

The AFWA Strategist

Update for Members and Partners of the Association of Fish & Wildlife Agencies

June-July 2016

AFWA Government Affairs

Vessel Incidental Discharge Act (VIDA)

VIDA (S. 2829, SA 4436, S. 373, HR 980, Title XXXVI Ballast Water in HR 4909) raises significant federalism issues by preempting states' authorities to implement and enforce federal and state aquatic invasive species laws and Clean Water Act provisions related to ballast water discharge and incidental discharges to the normal operation of a vessel. The bills both a) permanently exempt incidental discharge regulation for all recreational vessels and all commercial vessels under 79 feet in all fresh and marine navigable waters, and b) prohibit the enactment or enforcement of any state laws or regulations that would address these types of discharges, including those that are intended to protect state waters from harmful invasive species and water pollution discharged from vessels. As such, VIDA will have adverse consequences on recreational boating and fishing opportunities, water quality, sources of drinking water, sensitive aquatic resources, hydropower and water treatment facilities, and other industries. AFWA is working on alternative language to propose to Hill staff.

Senate Energy and Natural Resources Committee Hearing on 6/23 on the Discussion Draft Entitled the "Wildfire Budgeting, Response and Forest Management Act of 2016"

Provisions in the Discussion Draft bill will: 1) fix the problem of account transfers out of important fish, wildlife, recreation, watershed, habitat and forest management accounts, including fire prevention, when wildfire suppression costs exceed the appropriated amounts for the U.S. Forest Service and Bureau of Land Management; 2) expedites National Environmental Policy Act (NEPA) review of forest health projects in plans developed by Collaboratives to improve "wildlife habitat to meet management and conservation goals, including State population goals"; 3) provides purposes which qualify a project developed by a Collaborative for expedited NEPA review; and 4) incentivizes and facilitates the use of Collaboratives to develop forest management projects as reflective of the interests of all stakeholders in the Forest Plan or Resource Management Plan.

Update on S. 286, Tribal Self-Governance

Working with House Natural Resources Committee staff and Tribal interests, AFWA has reached a legislative compromise on S. 286 that address AFWA's concerns raised in our letter to Chairman Don Young in July 2015. We are awaiting the review of final draft bill language, and once we concur that the necessary changes are addressed, will send a letter to House Committee on Natural Resources leadership that removes our objections to the bill progressing through the normal legislative process.

U.S. Fish and Wildlife Service (FWS) Proposes Changes to CCAAs

The FWS propose changes to the regulations concerning enhancement of survival permits issued under the Endangered Species Act of 1973, as amended (ESA), associated with Candidate Conservation Agreements with Assurances (CCAAs); propose to add the term "net conservation benefit" to the CCAA regulations; and to eliminate references to "other necessary properties" to clarify the level of conservation effort we require each agreement to include in order for us to approve a CCAA. They are also proposing these changes to the CCAA policy. The deadline for submitting comments to www.regulations.gov is on or before July 5, 2016.



AFWA Annual Meeting

> Registration is now open for AFWA's 2016 Annual Meeting in Philadelphia, PA at www.AFWAAnnualMeeting.org

> Please make your hotel reservation at the Marriott Philadelphia Downtown by August 20



The NCLI

> Congratulations to the graduates of the National Conservation Leadership Institute's Cohort 10!

> Cohort 11 Fellows will be announced in early August.



www.fishwildlife.org



AFWA Annual Awards

Last call for Annual Awards nominations! The nomination deadline is July 1st

For awards criteria and nomination details, go to fishwildlife.org/annual_awards

The Strategist Briefly

- Tim Gray has joined AFWA as our new Administrative Assistant with our MAT team.
- Silvana Yaroschuk joins AFWA as our new Multi-State Conservation Grants Program Manager.
- Parks Gilbert, AFWA's Staff Attorney, has accepted a position with the FWS and will be leaving AFWA in July.

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Sapelo III

Members of the Association's Executive Committee met with members of the leadership team for the U.S. Fish and Wildlife Service (FWS) in Kerrville, TX in May. Discussion topics included the federal ESA, especially regarding de-listing issues, Landscape Conservation Cooperatives, and incidental take of migratory birds. One focal area of discussion centered on state-federal management authorities for fish and wildlife. This was the third consecutive leadership retreat between state and FWS leaders and they continue to be an important forum for addressing topics of mutual interest and for building relationships.

Evaluation of TRACS

For the past several years the U. S. Fish and Wildlife Service (FWS) has been developing a data system, TRACS, to manage performance reporting for the Wildlife and Sport Fish Restoration Program (WSFR). The State-Federal Joint Task Force for WSFR has been closely monitoring the development of the TRACS system and has concluded an independent evaluation of the TRACS system would be desirable. The Wildlife Management Institute will conduct this analysis with financial support from the FWS and the states. Kelly Hepler is a co-chair of the WSFR JTF and is taking the lead on helping to shape the evaluation with state interests in mind.

Blue Ribbon Panel Update

Blue Panel Members Jeff Crane, president of the Congressional Sportsmen's Foundation, and Collin O'Mara, president and chief executive officer of the National Wildlife Federation, and their legislative team continue to make steady progress working with Congressman Don Young (R-AK) and Congresswoman Debbie Dingell (D-MI) on bipartisan legislation that would reflect the funding recommendation of the Blue Ribbon Panel. Bill language is nearly final and introduction could take place in July. The legislative team has identified potential co-sponsors and we hope the entire Blue Ribbon Panel can reach out to members of Congress to encourage their support once the bill is introduced.

AFWA staff have drafted FAQ's that can be used as a communication and outreach tool as we move forward with the campaign. These resources are available on AFWA's website. Please help spread the word by sharing AFWA's press release and using the hashtag #Funding4Wildlife.

International Updates

Two important international meetings will be held in 2016. The International Union for the Conservation of Nature's (IUCN) World Congress is in Honolulu, Hawaii September 1-10. Thousands of participants from around the globe will attend and take part in hundreds of workshops, exhibitions, and events and provide guidance to IUCN's conservation agenda for the next 4 years. Motions of interest include those on lead ammunition for hunting, climate change, environmental law, and invasive species. Workshops and other forums of note touch on the sustainable use of wildlife such as trophy hunting, and North American waterfowl conservation.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) will hold the 17th Conference of the Parties (CoP) September 24 to October 5, 2016 in Johannesburg, South Africa. This year 62 species proposals will be considered. Nearly 100 different topics are on the agenda. Species of interest to the state fish and wildlife agencies include Peregrine Falcons, Wood Bison, Thresher and Silky Sharks, American Eel, and precious Corals. MAFWA's CITES Technical Work Group representative, Carolyn Caldwell, will request input on CITES issues over the next few months. State input is critical to the development of positions and interventions on CITES issues.