



## Frequently Asked Questions

**The Recovering America's Wildlife Act** would provide \$1.3 billion to fund State Wildlife Action Plans. Below are answers to Frequently Asked Questions:

**1) How much money would Texas receive as a result of this legislation and how would it be spent?**

Texas stands to receive approximately \$63 million annually from this funding. Combined with the required nonfederal match of 25%, there would be roughly \$80 million to conserve *Species of Greatest Conservation Need (SGCN)*. Projects could include research, habitat management, habitat protection, land acquisition, education, law enforcement, and outdoor recreation specific to SGCN species listed in a state's Action Plan.

**2) What funding mechanism would be used to support SGCN conservation?**

A percentage of existing royalties from energy and mineral production on federal lands and waters would be directed to the Wildlife Conservation Restoration Program, established in 1937. Funds would be funneled to the various states for projects listed in the state's Wildlife Action Plan.

**3) What are State Wildlife Action Plans and how often are they revised?** Each state has completed a Wildlife Action Plan, which identifies at-risk fish and wildlife populations and strategies to conserve them. Plans are revised every 10 years. Texas last revised its plan in 2015.

**4) How would the federal government determine each state's share of the total funds?**

Allocations are based on a formula combining the state's human population size and the amount of land area within the state. Texas' would receive the maximum allowed by the bill, 5%, or \$63 million.

**5) How would Texas come up with the match?**

As with existing Wildlife and Sport Fish Restoration programs, states would be required to provide at least 25% in nonfederal matching funds. The source of match can be cash or in-kind services from state or local governments, or from private entities such as conservation organizations, universities, businesses, private landowners, foundations, or individuals. Grant recipients such as university research projects, land donations, and applicant-generated funds could provide the match. A preliminary analysis by Texas Parks and Wildlife Department (TPWD) determined that although there will need to be some work at the state level to generate the match, there are existing sources which could be counted as match. With private partnerships, as much as \$10 million may already be eligible. The funds could be used to begin conservation projects in the first year.



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## 6) What other funding mechanisms were considered?

The Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources considered more than twenty potential funding options, including taxes on pet or bird food, excise taxes on outdoor equipment, and voluntary corporate donations. The Panel ultimately decided that use of existing federal royalties on energy production was the most equitable and viable option. This was based on factors such as the amount of funding that could be generated, whether funding was sustainable, and the likelihood of passing legislation.

## 7) What do energy companies think of this funding mechanism?

The energy company representatives on the panel have indicated the industry will be supportive and that this approach will be viewed as preventative maintenance - a way to keep at-risk species from turning into regulatory hurdles. When the populations are healthy, both economic and ecological concerns are addressed.

## 8) Why not pick a tax on outdoor related equipment?

First, a new tax would be a nonstarter for our partners, and not politically palatable. Second, a comprehensive economic analysis revealed the list of taxable items would not generate enough money to address the need.

## 9) How can this money be used?

**Can it be used to buy land?** Yes, as long as it would benefit Species of Greatest Conservation Need.

**Can it be used to “replace” existing funding to free that up for other things?** No. This is new funding and is not intended as a replacement for existing funding of SGCN species.

**Can this money go to state parks?** Yes, as long as the scope of the project is limited to SGCN conservation. The funds cannot be used to maintain or operate the park itself.

**Can it be used for law enforcement?** Yes, but only on a project-specific basis for projects relating to SGCN species. It cannot be used for game wardens on “general patrol” for wildlife violations, but it could be used to pay for game wardens to do law enforcement operations related to SGCN.

**Can it be used for education?** Yes, so long as the education is centered on SGCN species.

**Can it be used to acquire conservation easements?** Yes.

**Can the money be used for recreation purposes?** The Wildlife Conservation Restoration Program allows for up to 10% of a state's appropriation to be used to enhance wildlife-based recreation, but there must be a tie-in to SGCN conservation.

**Can it be spent on game species?** This money can be used on game and nongame species as long as they are SGCN species listed in the state's Wildlife Action Plan. **Can the money be used on deer?** No. The two deer species we have in Texas are not categorized as SGCN species.

## 10) If this is an existing revenue stream, surely it is being used by other federal programs. Who would be hurt if this money is directed to the Wildlife Action Plans? Who “loses?”

These revenues are not currently dedicated to any one fund, so they go into the general fund in the treasury. There are not any true “losers” as the funding is not taken directly from any group or cause.





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## **11) Will this new funding source take away from existing conservation funding sources?**

No. Both the Blue Ribbon Panel and the authors of the Recovering America's Wildlife Act were very clear that this was to be additive, or complementary, instead of competitive with existing conservation programs. The language of the bill specifically disallows using hunting or fishing license revenue to pay for this program, so existing funding sources will continue as before.

## **12) Some people have concerns with using money derived from oil and gas royalties because energy production may contribute to environmental problems. Should these sources be used to fund fish and wildlife conservation?**

It is appropriate that revenues from sources which have the potential to impact fish and wildlife populations be used to protect those populations. In fact, it may be considered the most appropriate use of those revenues.

Significantly, this source of funding allows Congress to support a critical conservation need without levying a new tax. It allows every citizen to contribute to conservation, even if only indirectly. This option would ensure that some of the proceeds from energy and mineral extraction on public lands be invested in conserving the natural resources that could potentially be impacted by energy production.

These royalties have been collected by the federal government for the past 15 years. Had we implemented these new laws 15 years ago, it would by now have generated \$19.5 billion for imperiled species.

## **13) Are we tying funding for imperiled wildlife to another limited resource?**

Currently, the royalties in question generate \$13 billion annually; the Recovering America's Wildlife Act calls for only \$1.3 billion annually. Even allowing for fluctuations in energy production in a given year, there should be more than enough money to fund the projects in the various state's Wildlife Action Plans.

## **14) Will this take funding from the Land and Water Conservation Fund (LWCF)?**

While LWCF monies do come from oil & gas revenues, the two programs are not competing. The bill's authors are dedicated to ensuring that this funding does not take funds away from LWCF. The amount of royalties collected are sufficient to fund LWCF *and* fully implement the states' action plans. In 2016, the LWCF "ask" was \$600 million. An additional \$1.3 billion would make the total only about 15% of revenues.

## **15) Weren't these royalties originally collected to provide for conservation?**

Some of our partners have indicated that the original intent of the energy and mineral royalties was to reduce debt and invest in the public trust of natural resources on behalf of all US citizens. Investing in our natural resources for future generations benefits our entire country and is an appropriate way to spend revenues originating from energy production on our nation's lands and waters.

## **16) I heard these funds were already dedicated?**

No. These revenues are unrestricted, meaning there is no dedicated recipient. This legislation would avoid the need for yearly efforts to secure funding, as is the case with LWCF and State Wildlife Grants.



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## **17) This whole effort sounds familiar. Hasn't this been done before?**

There was a completely different effort in the mid-1990s which proposed a tax on outdoor equipment such as binoculars and field guides. That funding gradually morphed into the State Wildlife Grants program, which has provided more than \$1 billion for SGCN conservation. The Recovering America's Wildlife Act is a different initiative, with a unique strategy, its own national team, and a different source of funding.

## **18) What about the Texas Sporting Goods Sales Tax?**

The sporting goods sales tax is not a separate tax, but an estimate of sales tax collected by Texas on sports equipment. It is a state, not a federal program. The Sporting Goods Sales Tax (SGST) was formulated to fund Texas State Parks, but the Texas Legislature has historically authorized only a fraction of SGST for parks. The portion of SGST provided by the state legislature is intended primarily to pay for the huge backlog of maintenance and repairs needed in the parks. It would not be used to help State Parks manage at-risk wildlife.

## **19) Will the Texas funding all go to TPWD, or will some go to other agencies?**

Only state fish and wildlife agencies are eligible to steward this funding. In Texas, that would be Texas Parks and Wildlife Department. This is because the focus of the funding is conserving Species of Greatest Conservation Need. Most of the legal authority to manage fish and wildlife in Texas resides with Texas Parks and Wildlife Department. TPWD is responsible for creation and implementation of the State Wildlife Action Plan, which serves as a blueprint for restoring SGCN species. The funding is not specifically "money for TPWD" - rather it provides support for the entire conservation community.

## **20) Can other groups use the funds?**

While the funding will be managed by TPWD, anyone in the community involved in wildlife conservation can apply for project support, provided the applicant's project focuses on SGCN species. All projects will require approval by both TPWD and the US Fish & Wildlife Service (USFWS).

## **21) How will projects be reviewed/approved?**

The process will be the same as for current federal funding. Projects are proposed to the state wildlife agency, via an advertised open RFP process, or through other appropriate channels. TPWD will evaluate the projects using established criteria based on SGCN conservation priorities, then submit them to USFWS for review.

## **22) How likely is this legislation to pass?**

State and national leaders believe this is the country's best chance to make sweeping improvements for conservation. The legislation has generated broad national enthusiasm. Support for the legislation by Texas Members of Congress will depend on hearing from Texans who care about fish and wildlife conservation.

