



FISH AND WILDLIFE TRUST FUNDS COMMITTEE

Chair: Bryan Burhans (PA)
Vice-Chair: Mike Fowlks (UT)

September 10, 2020
9AM – 12 PM (CST)

110th AFWA Annual Meeting

Bryan Burhans chaired the meeting. 103 participants in attendance, including 20 current Committee members.

Scheduled Discussion Items

- National Shooting Sports Foundation Update, Silver Sponsor - ***Jim Curcuruto, NSSF***

Firearm Industry Excise Tax Filing and Payment Due Dates Delayed by TTB 90-day delay provided tax relief to some firearm and ammunition manufacturers. We expect to see an increase in fourth quarter between making up for third quarter's payments and sales for the fourth quarter. So bottom line is that you will be the beneficiaries in the big jump excise tax dollars for this year and one of the things that we think would go nicely with this is building new shooting ranges. We've seen a lot of good stories especially in Midwest that is seeing a big increase in participation especially in youth including a lot of high schools. There is a high demand for shooting ranges. A big benefit is the lower match and there are great teams that are starting to build the ranges or make plans. NSSF is your resource out there and would love to help you make those plans complete so anything we can do please let us know.

- Call to Order, Introductions, Announcements, and Agenda Review – ***Bryan Burhans***

The meeting was called to order at 9:00AM. The Committee Chair, Bryan Burhans welcomed all the attendees and asked the participants to introduce themselves.

- Approval of the March 2020 Meeting Minutes

The meeting minutes from March 2020 were approved.

- Legislative and RAWA Updates – ***Jen Mock Schaeffer, AFWA***

A recording of updates was provided in the main page of VAM. The participants were encouraged to post questions if there were any and they would get answers.

- Industry/Agency Progress & Fish and Wildlife Business Summit - ***Jon Gassett, WMI***

The grants were affected because of the pandemic. Industry grant depends a lot on getting out and interacting with industry and state agencies. Trade Shows and most conferences have either been cancelled or gone virtually this year, so it has been difficult.

Because of flexibility we were able to reallocate some of the funds to investigate some emerging issues by Archery Trade Association on excise tax slippage where a product coming from overseas is shipped through amazon or other common carriers indirectly to the consumers in US and bypassing the excise tax. We contracted Southwick Association to do a preliminary review. We found that there is some significant slippage and we will spend some more time and resources to investigate that in the future.

Business Summit which is a big part of what we do was postponed after the talks with the co-chairs. We are anticipating on scheduling that for early next year hopefully in spring.

We participated in a virtual Trade Show. As we mentioned before, Mitch King has been contracted to work on some excise tax issues and he did a recorded presentation on excise tax for the participants.

Another big thing we are working on is the Industry Database. We have contracted DJ Case and Associates to help us with the technical side of it. This database will be much more improved compared to current system. We will possibly add statewide contacts and NGO contacts to the system so whoever has a stake in WSFR program can easily communicate with each other. The database will allow companies to register as excise taxpayers so the states can identify their local taxpayers. We will also incorporate a news feed for industry and state tax issues.

- Wildlife and Sport Fish Restoration Update – **Paul Rauch/Bob Curry, WSFR**
 - Program Administration
 - Assigned WSFR AD responsibility for Program: Administration, Management, Oversight
 - Set funding caps for administration
 - Requires biennial administrative audits
 - WSFR’s Administration Evolution:
 - React and Survive (2001 - 2016)
 - WSFR staff downsized, reorganized and realigned to meet funding caps in the Improvement Act
 - Institutionalized collaboration (JTF/TFC/FACWG/TWG)
 - Administrative audits initiated and new emphasis placed on program audits. JTF active in policy development.
 - Evaluate and Plan (2017 - 2020)
 - TRACS Meeting of the Parties / MOU
 - Program Management Analysis (PMA)
 - Shared Vision for Program Administration
 - Administrative Funding Needs Analysis
 - Strategic Communications Plan (SCP)
 - Build A Strong Future (2021 – 2025)
 - Efficient Administration
 - Management that enhances collaboration, trust and engagement
 - Oversight that protects Program integrity
- WSFR will create this Future by:**
- Building an organization that strengthens local connections while leveraging program-wide capacity;

- Developing an effective and engaged workforce that identifies with the Program, and is committed to collaboration, communication, and a culture of compliance; and
- Leveraging administrative resources to ensure efficient grant processing, strong training, proactive compliance, and meaningful communication.

WSFR will use the following tools to chart a course toward this Future:

- PMA to define our role (core functions) and the attributes we strive for (desired future condition);
- Shared Vision to remind us of the principles we must adhere to;
- Funding Needs Analysis to point us towards the gaps we need to fill;
- Audits to protect program integrity; and
- SCP and TRACS to guide communications and demonstrate relevance.

Next Steps:

- Use available tools to identify and prioritize the tasks that will:
 - Improve efficiency,
 - Enhance collaboration, trust and engagement, and
 - Protect program integrity;
- Refine tasks, establish workgroups, and undertake work;
- Provide update at North American TFC meeting; and
- Complete the tasks.

WSFR Administration

- ***Federal Excise Tax 2020 Deferred filing***

In response to the COVID-19 pandemic, the U.S. Treasury provided expanded disaster relief through deferred filing and payments of the Federal Excise Tax.

Excise Tax	Calendar Year Quarter	Original Due Date	Extended Due Date
Firearms & Ammunition	NA	March 1 through July 1, 2020	90 day extension (May 30 through September 29, 2020)
Sport Fishing & Archery	2	July 31, 2020	October 31, 2020
Sport Fishing & Archery	1	April 30, 2020	October 31, 2020

- ***Wildlife Restoration Account (WRA)***

Industry indicates sales of firearms and ammunition are up in 2020.

Assuming most firearms and ammunition excise tax (FAET) filers will take advantage of the postponement period, USFWS may see less FAET dollars coming into the WRA during the

postponement period – which is reflected in the significant decrease in the third quarter. Once this period is over (and barring any extensions), the payments should “catch up.”

Wildlife Restoration Fund

May see smaller receipts for Preliminary Apportionments

Through 3rd Quarter (June 2020) total WR receipts decreased by 22%

Firearms/ammo decreased by 21.10%

Archery down 31.84%

	2019	2020
1st Quarter	\$160,920,464	\$162,214,606
2nd Quarter	\$308,849,073	\$324,958,385.13
3rd Quarter	\$465,569,729	\$363,376,136

Sport Fish Restoration and Boating Trust Fund (SFRBTF)

Majority of SFRBTF receipts are from motorboat fuels

The motorboat fuel portion of funds is determined by a formula that includes the annual number of registered vessels provided by USCG.

Total gas collections are NOT an input to this formula.

Through 3rd Quarter (June 2020) total SFR receipts down 3.80%; fishing tackle excise tax is down 15.4%

	2019	2020
Quarter 1	\$121,850,980.97	\$120,714,910.92
Quarter 2	\$285,302,756.01	\$277,787,075.87
Quarter 3	\$458,661,735.43	\$441,253,539.43

The Administration’s FY 2021 proposed budget reduces SWG Program funding by more than \$36.3 million from FY 2020 levels.

Subprogram	2017 Enacted	2018 Enacted	2019 Enacted	2020 Enacted	2021 President’s Budget Request
SWG Formula	52.0	53.0	54.0	55.0	29.3
SWG Competitive	6.4	6.4	6.4	7.4	2.0
TWG Competitive	4.2	4.2	4.2	5.2	0
STWG Total	62.6	63.6	64.6	67.6	31.3

- **Policy**

- Piloting a Standard Operating Process for developing recommendations on policy topics identified by JTF

- Identifying proposed changes to 50 CFR 80 & Service Manual Chapters to align with:
 - Target Practice and Marksmanship Training Support Act, P. Law 116-17; and,
 - Modernizing the Pittman Robertson Fund for Tomorrow's Needs Act, P. Law 116-94
- ***Modernizing the PR Fund for Tomorrow's Needs Act***
 - Tasked with developing guidance to implement amendments to the Wildlife Restoration Act;
 - Composed of subject matter experts;
 - Draft guidance will be distributed for review in accordance with JTF-approved WSFR Communication Protocol; and
 - Final guidance will be presented for review and accepted by the JTF.

- ***Wildlife Restoration & Hunter Education Advisory Team***

Purpose: To facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

- Responds to grant related questions regarding the Target Practice and Marksmanship Training Support Act and Modernizing the Pittman Robertson Fund for Tomorrow's Needs Act
- Posts advisories to provide interim advice while we develop final guidance.
- 17 advisories posted so far – available at:
<https://fawiki.fws.gov/pages/viewpage.action?pageId=117669889>

- ***National Survey***

We are continuing the use of the fifty state license data bases that we have done the past two surveys, where we get the resident licenseholder numbers by county, and then focus recruitment of respondents to the counties with the most hunters and anglers. We are not asking for the licenseholder contact information.

- State license information will be used to select the sample;
- Freshwater/Saltwater split information for Coastal States will be included;
- Target shooting, archery, and motorized boating questions will be added;
- Individual States can buy in to get full reports; and
- Contact Richard Aiken at Richard_Aiken@fws.gov for additional information

- ***TRACS Update***

June 15th, 2020 was a big milestone, that's the day the TRACS enhancement was launched. We are continuously improving it and add more functionality over time. This was a 4-year effort dating back to the fall of 2016. The foundation for the TRACS Grant Performance Module was laid September 2016 in Denver, Colorado at the WMI Meeting of the Parties. The product of that meeting was an MOU between the USFWS and AFWA that laid out an agreement defining what the TRACS Module would be and how it would be developed. The MOU was adopted by the JTF in November 2017 and signed by the parties in March 2018.

Paul asked Steve Williams and John Gasset to give a perspective on TRACS as one of key players in the process.

Steve Williams – Steve spent 17 years working in 3 different state fish and wildlife agencies. In 2002 he became the Director of the Fish and Wildlife Service. As a director he helped establishing the Joint Task Force. Back then there was strain between State Fish and Wildlife Agencies and the USFWS. One of the biggest strains was how the Federal Aid Program was

being administered. And that's how the Joint Task Force was started (around 2002). Also in the effort to have a better collaboration with state agencies we brought them into the process of the development of National Wildlife Refuge Policies, we got IGs to do the audits. Also back in early 2000, the Migratory Bird Program and the Federal Aid Program were administered by one Assistant Director. Those two programs are the ones that are the closest you collaborate with states, but they are totally two different programs. And during all these years it has been an extensive improvement of trust, collaboration and engagement between Fish and Wildlife Service and State Agencies. Moving to TRACS, Paul asked the WMI to help heading the collaboration with the states. When it comes to collaboration between Federal Agencies and State Agencies, there are challenges. There are federal laws, regulations and policies that occur at federal level that are not present at the state level. There are systems that federal agencies must work under. Wishing everyone entered with this process with the idea that compromise is a good thing and encouraged all to think about each other, AFWA and FWS and keep these three words in mind: trust, collaboration and engagement.

John Gassett – served for 8 years as a Director of Kentucky and after that joined WMI. It's been 15 years of participating in discussions of performance reporting and TRACS. A little historic perspective. This is not a new concept. Things in government don't last forever. In 2005-2006 there was an OMB part review of WSFR program that identified the need for the information management and accountability. In the same time the FAMES system through which the states were reporting on federal aid was becoming obsolete. So, the results of that audit and FAMES questionable functionality drove the states to try developing a better system. So, the idea of TRACS was born around 2009. On 2012 FAMES was retired and at JTF meeting around 2012 there were some concerns about TRACS, largely about some data sensitivity, public view, and some other issues. First Beta version was rolled out in 2013. In 2016 at the JTF meeting in Las Vegas, the Co-Chairs requested that WMI perform a review. They asked WMI to create a communications plan, develop a process for amending TRACS, integrate objectives in the TRACS reporting, resolving workload issues caused by duplications and a various number of technical challenges WMI was asked to look at. A meeting of parties took place in Denver to address all these issues. There is a comprehensive report that came out of that meeting. But this has been a 14-year process from the concept to the current version.

Paul Rauch - TRACS Memorandum of Understanding

Contained in the MOU was a process, criteria, and a vote for establishing the date on which States would take on primary responsibility for entering data into TRACS. Per the MOU, I provided notice of the proposed a Handoff Date of October 1, 2020 to the AFWA Trust Funds Committee during their meeting on Friday, March 8, 2019 in Denver, Colorado. Now, 18 months later, States are poised to take that vote.

The second criteria in the TRACS MOU is that State personnel have been trained to use it. Due to COVID-19 impacts, WSFR launched an aggressive effort to re-tool TRACS Training into a series of 43 live training webinars. The first was held July 8th for the TRACS Working Group members and number 43 will be on September 11. 720 participants have received the training. 55 of 56 States, Territories, and Districts with Fish and Wildlife Agencies registered at least one staff member for TRACS Training. The numbers of trained staff vary greatly State by State, based on how a State manages grants. Some States consolidate data entry through their Federal Aid Coordinator. In other States, Project or Program Managers may be responsible for data entry. Feedback on the training has been overwhelmingly positive. Trainees expressed a high degree of satisfaction with the training. Overall, 97% of evaluation responses have recorded they were either satisfied or very satisfied with the training. In addition to the training webinars, on-Line "E-Learning" resources will continue to be available to all users indefinitely through the new WSFR Training Portal. In addition WSFR staffs a full-time Help Desk to support TRACS Users during normal business hours.

COVID-19 has caused State and Federal agencies to re-create processes and procedures to fit with remote work requirements. In addition, the uneven roll-out of the new GrantSolutions system has caused undue stress and uncertainty for everyone involved in the management of WSFR funded federal grants. While the Resolution you will be voting on shortly establishes an October 1 handoff date, I have pushed the calendar back on which grants must be entered into TRACS to include just those grants with a start date of January 1, 2021 or later. Hopefully, this change will provide State and WSFR staff ample time to prepare for data entry in TRACS and will assure a smooth, successful roll-out of the system.

TRACS Development Team uses a process called Agile Development. Members of the team are assigned pieces of software code to develop over a two-week “Sprint”. At the end of the Sprint, members come back together to fit the pieces of code together to complete or enhance some specific function. This allows a system to be continuously improved, or for new functionality to be introduced without having to build from scratch. A “Scrum Master” works with the Product Manager to identify priorities, then assigns development of the code to a specific Sprint. The three functions above have been prioritized and assigned based on when TRACS users will need to access the function.

WSFR’s TRACS Commitment:

1. Continue to maintain and enhance TRACS within the framework established by the MOU: JTF/TFC/TWG/FACWG;
2. Continue to use the JTF communication protocol for informing States of and seeking input on major system related issues;
3. Continue to provide a robust training program that will train new users and keep existing users informed of and trained on system enhancements; and
4. Continue to improve inter-operability between GrantSolutions and TRACS

Lisa Holt, AK – Thanked Paul and his staff and everyone involved with the TRACS process for their work. She asked if copy/paste functionality in TRACS will be a high priority and have that done by June before we start reporting.

Paul promised WSFR will make that a priority.

Kelly Hepler, SD – About States’ affirmation, I will speak at the Executive Committee and this can come out as a resolution that the states support this. The other issue his that our Federal Aid coordinator still has issues with the level of the training she has received. The webinar was mor of the introduction of the functionality and not really how to do it. So, the states still have concerns and that’s with GranbtSolutions which you can’t do anything about. We know you are doing the best to make these things work and we know it’s painful for your staff and for the states.

Paul – We have been in contact with those states that were expressing concerns. We are continuing with the trainings and trying to get more information out there. We will support any states with some hands-on additional trainings if needed.

As for the resolution, the MOU doesn’t really mention any resolutions, it just requires 2/3 of the states to affirm in some ways.

Kelly Hepler moved the motion which was passed by the committee members.

Action Item: *Trust Fund Committee reaffirms the States’ commitment to Item 5(H) of the MOU signed between the USFWS and AFWA at the North American Conference, March 2018 in Norfolk, VA, with the new TRACS Handoff date of January 1st, 2021.*

H. Recipients (does not include sub-recipients or contractors) will assume responsibility for entering data into TRACS when the TRACS enhancement is fully functional, and State personnel have been trained to use it. The States and Territories will have a minimum notice of 12-months of the “handoff date”. The handoff date will be agreed upon by the States, by at least two-thirds majority vote.

- The Council to Advancing Hunting & Shooting Sports – ***Samantha Pedder, CAHSS***

Early this year the Council released the Business Plan. With the PR Modernization passing on December 2019 we had great opportunities with 2020. COVID has changed things but not necessarily for the worst. Yesterday we found out that more than \$7 M will be allocated in a very short time for R3 grants in regional and national level. This is a huge accomplishment. Many of our partners are going to lead national projects that will help a whole collective R3 professional community move forward. This is a big deal and the Council continues to work with partners and facilitate and help inspire conversations and national and regional level.

We completed the Business Plan for the Council based on a survey with the state fish and wildlife directors. The survey was completed in July and the input was used to establish our priorities. With that plan on hand, now we are aiming for the Strategic Plan.

Once COVID hit, we still have a mission to increase the participation in hunting and shooting and we have to do that by working with our partners. So, we still have to have these conversations and share those with the rest of the community. So rather than meeting face to face, we went online like the rest of the country. We hosted weekly events, coffee hours, webinars, happy hours and so on.

We hosted a virtual R3 Forum in August and we had a great participation. We are building on the success of that event in planning on in-person event for May 2021.

We continue to facilitate the R3 Implementation workgroup. In last 18 months, this group of 30+ individuals dedicated 3,000 hours to identify 10 key priorities. We cover topics of mentoring, training, Clearinghouse for R3 as well as partnerships and organizational culture. I would like to show you a preview of R3 Clearinghouse. This is a great place to share your implemented grants with the R3 community or see what the others are doing.

- The federal aid Coordinators WorkGroup

Grant Solutions is a significant concern for the Federal Aid Coordinators Working Group (FACWG) and Federal Aid Coordinators (FACs) in the next year. One of the concerns that remains is about duplication of effort between TRACS and Grant Solutions and the increased burden on state FACs. The go live date for Grant Solutions was May 18, 2020. The guidance that came out on August 27 was confusing. As a working group we would be willing to compile a list of the concerns and confusing parts so we could maybe help to tweak that guidance for states.

The TRACS Enhancement is still a concern for the Federal Aid Coordinators Working Group (FACWG) and Federal Aid Coordinators (FACs) and duplication of effort with Grant Solutions.

We have a new proposal for changes to bylaws again.

FACWG Action Item: *The FACWG is requesting approval of the bylaws, which have been updated to include the proposed process for the review of issues and development of policy presented to the JTF.*

- In January 2020, WSFR distributed a memo detailing a proposal that identifies a process to bring issues to the JTF for consideration at future meetings. The intention is to formalize the issue identification process and append it to the JTF charter.

- The proposed process would require the FACWG to review issues brought forth by the February 15th deadline at the Spring Meeting of the WSFR Chiefs and FACWG.
- The Standard Operating Procedure (SOP) supplements the Joint Federal/State Task Force on Federal Assistance Policy (JTF) Issue Identification and Decision-Making Protocol.
- The FACWG appreciates the opportunity to engage with the JTF in this process and hopes to provide a unique perspective as day to day practitioners of the Federal Aid Program in the States.

A motion was made to approve the Bylaws with the changes. The changes were approved.

- WSFR FA Joint Task Force Update- ***Paul Rauch, WSFR***

A big focus of the spring meeting was the Standard Operating Procedures around policy development as well as addressing the specific issues raised on the issue identification phase. We had seven different issues raised from five different states. All of those have been addressed either in some form of follow up. The Co-Chairs sent response letters to each of those states on June 4th so everybody receives a specific unique response to the issues they raised. And we had a follow up meeting in July because we needed to close loop and finalize what our Standard Operating Procedures changes were going to be around this policy development process, and they were reflected in the Bylaws that Tammy went over. A big outcome of that was the establishment of this pilot team to look at PR Modernization and Target Practice and Marksmanship Policy we are going to need to develop.

Action Items:

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- Wrap Up/Adjourn

Meeting was adjourned at 11:15AM CT