Hamilton,

I am writing today to express Defenders of Wildlife's enthusiastic support for the Fish and Wildlife Service's (the Service or FWS) Strategic Plan for Responding to Accelerating Climate Change. As the plan notes, with each generation, the Service has responded to the ecological crisis of the day, from the decimation of migratory birds at the beginning of the last century to the modern recognition of endangered and threatened species. With this new Strategic Plan, the Service has once again risen to the conservation challenge of our time: global climate change.

Climate change has the potential to alter our planet in ways we have never seen. Climate change requires a fundamental change in how we think and act to achieve conservation in the twenty-first century. The Service's Strategic Plan provides the framework for that change in approach within the agency, and sets an example that other federal agencies and conservation partners should follow.

In our view, the major elements of a responsible approach to dealing with the impacts of climate change include:

- A strong, coordinated response, including a national natural resources climate change adaptation strategy.
- Landscape-scale coordination to deal with the large and complex conservation issues associated with climate change and shifting species ranges.
- Increased scientific capacity to understand the ecological impacts of climate change, to forecast future impacts for planning, and to develop and implement comprehensive monitoring systems to provide ongoing information necessary for adaptive management.

The Service's Strategic Plan embraces all of these elements, and provides strong, clear direction to the Service as it confronts the challenges of climate change throughout its conservation programs. We believe the Service's Strategic Plan serves as a model for how federal and state natural resources agencies should approach the formidable challenge of global climate change and its impact on

wildlife and natural resources. Defenders looks forward to working closely with the Service as it moves forward to implement the Strategic Plan.

Defenders offers the following recommendations to further enhance the effectiveness of the Strategic Plan and 5-Year Action Plan:

Give Fish and Wildlife Adaptation the Highest Priority

The Service has identified three overarching strategies for addressing climate change: Adaptation, Mitigation, and Engagement. We support the Service's involvement in all three of these important areas. We believe the Service's most important role within the federal government and within the broader conservation community, however, is in fish and wildlife adaptation. Though the Strategic Plan implicitly gives greater weight to adaptation by the number of goals, objectives, and actions associated with this strategic focal area, the Service should explicitly prioritize adaptation. The Service's biological expertise and conservation delivery is desperately needed to lead the nation in addressing the impacts of climate change on wildlife and ecosystems. By contrast, the Service's ability to contribute significantly to mitigation of greenhouse gas emissions through carbon sequestration projects on refuges is relatively limited, and as we note below, must be subordinated to the Service's primary mission of fish and wildlife conservation.

In addition, while Defenders encourages the Service to address climate change in a comprehensive manner, we also recognize that funding and capacity will limit the actions that can be carried out successfully, especially early on. With this in mind, we encourage the Service to develop a method for prioritizing the objectives and actions outlined in the Strategic Plan and the Action Plan, keeping in mind that appropriate sequencing of actions is an important consideration. Future revisions of the plans should also directly address budgetary requirements for each action item in the plan. This will help to set priorities and implement the plan as well as inform budget requests to the Department of the Interior and to Congress.

Provide Leadership in Developing a National Fish and Wildlife Adaptation Strategy

Defenders strongly supports the development of a national fish and wildlife climate change adaptation strategy. The nation urgently needs a coordinated and integrated response to the wide-ranging impacts of climate change on our nation's biodiversity. The Fish and Wildlife Service's expertise and conservation capability are indispensable in developing such a national adaptation strategy, and we commend the Service for committing its leadership to that effort in the Strategic Plan.

We are concerned, however, that the proper framework for developing a national strategy for fish and wildlife adaptation to climate change is not yet clear. Pending climate legislation before Congress contains specific direction for the development of such a strategy, placing responsibility for its preparation on an interagency council led by the White House Council on Environmental Quality (CEQ). The Department of the Interior, and the Service in particular, would necessarily play a central role in the development of the national strategy, but would do so in collaboration with

other federal agencies with necessary expertise and authority, such as the National Oceanic and Atmospheric Administration, the Forest Service, and the Environmental Protection Agency. Moreover, we understand that the White House is already engaged in an interagency process, led by CEQ and the Office of Science Technology Policy, to broadly define adaptation needs and strategies. The Service will need to coordinate carefully its plans to promote the development of a national strategy for fish and wildlife, therefore, and the final Strategic Plan and Action Plan should provide more clarity regarding the relationship between the Service's proposal and other ongoing planning processes.

With the need for appropriate interagency coordination in mind, we encourage the Service to move forward with its plans for developing a national fish and wildlife strategy. It is not clear when climate legislation will be enacted, and it does not appear that fish and wildlife resources are the primary focus of the White House-led adaptation task force. The Service has the scientific expertise and the capability to build strong partnership relationships across the conservation community necessary to facilitate the development of a national fish and wildlife adaptation strategy, and we commend the Service for taking the initiative to do so. Even if the process envisioned by the Service is ultimately superseded by a different interagency planning process, the coordinated planning work the Service intends to undertake with agencies, states, and other partners will provide an indispensable and timely foundation for the national strategy.

We note, however, that the details of the Service's process remain unclear in certain critical respects. It is not clear whether the Service intends to rely upon the collaborative workgroup as an advisory committee to assist the Service in drafting the strategy, or to vest responsibility for development of the national strategy in the workgroup itself. The Service should better define the authority and public participation procedures that will be employed in the process. Finally, we urge the Service to move more promptly to initiate and complete this crucially-important process than the draft Strategic Plan and Action Plan appears to contemplate. Pending climate legislation before Congress calls for development of an initial national strategy within one year, with the initial plan updated and revised periodically thereafter. That is admittedly an extremely tight timeframe, but it conveys the urgency of responding to the mounting impacts of climate change on our nation's fish and wildlife and its ecosystems.

More Fully Recognize the Need for Collaborative Landscape-scale Conservation

Climate change presents a systemic threat, on a global scale, to fish and wildlife conservation. To respond effectively to that challenge, federal, state, local and tribal governments will need to work collaboratively with each other and with private landowners, the scientific community, and non-governmental organizations, overcoming jurisdictional barriers to achieve conservation on a landscape scale never before achieved. The Service recognizes this challenge in its Strategic Plan, but many aspects of its Action Plan fail to fully embrace the need to work collaboratively with the full range of stakeholders necessary to achieve landscape level conservation.

To conserve biodiversity and natural resources in the face of climate change, reducing habitat loss and fragmentation and other human-caused threats will be necessary and will require a resilient

national conservation network of lands and waters that supports biodiversity, ecosystem functions and the environmental services the nation depends on. This “national conservation network” should include both core conservation areas, including both public and private lands managed primarily for conservation values and areas that are managed for multiple values while providing habitat and permeability for fish and wildlife species that move across jurisdictional boundaries. Between core areas the matrix of developed and unprotected open space must provide habitat connectivity for terrestrial and aquatic species. Building such a network and coordinating conservation efforts will require federal agencies, states, tribes, non-governmental organizations (NGOs), and private partners to work strategically across traditional jurisdictions and land ownership boundaries.

The Landscape Conservation Cooperatives (LCCs) proposed in the Strategic Plan and currently being established are a recognition of this need, and Defenders strongly supports the Service’s efforts to organize these collaborative planning and conservation efforts. Other sections of the Action Plan, however, are missing key elements of collaboration and multijurisdictional coordination. For example, though the Strategic Plan states the LCCs and partners will be tapped to help identify areas to promote habitat connectivity, none of the actions in the Action Plan reflect this, focusing instead on internal reviews of connectivity needs within the Fish and Wildlife Service. A meaningful approach to connectivity within a fragmented landscape must reach out to other land managers and landowners. LCCs should be a key delivery mechanism for many of the actions in the Action Plan to ensure this level of collaboration, and the role of LCCs or other partner mechanisms should be made explicit throughout the Action Plan.

Clarify Structural Relationships Among Federal, State, and Tribal Entities

Although the Service’s Strategic Plan does a very good job in defining the internal organizational commitments the Service is making to ensure proper consideration of climate change in its decision-making and programs, it is less clear in defining the relationship between the Service’s climate program and other climate initiatives currently being developed or implemented within the Department of the Interior, within other agencies, or in interagency processes coordinated through the White House. The Strategic Plan could be improved by clarifying the relationship between the Service efforts and these other initiatives.

Secretarial Order No. 3289 contains several elements that have direct bearing on the Service’s Strategic Plan, including the development of a Department-wide integrated strategy for responding to climate change; the elevation of Landscape Conservation Cooperatives from the Service to the Department level; and the expansion of the U.S. Geological Survey’s (USGS) National Climate Change and Wildlife Science Center to include regional climate response centers to address multiple Department resources at the national and regional levels. In finalizing the Strategic Plan and Action Plan, the Service needs to frame its goals and objectives in this larger Departmental context and include more direction for inter-Departmental and interagency action and coordination.

The relationship between the Department’s Regional Response Centers and the scientific capacity building within the Service called for in the Strategic Plan, in particular, needs to be clarified. The

Action Plan calls for the creation by the Service of “Regional Climate Science Partnerships” whose intended role appears to overlap or duplicate to a significant degree the functions apparently now envisioned by the Department for the LCCs and the Regional Response Centers. The Service should reconsider the need for creating its own regional science partnerships, and if it decides to proceed with their establishment, it should clearly define their role and relationship to the Departmental regional organizations established under the Secretarial Order.

Similarly, the relationship between LCCs and other Department bureaus and federal agencies needs to be clarified. The draft Action Plan focuses solely on FWS actions, and though many of the actions relate to understanding existing partnerships and developing future partnerships, the Action Plan does not identify actions by the Service to work in partnership to develop the LCCs themselves. The success of the LCCs depends on their ability to engender true collaboration among agencies and other stakeholders involved in defining landscape level conservation needs; if other agencies within the Department and outside, such as the Forest Service, are not brought into the process early-on, the LCCs may be seen as purely a Service endeavor, and other agencies will have little incentive to make them successful.

Similarly, the Strategic Plan should clarify the structural relationship between the national fish and wildlife adaptation strategy proposed in the Strategic Plan, the development of a Department-wide integrated strategy for responding to climate change, and the efforts of the interagency Climate Change Adaptation Task Force, chaired by CEQ and the Office of Science and Technology Policy (OSTP).

Finally, the states and tribes will play an essential role in managing wildlife to respond to the impacts of climate change. Pending climate change legislation in Congress would require each state to develop a state adaptation strategy and to incorporate that strategy into a revision of the state’s Wildlife Action Plan in order to obtain new climate change adaptation funding. The FWS will be charged with responsibility for reviewing and approving revisions and addendums to wildlife action plans, and should provide guidance and support to the states throughout the revision process. States and tribes will also need additional technical assistance to address climate change. The actions in the Action Plan do not reflect the scale of the challenge in assisting both states and tribes in developing climate change adaptation strategies.

Give Specific Direction on Integrating Climate Change into the Implementation of the Endangered Species Act (ESA), Migratory Bird Program, and Fisheries Program

We appreciate the broad vision established in the Strategic Plan for integrating climate change into the full array of the Service’s programs, and recognize the importance of fostering collaboration and integration between FWS programs in a unified agency-level plan. Given the conservation importance of the Service’s endangered species, migratory bird, and fisheries programs for North American wildlife, however, and the particular challenges that climate change poses for those programs, we believe that the Service should provide specific direction for how those programs should address climate change in the Strategic Plan and Action Plan, or in program-level plans integrated as appendices to the Service-wide plan.

The Strategic Plan and Action Plan indicate some ways that the Service will consider climate change in implementing the ESA, but do not set forth a clear, comprehensive approach for how the ESA program should respond to what many biologists believe is the greatest threat to species' survival in human history. Under the Strategic Plan and Action Plan, the Service will conduct vulnerability assessments on endangered species to prioritize conservation actions, and will incorporate climate change into various agency plans, including endangered species recovery plans. The Strategic Plan and Action Plan are otherwise silent on the critical issue of how the ESA program should respond to climate change's overwhelming threat to species' survival.

Climate change creates a host of difficult issues associated with the implementation of the ESA that need to be proactively addressed by the Strategic Plan. The Service should require listing decisions, section 7 consultations, critical habitat designations, recovery plans, candidate conservation agreements, safe harbor agreements and habitat conservation plans to identify the potential effects of climate change on covered species and to integrate climate change adaptation strategies as necessary for such species. More broadly, the Service should consider the extent to which the refuge system can continue effectively to support resident threatened and endangered species, evaluate the need for creation or expansion of refuges or changes in refuge management to meet future species needs, and consider strategies to use the Service's fish and wildlife conservation authorities proactively to help species adversely affected by climate change so that they do not become threatened or endangered. Given the importance of this issue, we believe the Service should create a specific strategy to guide the ESA program in responding to the challenge of climate change.

Similarly, climate change will have profound impacts on migratory birds and freshwater fisheries. Specific direction should be given in the Strategic Plan and Action Plan, or in program plans associated with those plans, for integrating climate change into the planning and implementation of the migratory bird and fisheries programs, including the North American Waterfowl Management Plan and the National Fish Habitat Action Plan, and other plans.

Broaden the Focus of Vulnerability Assessments to Include Species at Particular Risk of Imperilment from Climate Change

The Strategic Plan rightly recognizes the need to focus on climate-vulnerable species, including taking "pre-emptive conservation action, thereby reducing or eliminating the need to list them under the [ESA]" (Objective 2.2). However, the Action Plan focuses vulnerability assessments on listed species, migratory birds, and interjurisdictional fish. While we recognize that the FWS cannot include every species in its initial round of vulnerability assessments, we encourage the FWS to include unlisted species that may be particularly sensitive to climate change based on their biology, life history, and existing conservation status (e.g. a species identified on existing sensitive or vulnerable species lists, including state wildlife action plans) in order to target and develop the "pre-emptive conservation actions" envisioned by the Strategic Plan.

Comprehensively Address Climate Change Threats to the Refuge System

Although the Strategic Plan clearly recognizes the serious threat of climate change, the Action Plan does not always identify actions at the scale necessary for the Service to meet this overarching challenge. This is particularly visible in the plans' treatment of climate change issues affecting the Refuge System.

The Refuge System is unique among federal lands as the only system dedicated solely to the conservation of fish and wildlife resources, and the Service bears special responsibility for its stewardship. The Refuge System is also one of the Service's most important tools to assist species in surviving the impacts of climate change. Unfortunately, the Refuge System's sensitive network of wetlands, specialized terrestrial habitats, and coastal areas is extremely vulnerable to the impacts of climate change, particularly changes in water availability and rising sea levels. The Action Plan addresses these and other climate change concerns in small, piecemeal steps, for instance, by directing Service managers to "identify[] 2 National Wildlife Refuges... where water quality or quantity is a key climate vulnerability..." (Objective 2.4), and to take individual actions in coming years to address such concerns. Similarly, land protection is treated on a piecemeal basis. This is particularly glaring in the habitat connectivity section, where individual demonstration projects are promoted without a larger strategic vision for the role of the Refuge System in the context of climate change. At bottom, the Strategic Plan and Action Plan do not provide appropriate assurance that the Service will undertake a comprehensive evaluation of the challenges that climate change poses for the survival and effectiveness of the Refuge System as a whole, or of strategies for managing and expanding the Refuge System to help meet the needs of fish and wildlife resources threatened by global warming.

Defenders believes that the Service should undertake a comprehensive assessment of the challenges that climate change poses for the Refuge System, and of the opportunities that the Refuge System offers for meeting the needs of the nation's fish and wildlife resources threatened by global warming. This assessment should include a national and regional assessment of primary climate change impacts, such as reductions in water availability and vulnerability to sea level rise, and should devise strategies that meet the scale of the problem for the system as a whole. Where appropriate and necessary, the Service should establish national policies to address these and other concerns. The Service should also develop a strategic land protection policy that charts a new vision for growth of the Refuge System, including overhauling the Land Acquisition Priority System to reflect the importance of climate change as a factor in identifying land acquisition priorities.

Use Caution in Entering into Carbon Sequestration Projects on Refuge Lands

Defenders appreciates the Service's commitment to reducing its own carbon footprint, and its engagement to promote understanding of actions that may more broadly mitigate greenhouse gas emissions through carbon sequestration. Defenders believes that the Service should approach carbon sequestration projects on its own lands with caution, however. The FWS's primary responsibility lies in the conservation of biodiversity, and by far its most important contribution to the nation's response to climate change will lie in its leadership and scientific expertise on

conservation action to help fish and wildlife and ecosystems adapt to a changing climate. Within the Refuge System, carbon sequestration goals must not interfere with achievement of biological diversity and integrity objectives. The potential use of federal lands for carbon sequestration poses difficult and challenging issues, particularly where such projects are pushed by strong economic interests that may be insensitive to the federal land manager's stewardship responsibilities. As the nation establishes stronger regulation of carbon emissions, those economic pressures will become greater. The Service should evaluate carefully how it can ensure that carbon sequestration projects are fully compatible with the conservation purposes of particular refuges and of the Refuge System, and weigh carefully whether long-term commitments to carbon sequestration projects may impede the flexibility of the Refuge System to respond effectively to changing conservation needs.

Conclusion

We offer these comments to build on the strong foundation for responding to climate change that the draft Strategic Plan and Action Plan provide. We have additional technical comments attached. Defenders looks forward to working closely with the Service as it implements these critical strategies to ensure that future generations can enjoy the abundance and diversity of the nation's and the world's species and ecosystems.

If you have any questions, please feel free to contact Bob Dreher, our Senior Vice President for Climate Change and Conservation Law, or Noah Matson, our Vice President for Climate Change and Natural Resources Adaptation. Bob can be reached at (202) 772-3225, or by email at bdreher@defenders.org; Noah can be reached at (202) 772-0294, or at nmatson@defenders.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Rappaport Clark', with a stylized, cursive script.

Jamie Rappaport Clark