



## WILDLIFE RESOURCE POLICY COMMITTEE

**Chair: Pete Hildreth (Iowa Department of Natural Resources)**

**Vice-Chair: Stewart Liley (New Mexico Game and Fish)**

**Thursday, March 28<sup>th</sup>, 2024**

**10:00 AM- 12:00 PM (EDT)**

### [89<sup>th</sup> North American Wildlife and Natural Resources Conference](#)

#### **Committee Charge**

*To discuss and develop recommendations on Association positions related to federal laws, regulations and policies concerning habitat conservation, wildlife resources and related funding for such programs as well as wildlife management practices including those concerned with problem or nuisance wildlife, and emerging issues (e.g., commercial trade). The committee also stays abreast of threatened and endangered species wildlife issues, state legislation pertaining to wildlife management and wildlife diversity funding initiatives.*

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#### **Meeting Minutes**

##### **10:00 AM Welcome, introductions, review agenda, approve minutes (Pete Hildreth, IA DNR)**

- Director Hildreth opened the meeting
- ~30 members and guests attended the meeting representing
  - 14 State fish and wildlife agencies
  - 6 US Federal agencies
  - 1 regional fish and wildlife agency
  - 3 NGOs
- Vote of Acclamation: A motion to approve the minutes from the meeting during the AFWA Annual Meeting in Calgary, Alberta, Canada was made by Chairman Hildreth and unanimously carried by membership present. Vote of acclamation with unanimous consent carries.

##### **10:15 AM - (Jessica Fantinato, Associate Deputy Administrator)**

- See full report attached in the Appendix; a brief update was provided by Keith Wehner  
(Eastern Region Director, USDA-APHIS-Wildlife Services)

##### **10:30 AM National Survey on Agency Management of Wildlife Conflicts (Lou Cornicelli, Southwick Associates)**

- This survey was funded through a Multistate Conservation Grant awarded to the Wildlife Resource Policy Committee and the Human-Wildlife Conflict Working Group
- Human-wildlife conflicts (HWCs) are increasing across the United States. State

Wildlife Agencies (SWA) under the Public Trust Document have been given the authority to manage wildlife to include most of the species implicated in HWCs. Concomitantly, each SWA has different authorities, policies, levels of species protection, and most importantly, unique ways of funding and managing HWC mitigation programs. Until recently, little information was available summarizing how SWA fund and staff their programs. Given increased demands for a finite pool of funding, wildlife managers often compete for funds that could otherwise be used for other higher priority conservation needs. In essence, the HWC programs have largely become a SWA unfunded mandate.

- **A final report is pending and will be distributed to all State Fish and Wildlife Agencies, some Federal agencies that work in this area, and members and guests of the Human-Wildlife Conflict Working Group. It will be posted on various websites including the AFWA site, WMI, site and Southwick Associates site.**
- **Some study highlights:**
  - Project goal was to survey state fish and wildlife conflict managers to determine staffing, funding, and responsibilities
  - Received responses from 43 states
  - Thank responding states for completing this ‘unfunded mandate’
  - States respond to a broad array of human-wildlife conflict. Not going away – likely going to get worse
  - Majority of funding comes from the game and fish fund
  - HWC response is a mandate without a dedicated funding source
  - Responding agencies spent \$16M last year
  - Slippery slope using license dollars in some cases
  - Not all species are under state control
  - USDA spends a lot of money; however, states still respond in one form or another
- **Study Contact Information:**
- Lou Cornicelli, Southwick Associates, Lou@SouthwickAssociates.com
- Bill Moritz, Wildlife Management Institute, bmoritz@wildlifemgt.org
- Brian Wakeling, Montana Department of Fish Wildlife and Parks, brian.wakeling@mt.gov
- Bryant White, AFWA, bwhite@fishwildlife.org

#### **10:45 AM BearWise Program Overview and Update (Dan Gibbs, TWRA)**

- The BearWise Working Group was recently adopted by AFWA to become a national program. It now operates under the aegis of the WRP Committee.
- The goal of this program is to “**help people live responsibly with black bears**”.
- 40 states are members of BearWise, but BearWise began as a program in SEAFWA states.
- BearWise produces many products that can be used to educate the public about living with black bears.
- To see the full presentation given by Dan please go to:
  - [BearWise Presentation](#)
- There are many users of BearWise material including:
  - Short-Term Rentals
  - Homeowners, Travelers
  - HOAs, Communities
  - Teachers, Parents
  - Realtors
  - Outdoor Shops

- Resorts
- Recreation Areas
- Interpretive Centers
- Visitors Centers
- Zoos
- Radio
- Community newspapers
- Colleges
- Military Bases
- First Nations
- Municipalities
- State Wildlife Agencies
- Bear Biologists
- Parks & Forests
- To see the various products and learn more go to [BearWise](#)
- There is also a [BearWise store](#) where products can be purchased

**11:15 AM Human/Wildlife Conflicts Working Group (Brian Wakeling, MT FWP)**

- See Full report attached in the Appendix

**11:30 AM Recovering America's Wildlife Act and Other Policy Issues of Concern (AFWA Staff, TBD)**

- See full report attached in the Appendix

**11:45 AM America the Beautiful Challenge update (Deb Rocque, USFWS)**

- A report was provided by Rachel Dawson (Program Director/National Programs/ National Fish and Wildlife Foundation)
- If you are willing to help review grant proposals please contact Rachel Dawson ([Rachel.Dawson@nfwf.org](mailto:Rachel.Dawson@nfwf.org))
- Grant applications were due on April 4, 2024. Full proposals will be due June/July. Grants will be awarded in November.
- For more information see [American the Beautiful Challenge 2024 Request for Proposals](#)
- Intended to streamline grant funding opportunities for new conservation and restoration projects around the U.S., the America the Beautiful Challenge consolidates funding from multiple federal agencies and the private sector to enable applicants to conceive and develop large-scale projects that address shared funder priorities and span public and private lands.
- The America the Beautiful Challenge is a public-private grant program for locally led ecosystem restoration projects that invest in watershed restoration, resilience, equitable access, workforce development, corridors and connectivity, and collaborative conservation, consistent with the America the Beautiful Initiative.
- The America the Beautiful Challenge coordinates funding from multiple Federal agencies and private philanthropy into one competitive grant program. This streamlines the application process, enabling larger, more impactful cross-boundary projects, while making it easier for states, Tribes, territories, local groups, non-governmental organizations, and others to apply for multiple funds with one application. This one-stop-shop solicitation is the result of financial contributions from the U.S. Department of the Interior through the Fish and Wildlife Service, the U.S. Department of Agriculture through the Natural Resources Conservation Service and the Forest Service, the U.S. Department of Defense, and Native Americans in Philanthropy, as well as private philanthropy.
- The America the Beautiful Challenge seeks to advance conservation and restoration

projects that are consistent with the principles outlined in the Conserving and Restoring America the Beautiful report and that focus on at least one of the following core areas of need:

- Conserving and restoring rivers, coasts, wetlands, and watersheds
- Conserving and restoring forests, grasslands, and other important ecosystems that serve as carbon sinks
- Connecting and reconnecting wildlife corridors, large landscapes, watersheds, and seascapes
- Improving ecosystem and community resilience to coastal flooding, drought, and other climate-related threats
- Expanding access to the outdoors, particularly in underserved communities
- Applicants are encouraged to develop large landscape scale and/or cross jurisdictional projects that advance existing conservation plans or are informed by Indigenous Traditional Knowledge.
- Approximately \$119 million will be available for 2024 through five categories of grants. NFWF expects to award at least 10% of ATBC grant funding to Tribal and Native Nations and 3% to U.S. territories. Funding is being provided to NFWF through cooperative agreements, or similar mechanisms, that allow for agency participation. Projects that meet the goals and requirements of more than one category below may be funded by multiple ATBC funding partners, but applicants should select the one grant category that best suits their project needs in the proposal. For example, an implementation project that also benefits a Sentinel Landscape may apply to Category 1 and receive funding from both DOI and DOD. NFWF will identify and determine co-funding opportunities during the proposal review process. If submitting multiple proposals, please indicate project priorities if any. **Funding in this RFP is contingent upon final execution of the agency awards to NFWF.** For further details, please also refer to the specific Department/Agency funding priorities found in Appendix 2:
- **Category 1. Implementation Grants:** Grants to implement voluntary on-the-ground conservation and restoration projects that address program priorities on public, Tribal, and/or private lands.
- Eligible applicants: States, U.S. Territories, and federally recognized Tribes (partnerships with NGOs and others through subawards are encouraged)
- Award Size: \$1 million to \$5 million; multistate, multijurisdictional landscape scale restoration requests beyond \$5 million may be considered on a limited case-by-case basis. Please contact NFWF program staff to discuss.
- Project Duration: up to four years
- Geographic focus: nationwide, throughout the U.S. and U.S. territories, on public lands, Tribal lands, and/or private lands
- Note: Although some elements of planning can be included in these projects, majority of funds should be spent on on-the-ground work
- Grants under this category are contingent upon awards by DOI
- **Category 2. Planning Grants:** Grants that enhance local capacity to implement future on-the-ground actions that address program priorities through community-based assessments, partnership building, planning, project design, and other technical assistance activities. Projects in this category should include multiple partners, be at a significant scale for the landscape/watershed/seascape, and clearly demonstrate how efforts will lead to implementation projects.
- Eligible applicants: States, U.S. Territories, and federally recognized Tribes (partnerships with NGOs and others through subawards are encouraged)
- Award Size: \$200,000 to \$2 million
- Project Duration: up to 3 years
- Geographic focus: nationwide, throughout the U.S. and U.S. territories, on public lands, Tribal lands, and/or private lands
- Grants under this category are contingent upon awards by DOI

- Category 3. **Sentinel Landscape Grants:** Grants will be funded through the Readiness and Environmental Protection Integration (REPI) Program and will be prioritized to designated or emerging Sentinel Landscapes or areas that preserve or enhance military readiness. Projects in this category should include multiple partners and clearly contribute to outcomes identified in a Sentinel Landscape implementation plan or other applicable conservation or restoration implementation plan. Projects in this category should focus on enhancing local capacity to implement future on-the-ground actions, and secondarily focus on directly contributing to on-the-ground outcomes. Projects in this category must demonstrate benefit to DOD facilities and be in the vicinity of or ecologically linked to a DOD installation or range. DOD funds may not be used for work directly on military lands. **For the pre-proposal**, applicants should provide the contact information (name, organization, email, and phone number) of the installation personnel who are part of the project team and support the proposed project efforts. **For the full proposal**, applicants will be required to upload an endorsement letter from the lead Military Service, such as the installation commanding officer, to affirm support for the proposed activities. This endorsement letter also signifies that the lead Military Service accepts all necessary environmental compliance oversight responsibilities, including those under the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act. If there are multiple Military Services benefitting from the project, applicants should work with all Military Service representatives involved to determine one lead Military Service and identify the lead Military Service in their application. Applicants who have questions regarding Sentinel Landscape Grants may contact the REPI Office at [osd.repi@mail.mil](mailto:osd.repi@mail.mil).
- Eligible applicants: Non-profits, local municipal governments, and educational institutions, States, U.S. Territories, and Tribes
- Award Size: \$250,000 to \$1.5 million
- Project Duration: 2 to 4 years
- Geographic Focus: [Sentinel Landscapes](#), or in the vicinity of or ecologically linked to a DOD installation or range, cannot be directly on military lands
- Grants under this category are contingent upon awards by DOD
- Category 4. **National Forest Grants:** Projects in this funding category are to be vegetation management or watershed restoration projects on National Forest System land. These projects must be carried out in accordance with a water source protection plan as developed under section 303(d)(1) of the Healthy Forests Restoration Act (HFRA) of 2003 or a watershed restoration action plan developed under section 304(a)(3) of HFRA of 2003.
- Associated activities may include the removal of vegetation, use of prescribed fire, restoration of aquatic habitat, or decommissioning of an unauthorized, temporary, or system road in order to enhance the ecological integrity achieve the restoration of a forest ecosystem.
- Eligible applicants: Non-profits, local municipal governments, and educational institutions, States, U.S. Territories, and Tribes
- Award Size: \$250,000 to \$1.5 million
- Project Duration: 2 to 4 years
- Geographic Focus: Must be on National Forest Service System land
- Grants under this category are contingent upon awards by USFS
- Category 5. **Private Forests, Rangeland and Farmland Grants:** Grants will support outreach and engagement with private landowners for voluntary conservation efforts on working lands to advance NRCS [Working Lands for Wildlife Framework and Initiatives](#) (e.g. sagebrush, grasslands, northern bobwhite, northeast turtles, golden-winged warbler). Projects will help agricultural producers design and implement voluntary conservation practices and increase Farm Bill program participation and conservation practice implementation among agricultural producers, especially farmers and ranchers in the Historically Underserved and Special Emphasis categories.

- Eligible applicants: Nonprofits, local municipal governments, and educational institutions, States, U.S. territories, and Tribes
- Award Size: \$200,000 to \$500,000
- Project Duration: 2 to 3 years
- Geographic Focus: Must be within Working Lands for Wildlife Framework and Initiatives boundaries
- Grants under this category are contingent upon review and concurrence by NRCS

**12:00 PM    Wrap Up Discussion and Assignments (Hildreth)**

- **The Committee was asked to provide comment on the Beaver Conflict Management Monograph being developed by the AFWA Human Wildlife Conflict Working Group by June 1. Please provide comments to Bryant White ([bwhite@fishwildlife.org](mailto:bwhite@fishwildlife.org)) or Brian Wakeling ([Brian.Wakeling@mt.gov](mailto:Brian.Wakeling@mt.gov))**

**Appendix**

- ***USDA-APHIS Wildlife Services Report***
- ***Human/Wildlife Conflicts Working Group Report***
- ***Recovering America's Wildlife Act and Other Policy Issues of Concern Report from AFWA Government Affairs***

**Wildlife Resource Policy Committee Meeting updates**

**WS Personnel Updates**

WS has undergone several changes in high level leadership positions at the Regional and State levels during FY23-24.

- Wendy Anderson is the now Western Region Director and Terry Smith and Scott Alls are Western Region Assistant Directors. Keith Wehner is now the Eastern Region Director.
- WS has new State Directors in WY (Jaren Zierenberg), CA (Jeff Flores) and TX (Ken Gruver)
- The joint WA/AK program recently separated to provide more opportunities for growth and expansion. The State Director for the new AK program is Spencer Atkinson.
- Kendra Cross is the new Deputy Director of Wildlife Operations in WS' Operational Support Staff.
- The State Director positions for the ND/SD and AL programs are vacant and are utilizing acting State Directors until WS fills those positions.

**National Wildlife Services Advisory Committee (NWSAC)**

- On October 4 and 5, members from the NWSAC met for the first time in Washington, DC to discuss issues relative to WS and its mission. (In early 2023 Secretary Vilsack selected NWSAC members to represent program stakeholders from academia, airport safety, farming/livestock producers, state wildlife agencies, among others.)
- The NWSAC serves as an open forum for diverse interests to have a voice in WS policies, guidance, and strategic planning. Committee members are appointed for a 2-year term and can serve up to three consecutive two-year terms. We would particularly like to thank Ron Reagan (AFWA Executive Director and NWSAC member) for his membership.
- The NWSAC selected members, John Michael Tomeček (Academia, TX) as their chair, and Sherry Wilson Russell (State/County Government and Associations, MO) as their vice chair.
- NWSAC members reviewed prior committee recommendations and worked to develop new recommendations based on current priorities and values. NWSAC Chair Tomeček shared the final committee developed recommendations with MRP and OA, for provision to the Secretary in November 2023. WS will host a second NWSAC meeting in 2024.

**Wildlife disease updates - Dr. Lenoach gave a more detailed update at Fish & Wildlife committee.**

***HPAI***

- Thank you to all the states for all your help in sampling, banding, hunter harvest, and property access.
- WS continues to conduct national surveillance of wild waterfowl monitoring for avian influenza viruses, targeting surveillance in all four flyways, and 49 states. WS collected 31,086 samples during the 2022-2023 surveillance year and have collected 40,500 samples as of January 12, 2024, in the current 2023-2024 surveillance year. WS has a target number of 41,711 by April 20, 2024.
- WS updates HPAI detection data weekly on the APHIS website.

***Wildlife Biosecurity Assessments***

- Risk for domestic poultry is still high. With multiple wild bird species affected (both apparently healthy wild birds and sick/dead wild birds), risk to poultry producers exists in all 4 flyways.
- WS is receiving requests from large poultry operations in 26 states to conduct bird/wildlife assessments and operational wildlife control on their premises for reducing interactions between wild and domestic birds and transmission risk for HPAI.
- WS implemented a pilot program for biosecurity assessments on poultry operations in four upper Midwest states (IA, MN, SD, ND)
- The program's goal is to assess every poultry barn/facility in all four states and find areas where wild birds gain access to poultry or to poultry feed, air, or water. And make recommendations to the producers as to how to mitigate the risk.

## **CWD**

- WS state operation programs work cooperatively with State Wildlife and Agriculture Health programs (~20 states) on CWD surveillance, targeted cervid removals, and assistance at hunter check points. In ~14 States, during unrelated deer removal projects, WS biologists continue collecting and submitting CWD samples to State diagnostic labs supporting CWD surveillance.
- In April 2023, APHIS announced approximately \$12.1 million for states, Tribes, universities, and research institutes to further develop and implement CWD management and response activities in wild and farmed cervids across three separate funding opportunities. We are about to announce a similar opportunity for 2024 – should come out around April 1.

## ***Rabies-WS NE Rabies Work***

- A stray kitten found in Omaha, NE was confirmed with the raccoon rabies virus variant (RRVV) on October 6, 2023, by the Nebraska Veterinary Diagnostic Center (University of Nebraska-Lincoln) and the CDC. This variant has historically not been found outside the eastern US (>800 miles from Omaha). Expansion of this variant to an entirely new geographic area would place millions more Americans and domestic animals/livestock at risk for rabies exposure. So we collaborated with the CDC, the Nebraska Departments of Health and Agriculture, Nebraska Game and Parks Commission, Douglas County Health Department (DCHD), Nebraska Humane Society, Nebraska Wildlife Rehab, Nebraska Veterinary Diagnostic Center, and other agencies to develop an emergency response plan to address this index case.
- In response to this possible rabies expansion, enhanced rabies surveillance efforts were initiated October 14 and led by the CDC. Through December 31, 2023, 325 animals (mostly raccoons) have been tested for rabies (all negative). This surveillance will continue through this month given potentially long incubation periods of rabies.
- We also conducted a trap-vaccinate-release effort (in a 5-km radius around the rabid kitten) Oct 23 through Nov 2, 2023 and hand vaccinated 804 animals (757 raccoons, 42 skunks, 4 feral cats, 1 red fox).
- We worked with CDC, the Nebraska Departments of Agriculture and Health, and DCHD to distribute 18,000 oral rabies vaccine baits in a 10-km radius around the rabid kitten (November 1-3, 2023).
- Genetic characterization of the variant showed it was most closely related to raccoon rabies in the TN/NC area and genetic characterization of the kitten showed it originated in the eastern US, leading wildlife rabies managers to believe the kitten (or it's potentially rabid mother) were relocated to Omaha from the eastern United States. To date, the rabies management efforts in Omaha have prevented the further spread of RRVV with no additional cases beyond the index kitten.

## **Feral Swine – detailed update provided by Mike Marlow in the Feral Swine sub-committee meeting**

- The WS National Feral Swine Program (NFSP) conducts operations in 34 states and three territories to control existing and emerging populations of invasive feral swine. We have eliminated feral swine in twelve states since the beginning of the NFSP (declared eliminated in CO, ID, MD, MN, ME, NJ, and NY, while detecting for elimination in IA, IN, VT, WA, and WI).
  - CO and MN transferred to elimination status in 2023.
  - IN moved to detection status in 2024.
  - In states where feral swine elimination has occurred, NFSP continues to provide support, as needed to maintain outreach, and eliminate new incursions.
- NFSP also conducts targeted surveillance for diseases of highest concern.
  - The risk-based surveillance system prioritizes collection of disease samples in areas at highest risk of foreign animal disease entry and areas with high numbers of domestic pigs.
  - Our National surveillance includes serosurveillance for classical swine fever, brucellosis, and pseudorabies.
  - Targeted surveillance also occurs for African Swine Fever in the U.S. Protection Zone (USVI and PR) and in 12 states (AL, AZ, CA, FL, GA, LA, MS, NM, OK, SC, TN, and TX). This includes surveillance for both active infection (PCR) and historical exposure (serology (ELISA)).



### ***Farm Bill Update***

- As a reminder, the 2018 Farm Bill, which ended at the end of FY23, provided \$75 million split equally between WS and NRCS over five years, to create the Feral Swine Eradication and Control Pilot Program (FSCP), which augmented the NFSP.
  - Using this funding, WS implemented feral swine management activities in 34 pilot projects in 12 states (AL, AR, FL, GA, LA, MS, NC, SC, HI, MO, OK, and TX).
  - Because of the sustained efforts in pilot projects and the use of innovative technologies such as unmanned aerial systems; remotely managed traps using telemetry; and science-based camera monitoring techniques, feral swine elimination occurred in several areas and dramatically reduced in others, resulting in positive economic outcomes reported by landowners in pilot project areas.
- While Congress writes the new Farm Bill, USDA and APHIS are ready to provide technical assistance and other support to help them throughout the process. In the meantime, Continuing Resolution (H.R. 6363) provided extensions, adding an additional \$15M, split between APHIS and NRCS to continue the FSCP through FY24.

### **Wolf Update**

#### ***WS Evidence Standards for Determining Livestock Depredations by Mexican Wolves in AZ and NM***

- During the last 5 years, the USFWS, AZ Game and Fish Department (AZGFD), NM Department of Fish and Game (NMDFG), and Western Watersheds Project have claimed the quality of WS Mexican wolf depredation investigations have declined over time, potentially leading to producers receiving compensation for livestock that may not have been killed by wolves.
- So in July 2022, WS began setting up written Standards of Evidence (SOEs) for use in finding if Mexican wolf predation is confirmed, probable, or some other category (unknown or other cause).
  - WS' determination of depredation by Mexican wolves relies solely on the physical evidence available at the time of the investigation. The core SOE confirming Mexican wolf predation is presence of subcutaneous hemorrhage and underlying tissue damage. This physical evidence indicates that the animal was alive when it was bitten by the wolf and that the wolf bites were not associated with scavenging an animal that was already dead. This aligns with the standards used by WS in MT, WI, and OR. State wildlife agencies tasked with managing wolves apply similar SOEs for confirming wolf related livestock depredations.
  - WS is not aware of any entity conducting wolf depredation investigations not requiring subcutaneous hemorrhage for confirming wolf predation. The USFWS and the state wildlife agencies in NM and AZ agree with this standard, while cattle organizations do not.
- APHIS reviewed and considered the best available science, practices, and comments received on its proposed written standards, and found that utilizing the SOEs is the most scientifically sound and consistently applied method to conduct Mexican wolf depredation investigations in AZ and NM. WS received comments on the development of these written SOEs from stakeholders, including several groups representing livestock producers. We approved these SOEs in late August 2023 and WS advanced them to federal and state management agencies in NM and AZ, as well as various stakeholders. And USFWS is currently updating their SOP to match the SOE.

### **Quick update on Risk Assessments**

- WS has been preparing risk assessments (RAs) on many of the methods it uses, which analyze the impacts of these WDM methods on people and the environment. We truly appreciate AFWA's ongoing assistance in selecting peer reviewers to review with our Risk Assessments.
- All assessments (including drafts) are available to the public on the APHIS-WS-NEPA webpage.
- We truly thank Bryant White - our primary POC for Risk Assessments.
- WS has completed 25 Risk Assessments.
  - Three RAs are in the external review process (Registered Chemical Repellents, Minimum Risk Pesticides, and Diphacinone, sent to AFWA in May and September, respectively). WS posted drafts of these on the WS internet site.

**REPORT OF THE HUMAN-WILDLIFE CONFLICT WORKING GROUP TO THE  
WILDLIFE RESOURCE POLICY COMMITTEE  
March 28, 2024**

Brian Wakeling  
Montana Fish, Wildlife & Parks

The Human Wildlife Conflict Working Group (HWCWG) met on Tuesday, March 26, 2024. About 40 people attended the meeting. Topics of discussion included:

- The HWCWG received updates on several topics on the agenda for the Wildlife Resources Policy Committee.
  - Dan Gibbs provided a brief update on the BearWise Working Group.
  - Lou Cornicelli with Southwick Associates provided an update on the draft results from the National Survey of How Agencies Manage and Fund Wildlife Conflicts. This investigation was funded with a multi-state grant and arose from a less formal WAFWA survey that identified funding as an issue for agencies involved in managing conflicts.
  - USDA APHIS Wildlife Services provided a briefing on activities and management actions.
- The HWCWG received an update submitted by Kate Malpeli with USGS. Kate had approached HWCWG to identify issues of priority and review of products associated with those wildlife conflicts that may be influenced by climate change. The first paper has been published entitled "A systematic review of the effects of climate variability and change on black and brown bear ecology and interactions with humans" in Biological Conservation (Kurth et al. 2024). A subsequent manuscript is anticipated for submission this summer that will provide a predictive assessment of conflict risk in Maryland. These are not HWCWG products, but HWCWG has been involved in early discussions and review of products.
- The manuscript on managing conflicts resulting from coyote interactions has been formally accepted for publication by the Human Wildlife Interactions Monograph series (Urban coyote conflicts with humans: a guide to management practices). The Wildlife Resources Policy Committee approved this product in March 2023 and it was submitted to the journal by May 2023. The manuscript was accepted in October 2023. We are working with HWI on the copyedit and layout phases and a printed publication date is anticipated in November 2024. This is the third HWI Monograph from an HWCWG task force. The other two covered conflicts with black bears (2018) and deer (2019), and to date both have been downloaded about 2,500 times throughout the world from Digital Commons.
- A fourth manuscript, tentatively entitled "Best management practices for managing conflicts with beavers" is under development. The current outline is being shared with the Wildlife Resource Policy Committee and HWCWG for review; any comments may be shared with Brian Wakeling at [brian.wakeling@mt.gov](mailto:brian.wakeling@mt.gov) or Bryant White at [bwhite@fishwildlife.org](mailto:bwhite@fishwildlife.org). We anticipate that a draft manuscript may be available for review at the September meeting. As a reminder, AFWA has determined that final approval of these manuscripts may be provided by the Wildlife Resource Policy Committee so long as these documents are not prescriptive. Any manuscript with prescriptive recommendations

would need the approval of the larger AFWA board. The HWCWG tries to ensure that the manuscripts identify the benefits and challenges of each management technique without prescribing which methods are best for any agency to employ. The draft provided to the Wildlife Resource Policy Committee in September will be for review, not approval. We would appreciate the return of any comments on the review draft by December 2024. Reviews would be incorporated into the final draft, which would be shared with the HWCWG and Wildlife Resource Policy Committee by February 2025, and we anticipate requesting approval of the final document in March 2025.

- Many conflict issues remain of interest. Although not specifically discussed at the HWCWG meeting earlier this week, a wolf conflict manuscript was briefly discussed with good interest in September 2023.
- The HWCWG concluded the meeting with a roundtable discussion of current issues. Conflicts seem to arise as a result of many species that were once quite rare that are now very common and respond to anthropogenic attractants.

The HWCWG continues to enjoy good attendance and positive feedback. We have good representation across all regional associations in attendance at each meeting.



ASSOCIATION of  
FISH & WILDLIFE  
AGENCIES

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**AFWA Government Affairs Update  
89<sup>th</sup> North American Wildlife and Natural Resources Conference  
March 25-29, 2024**

**LEGISLATIVE UPDATES**

**America's Conservation Enhancement (ACE) Reauthorization Act of 2024**

On March 12, the Senate Committee on Environment and Public Works (EPW) advanced the *America's Conservation Enhancement Reauthorization Act of 2024*, [S3791](#). The bill will ensure continuation of a number of AFWA's priorities benefiting state conservation efforts, including the National Fish Habitat Partnership (NFHP). In addition to the reauthorization at \$10M (up from \$7.2M) and a separate \$1M authorization for the National Fish Habitat Assessment, we were able to secure important technical amendments that would render partnership coordinators eligible for NFHP funding and exempt them from the 50% match requirement calculated at the partnership level.

The Act also reauthorizes the North American Wetlands Conservation Act at \$65M, and it also includes measures to combat Chronic Wasting Disease, reauthorizes funding for livestock depredation compensation and prevention, and reauthorizes the Chesapeake Bay program. AFWA issued a [press statement](#) this week thanking Chairman Carper (D-DE) and Ranking Member Capito (R-WV) for their leadership to ensure this bipartisan legislation moved with unanimous support.

That the Act passed through EPW via voice vote bodes well for passage by the full Senate. Efforts will now focus on securing additional Senate cosponsors for expeditious bipartisan passage of the measure in the upper chamber. We are also aware that the House is eager to make progress on this bill. With the help of some State Directors, we will be conducting advocacy efforts on the bill later this Spring.

**Recovering America's Wildlife Act (RAWA)**

Since the addition of Sen. Rubio in early February, we've been unable to secure or confirm new Republican cosponsors. Thus far, support by Sens. Tuberville, Britt, and Marshall have not materialized, despite positive signals given by each of those offices. To date, the bill enjoys bipartisan support from 9 republicans, 6 Democrats and 2 Independent Senators. Still, Sens. Heinrich and Tillis, the bill's cosponsors, remain supportive and engaged. We continue to work with the bill sponsors to identify potential targets and encourage Congressional support. However, without an identified or a lead on a viable payfor, progress has been slow.

In the House, we await Congresswoman Dingell's decision on whether she will be dropping her companion bill. Introduction seems to hinge on securing a Republican cosponsor for the bill. Maintaining bipartisan support will be important to the ultimate goal of passing this historic legislation.

Despite the current state of affairs, AFWA and the Gov't Affairs team remains committed to continuing to champion support for advancing bipartisan legislation that secures sustained funding for state fish and wildlife agencies. We will continue to coordinate with our states, NGO partners, Senate and House champions and others to maintain support for RAWA, so we are ready to mobilize when the political landscape appears more favorable.

### **America's Wildlife Habitat Conservation Act (AWHCA)**

On March 6, Director Austin Booth of the Arkansas Game and Fish Commission testified at the House Natural Resources Water, Wildlife and Fisheries Subcommittee meeting on Chairman Westerman's Habitat bill. Director Booth testified on the importance of SWAPs, collaborative conservation and working with landowners to deliver conservation and the urgent need for funding for state fish and wildlife agencies.

The AWHCA would authorize \$300 million in annual funding for the next five years, subject to appropriations, to each state and territorial fish and wildlife agency as well as the District of Columbia to help conserve and manage fish and wildlife species, including at-risk species and those already listed as threatened or endangered.

This Act, if fully appropriated, would provide a boost to the current funding available to states for managing wildlife species and habitat. On average, states have only annually received ~\$70M under the State and Tribal Wildlife Grant Program. If fully appropriated, that would be over 5 times the funding to help states address critical species management and habitat needs.

The Act encourages a variety of successful forest and vegetation management activities to modify, improve, enhance, or create wildlife habitat or reduce the risk of damage or destruction to wildlife habitat due to wildfires, insects, or disease. The AWHCA also creates an innovation grant program with 10% of the funds (~\$30M) for the purpose of catalyzing innovation of techniques, tools, strategies, or collaborative partnerships that accelerate, expand, or replicate effective and measurable recovery efforts for habitat of species of greatest conservation need and species listed under the Endangered Species Act.

The Act also establishes a 10% cost share for states, which will reduce the burden on states to obtain matching funds, which in some instances can become a burden for states to generate. This will allow states to be more effective and efficient in delivering conservation.

While states fish and wildlife agencies are primarily focused on the first title of the Act, the bill also includes funding for tribes to conduct similar management activities to those authorized to state agencies. The Act also includes a variety of policy provisions, including the extension of good neighbor authority to the Fish and Wildlife Service National Wildlife Refuge System.

The AWHCA also proposes to improve the efficiency of environmental reviews related to national forest management plans, codifies the Candidate Conservation Agreements with Assurances, and would authorize state fish and wildlife agencies to take on responsibilities related to species recovery plans for federal listed species. Finally, the bill identifies \$1.6 billion in offsets to cover the 5-year cost of the bill if fully appropriated. These offsets come for rescission related to environmental provisions in the IRA and BIL.

## **FY24 Budget Update**

To avoid a partial Federal government shutdown, on March 8 the Senate approved a six-bill minibus package ([H.R. 4366](#), the Consolidated Appropriations Act, 2024) that includes FY24 budget details for USDA, DOT, HUD, DOJ and the Commerce and Interior Departments. Many of the [key grant programs](#) we watch closely that provide important funding to states and conservation programs are generally set to receive less funding in FY24 such as STWG which sees a roughly 2% reduction in funding from FY23 enacted levels to \$72.384M. The North American Wetlands Conservation Act was funded at \$49M, Migratory Bird Management at \$53.2M (of which 16.82 is for NAWMP/Joint Ventures), Fish and Aquatic Conservation at \$226.79M (75.1M for National Fish Hatchery System Operations), and Wild Horse and Burro Management at \$141.9M.

The remaining bills, that are attached to a CR that is set to expire on Friday March 22, also saw a last-minute deal that passed the House on Friday 286-134. The Senate, in an early morning vote on Saturday, March 23, advanced the bipartisan legislation, sending it to the president's desk. President Biden signed the \$1.2 trillion spending package into law Saturday afternoon, which provides funding for the remaining agencies along with other legislative priorities. This action finally closes the book on a rather complicated FY24 Federal Budget process.

## **FY25 Appropriations – President's Budget**

On March 11, the [President's Budget](#) was released, with budget justifications from each agency shortly after ([click here for DOI](#), [here for USDA](#)). The [administration's factsheet](#) highlighted increases for TSCA enforcement, cleanup of PFAS and legacy pollution, and the ongoing Justice 40 initiative, as well as funding to help farmers, ranchers, and forestland owners meet production goals in the face of a changing climate while conserving, maintaining, and restoring natural resources on their lands. We are glad to see a large increase requested for BLM Wild Horse and Burro Management (\$170.9M) and at least slight increases for State and Tribal Wildlife Grants (\$73.8M) and USGS Cooperative Research Units (\$29.773M), and USFWS Science Applications (\$37.902M). We are concerned to see a sharp decrease for the North American Wetlands Conservation Fund (\$33M) but are confident the strong support for the program in Congress, as is evident through the ACE Act reauthorization discussions (see above), will lead to maintained if not increased funding.

## **2024 Farm Bill Discussions**

The discussion over the Inflation Reduction Act funding for conservation, which was originally \$20 billion dollars, continues. So far House and Senate Republicans are trying to move what is left of the IRA dollars, ~\$15 billion, into the Farm Bill baseline. In the Senate, Republican members say they support the money staying in the conservation title, essentially keeping the funding where it is and removing the climate side boards. House Republicans have indicated that they would like to move nearly half of the remaining funding into other titles of the Farm Bill.

Moving funding into the baseline would ensure we don't hit a "funding cliff" for conservation after the IRA funds expire and maintain a higher level of funding for farm bills to come. Both House and Senate Democrats are holding strong to the climate ties, as they target this money specifically towards carbon sequestration and reducing greenhouse gases. While this debate has been ongoing over the past year, these conversations seem to be getting more serious and productive as the pressure mounts for a 2024 Farm Bill.

## **Migratory Birds of the Americas Conservation Enhancements Act of 2023 ([H.R.4389](#))**

On March 12, the AFWA-endorsed *Migratory Birds of the Americas Conservation Enhancements Act of 2023* ([H.R.4389](#)) moved out of HNR Committee by Unanimous Consent with an amendment from Westerman. That amendment made it so the reauthorization of the program will remain the same at \$6.5M rather than grow incrementally over the period of the reauthorization, and the administrative expenses remain the same as currently allowed, but federal match would be increased from 25% to 33.3%. On March 21, a bipartisan companion bill was introduced in the Senate by Sens. Cardin and Boozman

## **Tax Stamp Transfer for Wildlife and Recreation Act (HR 6352)**

On November 9, Reps. Moore (R-UT) and Golden (D-ME) introduced the AFWA-endorsed *Tax Stamp Revenue Transfer for Wildlife and Recreation Act* ([HR 6352](#)). The bill would allocate 85% of the tax stamp revenue from suppressors – estimated to be \$200M for 2023 – to the Pittman-Robertson Wildlife Restoration Fund. The remaining 15% would go to the ATF to expedite processing of suppressor stamps and require the ATF to initiate background checks within 30 days of receipt, as well as reduce the default approval time to 3 months. While a hearing in the House is expected soon, members of the American Wildlife Conservation Partnership continue outreach for cosponsors and build momentum for introduction of a Senate companion.

## **Wildlife Disease Surveillance and Pandemic Prevention Act**

With the original bill sponsor, Rep. Katie Porter (D-CA) departing Congress at the end of the session, we are working with House Natural Resource Oversight and Investigations minority staff to find a new original sponsor, preferably on the Committee. As passage was highly unlikely this year, this doesn't change short term strategy as we will continue to highlight the need for dedicated funding for state wildlife disease surveillance and response efforts. With the lack of bipartisan support for the bill at introduction last time, this is a favorable opportunity to reintroduce with more momentum in the next Congress.

We have prepared [this leave-behind](#) for advocacy outlining the main priorities of the bill, including authorizations for \$15.5 million to be distributed to state fish and wildlife agencies, establishment of a \$27 million grant program, \$10 million emergency response program, and grants for regional Centers for the Study and Diagnostics of Wildlife Diseases.

## **Sport Fish Restoration and Boating Trust Fund Reauthorization**

The Association has initiated discussions with the members of the Angling & Boating Alliance (ABA) on the reauthorization of Sport Fish Restoration and Boating Trust Fund. The current authorization expires at the end of FY26. Based on feedback from the group, we will be organizing monthly calls to reach consensus on legislative priorities and draft language and aim to have a marker bill introduced in early Fall 2024. This will lay the groundwork for reauthorization in the 119th Congress.

## **House Passes AFWA Supported Bills: WILD and SHARKED Acts**

In the first week of February, the House passed two priority pieces of legislation for the Association: the Wildlife Innovation and Longevity Driver Reauthorization Act (WILD Act, [HR 5009](#)) and the Supporting

the Health of Aquatic Systems through Research, Knowledge, and Enhanced Dialogue Act (SHARKED Act, [H.R. 4051](#)).

Once enacted, the WILD Act will reauthorize the Partners for Fish and Wildlife Program (Partners Program), which has enabled restoration of more than six million acres of habitat since its inception in 1987. The WILD Act will also reauthorize the Multinational Species Conservation Funds, which helps conserve some of the world's most iconic species.

The SHARKED Act aims to address the increasing problem of sharks depredating on anglers' catches. It directs the Secretary of Commerce to establish a task force to identify and address shark depredation needs. The task force will consist of representatives from the regional Fishery Management Councils, Marine Fisheries Commissions, the National Marine Fisheries Service, coastal state fish and wildlife agencies, and other experts.

AFWA has issued a press release (Click [HERE](#)) with quotes that highlight the importance of these legislative bills to the states. Our attention now shifts to the Senate.

### **FISHES Act (H.R. 5103)**

Progress on the bipartisan FISHES Act, a bill to expedite the federal fishery disaster relief funding process, has been slow. The AFWA-endorsed legislation was discussed at a subcommittee hearing back in October and received favorable feedback, but it has not progressed further to date.

### **Creating Confidence in Clean Water Permitting (H.R. 7023)**

On March 21, the House passed the Creating Confidence in Clean Water Permitting Act, a package of Republican-sponsored reforms to Clean Water Act permitting processes, with a vote of 213-205. The Biden Administration has opposed the legislation, and its prospects in the Democratically controlled Senate don't look favorable.

With respect to state authorities in administration of the Clean Water Act, there are two provisions in the bill that are concerning. The first is a provision that removes the requirement to consult with states pursuant to s6(a) of the Endangered Species Act when reissuing nationwide permits. This is particularly concerning given that the bill would also increase the time period for which nationwide permits can be granted from 5 to 10 years. Additionally, the bill places limitations on how water quality-based effluent limitations can be expressed in NPDES permits—these are the primary mechanism in NPDES permits for controlling discharges of pollutants into waters, and most NPDES programs are administered by the states.

### **ADMINISTRATIVE UPDATES**

#### **USFWS Biological Integrity, Diversity, and Environmental Health policies for the National Wildlife Refuge System**

On February 2 the US FWS posted [proposed changes to their Biological Integrity, Diversity, and Environmental Health policies for the National Wildlife Refuge System](#) for a 30-day review. That deadline was extended to May 6, to allow for more thorough review of the proposed rule and policy.



The Association had early opportunity for early input, however the changes that were incorporated were minor and didn't address the broader concerns, primarily with the treatment of predators and predator control, cooperative agriculture, increased administrative burden for refuge managers, and recognition of state authority and coordination.

### **NOAA Vessel Speed Restriction Rule**

On March 5, NOAA's proposed final rule, Amendments to the North Atlantic Right Whale Vessel Strike Reduction Rule, was transmitted to the Office of Information and Regulatory Affairs (OIRA), a statutory part of the Office of Management and Budget within the Executive Office of the President. This is one of the final steps prior to finalizing the rule and publishing it in the Federal Register. NOAA proposed the rule to further reduce the likelihood of mortalities and serious injuries to endangered right whales from vessel collisions. The proposed NOAA rule would expand mandatory speed restrictions to include vessels 35 to 65 feet long and broaden seasonal speed restriction zones along the Atlantic seaboard. Significant debate and controversy over the efficacy of the rule vs. the potential impact of the proposed rule on recreational boat traffic has followed this rule making effort.

### **Draft Risk Evaluation Formaldehyde**

The US EPA is currently reviewing formaldehyde under the Toxic Substances Control Act (TSCA). There is the potential for this risk evaluation to result in risk management decisions that make formalin, a key fish therapeutant, difficult to obtain and/or administer.

In its recently released draft risk evaluation, EPA preliminarily finds that formaldehyde poses unreasonable risk to human health, and that workers who are in workplaces where formaldehyde is used are at the most risk from formaldehyde exposure. Worker protections, such as protective equipment, were not taken into consideration when making these conclusions. According to the EPA, they are not permitted to consider impacts on critical uses and costs at this stage—those considerations will come into play when developing any proposed rules. Comments on the draft risk evaluation are due May 14.

### **BLM Publishes Sage-Grouse Rangewide Planning NOA**

On March 15, BLM published a [notice of availability of the Draft Resource Management Plan Amendment \(RMPA\) and Environmental Impact Statement for Greater Sage-Grouse Rangewide Planning](#), opening the comment period on the Draft RMPA/EIS and on the BLM's consideration of potential areas of critical environmental concern (ACECs). The RMPAs would change 77 BLM land use plans across 10 Western States. The BLM will hold two virtual public meetings and 11 in-person public meetings throughout the planning area. The specific dates and locations of these meetings will be announced at least 15 days in advance through the [ePlanning page](#). The deadline for comments on the RMPA/EIS will be the latter of June 12 or 15 days after the last public meeting. The deadline for comments on ACECs is May 14. We will be following WAFWA's lead, which will be sharing more details and analysis in the coming days.

## **NFWF Funding: America the Beautiful Challenge (AtBC)**

The National Fish and Wildlife Foundation (NFWF) released two RFPs this month. The first is an [RFP for The America the Beautiful Challenge](#), a public-private grant program for locally-led ecosystem restoration projects that invest in watershed restoration, resilience, equitable access, workforce development, corridors and connectivity, and collaborative conservation. NFWF will award approximately \$119 million in this round of funding. States, tribes, and territories are eligible, but nonprofits can partner with the lead applicant to implement these projects.

The 5-year, \$500 million program supports diverse, locally-led, landscape-scale projects that span multiple jurisdictions through funding from BIL, IRA, NRCS, DOD. \$232 million has been awarded to date. The first project is expected to be completed soon. Just over 1/3 of 2022 projects have begun implementation. 2023 projects are expected to begin work in a month or so.

Thus far, submissions have far exceeded available funding and re-submissions from previous years are expected. There is a \$2 billion demand for this program. Federal environmental compliance is a hurdle with Historic Preservation being a primary sticking point. The match is still a substantial barrier to entry. However, underserved communities are still seeing anywhere from half to 3/4 of the funding.

## **NFWF Funding: National Coastal Resilience Fund (NCRF)**

NFWF also released an [RFP for the National Coastal Resilience Fund \(NCRF\)](#). Approximately \$140 million in grant funding—including approximately \$96 million from the Bipartisan Infrastructure Law—will be awarded to support nature-based solutions for coastal resilience that provide a first line of defense for coastal communities and ecosystems from increasing impacts due to rising sea levels and more intense storms.

Pre-proposals are due April 10, 2024. Full proposal invitations will go out mid- to late-May 2024, with full proposal invites due on Wednesday, July 2, 2024 by 11:59 PM ET. NFWF expects to announce awards late November – early December 2024.

Match is not required but encouraged. This program encourages innovation, and there is a strong focus on underserved communities. NCRF supports projects in four categories: capacity building, site assessment/preliminary design, final design/permitting, and implementation. The program began in 2018, so return proposals are common that move a project through the four categories. There are no restrictions on the type of applicant.

## **Fish Passage**

The Fish Passage Task Force is still accepting ideas for transformational fish passage projects that strategically advance watershed-scale restoration, provide benefits for ecosystems and local communities, and require substantial investment and collaboration for success. . Please submit projects [here](#) if interested. The USFWS and USFS representatives will make themselves available at the North American Fish and Wildlife Conference for questions. The USFWS and NOAA are expected to make funding announcements this spring for BIL funding and may include some projects from the "transformational project" list.