



## **FISH AND WILDLIFE TRUST FUNDS COMMITTEE**

**Chair:** Bryan Burhans (PA)

**Vice-Chair:** Mike Fowlks (UT)

**September 24, 2019**

**9:00AM – 12:00 PM**

**ASSOCIATION OF FISH & WILDLIFE AGENCIES**

**109TH ANNUAL MEETING**

**InterContinental Saint Paul Riverfront Hotel**

**Saint Paul, Minnesota**

Bryan Burhans chaired the meeting. 40 participants in attendance, including 18 current Committee members.

### **Scheduled Discussion Items**

- 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 2019 Meeting Minutes

The meeting minutes from March 2019 were approved.

- Impact of trade tariffs on DJ and PR – ***Bryan Burhans, PA***

Dan Forster – When tariffs came about, archery equipment did not have tariff on it and as we know there is already excise tax on that equipment. And for us as industry, the majority of the equipment that you buy in US actually come from overseas. Numbers might be a bit shaky, but we are talking about 40%-60%. A 25% tariff on all those import goods is going to put many of manufacturers in a bind. They might have signed contracts already and they don't have a way to recuperate that. Some were concerned with other issues in Chinese imports, e.g. copying products.

We tried for an exemption but at the end we were not lucky with that. The problem, as business managers know, with a 10% tax today and 20%-25% in the future it will be difficult. You will see an increase on products that you buy in retail stores and likely see a decrease in PR/DJ because that will be impacted, and we don't know at what extent.

AFWA came out with a letter in support of Industry asking for consideration for exemption which industry really appreciated, although that attempt wasn't successful.

- Draft resolution on support for PR Modernization  
A motion was made to adapt the resolution and bring it to the Business Meeting for a consideration by the State Directors followed by a second.
- National Survey Update – ***Steve Sheriff, Technical Advisor, National Survey Technical WG, AFWA***

The National Survey is done every 5 years. The Survey was conducted in 50s and it has been going on since then. In 2013, the Association formed the National Survey Technical Workgroup (NSTWG). The NSTWG was charged to look at the new methodologies and recommendations for the 2016 Survey to reduce costs and increase the reliability and comparably of the information collected.

In 2016 we looked at a transition/bridging between survey conducted by US Fish and Wildlife Service through CENSUS and the survey conducted through a private company, Rockville (50-States survey). We brought on board an Independent Evaluation team to look at the results and the big difference on estimates for both surveys. And often in the survey world, when you change methodologies you will end up with large differences. The Evaluation team made recommendations that really considered a reduction in respondent burden, in another words less questions asked. Also, they recommended to move to a different methodology like the ones that suggest multimode of contact. Through the multimode of contact you can get different segments of your population. Different people use different methods to answer surveys, phones, computers, and so on.

The President's Task Force was established to make recommendations for the future surveys. This Task Force made recommendations to have only national level estimates and not deal with state level estimates anymore. Also, they recommended to look at new methodologies.

NSTWG put together an RFP for the National Survey Implementation. Four vendors responded to the RFP. NSTWG evaluated all the RFPs and yesterday the NSTWG made the recommendation to Executive Committee.

Since we have representatives from Industry here, I would like to add that the questions that were in the pre-screener, the one concerning shooting sports and archery will be on the survey this coming round and we will be adding a boating questions that came through ASA.

The Survey will be conducted in 2022 and that's to give the vendor enough time to develop questionnaire and test it.

### ***Questions:***

Is the vendor and the cost identified? How are we taking that cost off the MultiState Conservation Grant Program in the next few years?

N.O.R.C at the University of Chicago with 75-years experience is the new vendor. Their cost is about \$7.4 million. The Executive Committee had a cap of \$7.5 million. We will share the CashFlow for the next 5 years.

What does the timeline look like with the new survey?  
Our expectation is that in 2023 we will have a final report.

Are you considering looking at license sales and including that in your estimates?

In fact, that was one of the attractive things about their proposal. They are going to use license sales by county first in design process and at the end come up with a method using licenses for model-based estimation. Their approach is three prong: panel study, they already have established panels, and they will supplement that with an ABS (address based survey), and for one item, that we have to include because of federal requirement for the coastal states, we have to come up with estimates of participation in fresh water versus salt water fin fishing, so they will do non probability sampling for those coastal states and they will bring all these three together. Modelled estimates are going to be the future to keep the cost down and increase precision.

In addition, the idea of switching to panels is that we may be able to conduct surveys more frequently because we will not have as much upfront cost and time-consuming efforts and also there is a state buy in option; e.g. if your state wants to include more questions or if they want to increase the sample size to be able to get estimates for the state. The state buy in was a request that came from the Task Force.

- **Industry/Agency Progress & Fish and Wildlife Business Summit - *Jon Gassett, WMI***  
We just concluded our 14<sup>th</sup> Business Summit in Park City, UT where we spent significant amount of time in working sessions helping USFWS work through questions on TRACS reporting system getting the information that the industry partners would like to see in TRACS when Public Viewer is available.  
We also spent time talking about the Partner with a Payer program that Jim Curcuruto has kicked off in cooperation with FWS in NE.  
Currently, we are in evaluation process using our Co-Chairs, Trade Associations, AFWA, FWS, CAHSS and RBFF to see if we can make WMI more relevant to the partners.  
We are also working on Fish and Wildlife Database. We have one active now, but it is one sided with industry contacts, but we don't have states contacts yet, so we are working with vendor to make it more user friendly and more comprehensive.
- **Tax avoidance issues, implications and strategy associated with importation of certain recreational fishing and archery equipment - *Dan Forester, ATA***  
With the changing markets there is a tremendous importation of products today compared what it was in 1937 when PR was established. While every taxable product should be paying excise tax, depending how that product is handled during importation process that tax is levied in different places. The manufacturer outside the US might not be responsible for paying the tax but the end user who buys the product would be. E.g. if you buy a bow in China directly from manufacturer, you are responsible on paying tax when you buy it. But we know that is not happening. Very recently, some people, through manufacturers of carbon arrows, looked at a significant drop in excise tax associated with arrows. There is a \$0.52 tax per arrow. They looked at one company that was selling online product at a cheap price. They also looked at what Amazon and other online sellers charge and were convinced that they are not paying excise tax. If they were, they would have to charge an extra \$6 per dozen. That one manufacturer with 1-month SKU would have contributed \$22,000 to the PR. So, from a conservation standpoint, it's important we pay attention to it. There is an unfair advantage in play.

So, we have started the conversation on addressing this. Though WMI grant we have engaged Mitch King and we have formally notified the IRS to look at this. What is really happening is that Amazon (and other online sellers) is facilitating these transactions and explaining their actions as not being the manufacturer and not being responsible for the tax, therefore facilitating this avoidance. And this might as well be legal. AFWA has charged Lane to review this and his conclusion is that they may be able to interpret this as being legal. So, we still have to run this by a third-party tax expert.

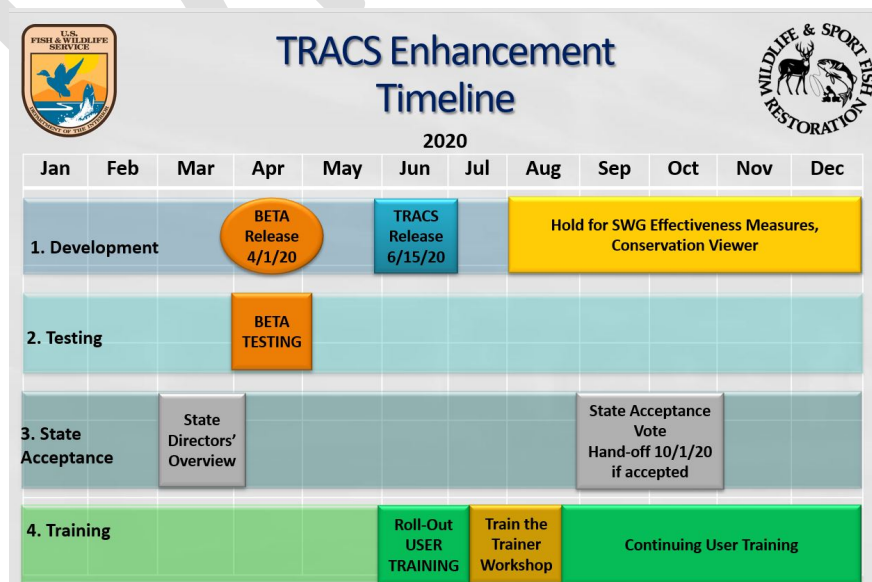
Our question is, how do we fix this? Do we introduce regulations, or do we change law?

Paul is working with us to get this in front of Trust Fund Collection Working Group that will take place at AFWA Headquarter on February 19, 2020 and IRS representatives will be present.

- Wildlife and Sport Fish Restoration Update – ***Paul Rauch/ Bob Curry, WSFR***
  - 2019 WSFR Program Priorities
    - TRACS Enhancement

A few weeks ago, I sent a message out to all Directors announcing a 6-month delay in release of the TRACS system. The delay allows us to conduct Beta Testing on a nearly complete system, as well as providing additional time for initial User Training ahead of the State Acceptance Vote in September 2020. The new schedule provides an additional month for review prior to the Directors Vote at the 2020 AFWA Annual Conference.

In February, we provided all States with materials to assist them to begin to make the transition to the TRACS Enhancement by providing guidance and training on how to structure grant proposals, so they are easily reported in TRACS when it becomes available for data entry. We released our first live version of the Enhancement in March and have completed an 8-week Alpha Testing phase. There will be a second release in April 2020 that will be Beta Tested by all users next Spring. In June we will turn our attention to User Training when the system opens to Users for data entry on June 15.



- Strategic Communications Plan (SCP)

- Goals: Strong **support**, Program **relevance**. Adequate **funding**
- Target Audiences: States (Fish and Wildlife Agencies; State Boating and Recreation Agencies); Industry (Excise tax-paying businesses and Industry Trade Organizations); USFWS (Programs other than WSFR)  
We don't consider general public a target audience. They are better served by the States and Industry and at some point, we will have the chance to talk to general public and when we do, we want to have a good message for them, but that is not our priority.
- Desired Outcomes: Better understand State/Industry information needs; Collect data and make information available; Support States, Industry and our own communication needs; Communicate meaningful messages to our target audiences
- Next steps:  
Target audience focus groups with State Partners and Industry – COMPLETED  
Team reviews focus group transcripts, develops strategies, tactics and messages (September 2019) - The planning team are meeting this month to review focus group transcripts and develop strategies, tactics and messages.  
Prepare Strategic Communication Plan and Implementation Strategy (November 2019)  
Final Plan Approval (April 2020)

#### WSFR Improvement Act of 2000

- Program Administration
  - Assigned WSFR AD responsibility for Program: Administration, Management, Oversight
  - Set funding caps for administration
  - Requires biennial administrative audits
- Shared Vision for Program Administration  
Why?  
Improvement Act requirements are best met when FWS, States, and Industry are on the same page; Provides WSFR AD a roadmap for collaboratively meeting statutory responsibilities; States and Industry have a “standard of service” expectation for how the program will be administered

#### Principles:

1. Promote efficient grant review
2. Standardize processes
3. Prioritize program integrity/accountability
4. Stakeholder visibility/input
5. Enhance strategic communication

FWS Commitments: Take actions consistent with principles; Transparent progress reporting; Seek stakeholder input; Honor established collaboration tools: Trust Funds Committee, Joint Task Force, Federal Aid Coordinators WG, TRACS WG

#### Implementation:

- Fall Chiefs Meeting (November)

- Establish priority initiatives
- North American Conference (March)
  - Brief Trust Funds Committee
- Spring Chiefs/FAC Meeting (April)
  - Resolve impacts to States
- AFWA Conference (September)
  - Brief Trust Funds Committee

#### Priority Actions:

1. Complete TRACS Enhancement (3, 4)
2. Complete Strategic Com. Plan (4,5)
3. Evaluate grant workflow processes (1)
4. Establish grant evaluation standards (2)
5. Evaluate policy, audits, and training (3)
6. Implement a mentoring program (3)
7. Stand up a national consistency team (2)

#### Status

1. TRACS: Roll out scheduled June 2020
2. Strategic Com. Plan: Final approval April 2020
3. Workflow Processes: WG Recommendations to be considered at Fall Chiefs Meeting
4. Evaluation Standards: WG Recommendations to be considered at Fall Chiefs Meeting
5. Policy/Audits/Training: FY2020
6. Mentoring Program: FY2020
7. National Consistency Team: FY2021

#### • Administrative Funding

##### What has changed since FY2003?

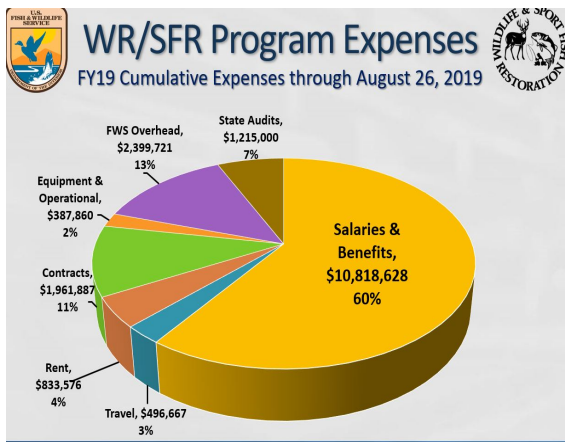
Increased complexity and volume of workload driven by increased funding and regulations; Reduction in purchasing power of admin \$; Capacity deficit in the areas of grants management, training, audit support, and communications

How has WSFR addressed the capacity issue to date? - Increased efficiencies; Cut Costs; Unfilled Vacancies; Let Work Lapse

How does WSFR propose to address the capacity issue going forward? - Institutionalize realized efficiencies; Implement additional efficiencies; One-time administrative funding increase

Additional Funding = Additional Commitments

- Decrease routine grant processing time by 25% and expedite compliance review
- Add at least 8 additional training events per year
- Reinstate invitational travel funds
- Improve audit assistance
- Improve communications

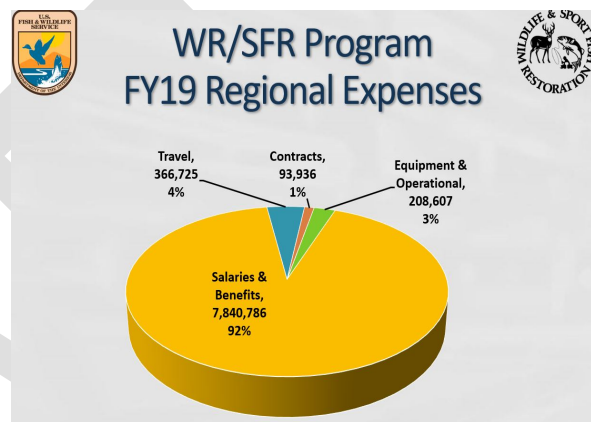
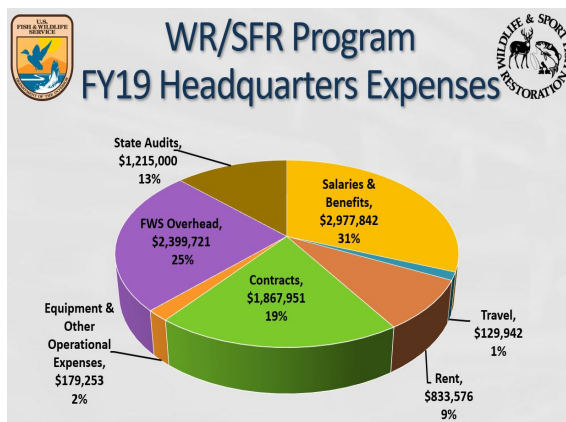


As of August 2019:

FWS Overhead = CAM = Shared services like HR, IT

HQ pays rent for not only Falls Church, but also the regional WSFR offices

Contracts are primarily TRACS



- Financial Assistance:

GrantSolutions (This comes from DOI, not WSFR)

Why is DOI transitioning from PRISM to GrantSolutions? - Improve financial assistance process; Automate all phases of financial assistance life cycle; Provide leadership with insight into financial assistance expenditures and the effectiveness of how the expenditures are addressing the need

What is GrantSolutions? - Software as service (SaaS) provided through HHS; Supports Federal agencies through the full financial assistance life cycle; Provides recipients access to their DOI applications, awards and to complete post-award activities (amendments, reports, etc.)

Grant Review - Reviews of some Financial Assistance programs will continue in 2020. We are working with DOI to streamline the Office of the Secretary of the Interior's review of grants

We have been very effective at working with the Secretary's Office to exempt or obtain waivers for 7 of our grant programs. This eliminates the month+ long review process so states can get money on the ground to manage resources and improve access and infrastructure!!!

Big and CVA received a waiver from the review process in August. Special thanks to the States Organization for Boating Access (SOBA) and the Sport Fish and Boating Partnership Council for their efforts to obtain these waivers.

Additional grant programs we have requested waivers for:

IA USA ID funded grants  
Tribal Wildlife Grants  
Refuges, Coastal Program  
Neotropical Migratory Bird Conservation  
Alaska Subsistence  
Multi-state conservation grants

Competitive grant programs for all amounts of funding (NCW, SWG-C, TWG, MSCG) will still require some level of Service or Department review.

Land acquisition grants > \$50K will also require Office of the Secretary review.

Reviewer level :

less than \$100K = FWS Director

\$100K up to \$250K = Assistant Secretary, DOI - Fish, Wildlife and Parks

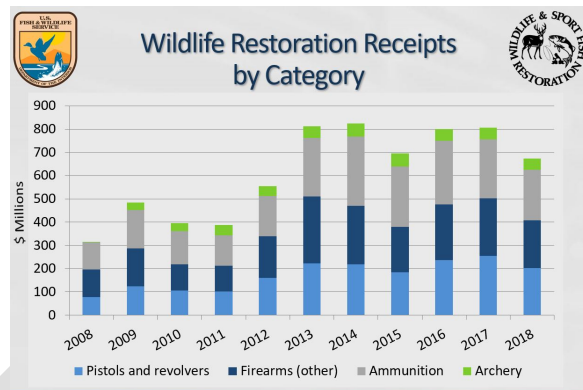
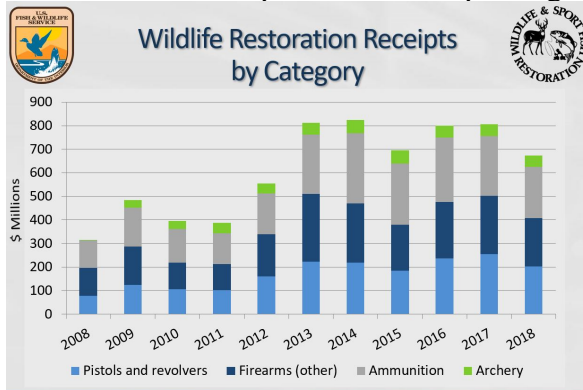
\$250K or more - Senior Adviser to the Assistant Secretary, Policy, Management and Budget

- WSFR employee dedicated full-time to facilitate review
  - WSFR Policy Update
    - 50 CFR 80 Final Rule – 50 CFR 80 simplified process for license certification was developed cooperatively with AFWA
      - Proposed rule – December 17, 2017
      - Final rule – published August 27, 2019
    - Interim Guidance – Implementing Public Law 116-17 Informs States how to apply the new law for acquiring land for, expanding, or constructing public target ranges.
      - JTF and State review
      - Effective October 1, 2019
    - Lands Chapters – Adjusted to accommodate Financial Assistance Interior Regulation (FAIR).
  - National Survey Update  
2016 Survey Addenda now available:
    - Recruitment and Retention of Hunters and Anglers: 2000-2015
    - Wildlife Watching in the U.S.: The Economic Impacts on the National Economy in 2016
- Under development:
- Trends in Wildlife Watching 1991 to 2016
  - Birding in the U.S.
- After this couple more addenda:
- Relationship between Wildlife Watchers, Hunters and Anglers.
  - Participation and Expenditure Patterns of African-American, Hispanic, and Female Hunters and Anglers.



- Wildlife Restoration and Sport Fish Restoration Funding Information

WR saw 15.5% decrease in 2019, and with matching funds, WR = 943.4M  
 SFR saw 5.2% increase in 2019, and with match, SFR almost \$half billion  
 Together, \$1.4 B program, just from apportionments and State match  
 And if look at multiplier effects, \$ spinning here and there = 2% GDP

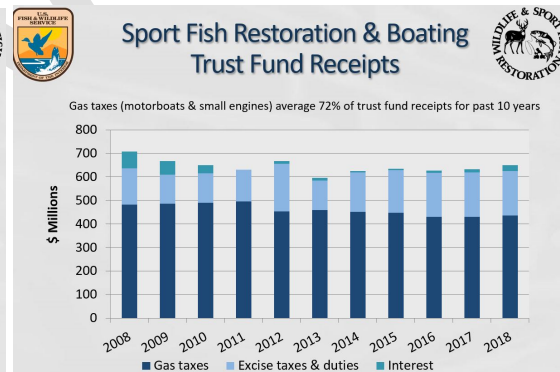
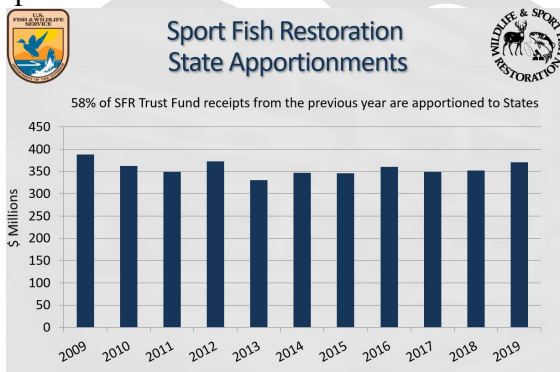


For 2018: Pistols and revolvers – 30%, Firearms – 30%, Ammunition – 33%, Archery – 7%

Comparing Receipts through 3rd Quarter - Firearms revenues through Q3 went down 7.68% and Archery Revenues through Q3 went down 0.80%

	Firearms/Ammo	Archery
1st Q	\$144.8	\$16.1
2nd Q	\$137.1	\$10.8
3rd Q	\$146.6	\$10.1

\$727 = Office of Tax Analysis (OTA) estimate for 2019, but not expected to meet that – we estimate \$620. Decrease is of concern, and we'll all be looking closely at receipts from 3rd quarter onward



Comparing Receipts through 3rd Quarter

Domestic Fishing Tackle Excise Tax Revenue through June went down 3%. Total Revenue through June down went 0.26%

#### 2019 Quarterly Receipts Comparison

	Total	Dom Fish
1st Q	\$121.9M	\$27.7M
2nd Q	\$163.5M	\$45.8M
3rd Q	\$173.4	\$28.7M

OTA estimate is up 0.1% from last year.

## U.S. Motorboat Registrations

Motorboat gas tax receipts in the Sport Fish and Boating Trust Fund are based on # of registered recreational motorboats, not fuel consumed, compiled from State data by the U.S. Coast Guard

2018 motorboat registrations were down 95,700 from 2017 to 10,994,900.

~94.7% of motorboat registrations are boats < 26'

During 2018 registrations for 16-<26 foot and >65-foot motorboats increased slightly while all other sizes declined in number.

Florida reported the most registered recreational vessels (motorized and non-motorized) with 925,141, followed by Minnesota (819,317), Michigan (795,374), California (670,102), and Wisconsin (614,750)

State and Tribal Wildlife Grants Budget (\$M)				
Subprogram	2017 Enacted	2018 Enacted	2019 Enacted	2020 President's Budget
SWG Formula	\$52.0	\$53.0	\$54.0	\$29.4
SWG Competitive	\$6.4	\$6.4	\$6.4	\$2.0
TWG Competitive	\$4.2	\$4.2	\$4.2	\$0.0
STWG Total	\$62.6	\$63.6	\$64.6	\$31.4

This table shows a slow but steady increase in State and Tribal Wildlife Grant Program funding from 2017-2019

[Recommendation: Consider acknowledging the work of AFWA, Mark Humpert, and all the state staff who annually travel to Washington D.C. for AFWA's "Fly-In" lobbying event which helps maintain visibility for the STWG Program.]

State Wildlife Action Plans: 54 of 56 Plans Approved by the FWS to date. Several expedited "Minor Revisions" were approved by Regions in 2018 under the new Guidance for Wildlife Action Plan Review and Revision - Amount of savings from this new and improved revision process is in the \$1000's. Remaining Plans are delayed due to hurricane damage (VI), and staff turnover (GU). Territories have a VERY hard time maintaining qualified staff.

The Regions approving "minor revisions" are R2 (AZ) and R4 (NC and LA) (Note: there may be others that Region SWG staff have not shared with HQ)

Guidance for Wildlife Action Plan Review and Revision (signed by Greg Sheehan and Virgil Moore, Dec 5, 2017)

FY 2019 Formula SWG: SWG Formula Apportionment was distributed to States on March 1. NOFO Template to Regions in early March

FY 2019 Competitive SWG Schedule - WSFR received AFWA's recommendations for criteria/policy updates on Dec. 5, 2018. We were not able to work on the policy or criteria updates during the Shutdown. The WSFR SWG Team recommended minor modifications to ensure fairness for all States, reduce redundancy, etc. We expect to finalize the criteria/policy changes and publish the NOFO by Mar. 29.

**Questions/Comments:** Thank you for adjusting the timeline for TRACS enhancement because as we all experienced, there were few issues with beta testing. Although, with the adjusted timeline for new beta testing, on April, for states that run on July- to June fiscal cycle, it is very difficult time for the coordinators to engage in beta testing again. We are hoping to have some flexibility with that, so we can engage.

WSFR will try to accommodate with beta testing and it is not going to be a lot of extra work on this. We will have discussions at the TRACS Work Group meeting in January and do what we can to accommodate.

Also, beta testing will be open for a longer time than alpha testing, for a period of over 2 months will be plenty of opportunity to get involved.

How far back will you be going with entering the grants in the new TRACS?

It will start with 2020 grants.

- Legislative Updates – ***Jennifer Mock Schaeffer, AFWA***

The resolution “Demonstrate support and need for the passage of the Modernizing the Pittman-Robertson Fund for Tomorrow’s Act” was passed around to the member for reviews.

This has been busy time for our legislators. A bipartisan legislation to reauthorize NAWCA through 2024 was introduced on the Environment and Public Works Committee (EPW). The legislation would also increase authorized annual funding for the program to \$60 million. NAWCA was originally enacted in 1989 to provide federal cost-share funding—in partnership with funding from state and local governments, private industry, and non-profit organizations like Ducks Unlimited—to projects that conserve North America’s waterfowl, fish, and wildlife resources.

AFWA and our conservation partners are pleased to announce that the HCNR is scheduled to hold a hearing on the “National Fish Habitat Conservation Through Partnerships Act,” (HR1747) on September 24th, along with multiple other bills. Further, the bill will be considered for a legislative mark-up immediately following the hearing on September 25th.

The House passed all the appropriation bills earlier this year. With the end of the federal fiscal year on the horizon, lawmakers are preparing for the possibility of a short-term spending bill to avoid a government shutdown on October 1. Although Congress passed a budget deal last month to establish top-line spending numbers for the coming year and the Senate appeared to have cleared a path to advance various appropriations bills prior to the fiscal year deadline, it appears that the chambers have now hit a snag in the process. Over the next two weeks the House and Senate will need to come to an agreement on various policy issues such as funding for a wall along the Mexican border and providing aid to farmers to offset impacts from recently imposed tariffs. The Interior, Environment and Related Agencies appropriations bill is still on deck for consideration in the Senate and will likely present challenges surround environmental riders. Assuming these aforementioned differences are overcome through conference committee negotiations, there is not enough time to finish negotiations between the chambers before the end of the federal fiscal year, and it is likely that Congress will pass a continuing resolution (CR) to provide funding to the federal agencies until November 21st (HR4378).

Another big thing AFWA has been working on is the Reauthorization of Wallo-Breux. The Angling & Boating Alliance (ABA) has reached an agreement on reauthorizing the Sport Fish Restoration & Boating Trust Fund (“Trust Fund”). The Alliance experienced an ongoing

impasse over inclusion of language that would restrict states' ability to use their boating access funds (i.e., 15% of Sport Fish funds) for recreational "motorized" boats only. Upon discussing this language with state agencies, it was determined that such language would adversely affect states and prevent them from using boating access funds for non-motorized boating access such as in locations where kayaks and drift boats are popular for fishing, where motorized boats for fishing are prohibited (e.g., Yellowstone National Park), and other similar scenarios. Further, the states have indicated this change would create administrative chaos with state and federal auditors on the use of public access facilities by non-motorized recreationists and the subsequent state accounting requirements and changes needed to be in compliance with this proposed change to federal law.

AFWA will work with other ABA members as well as the Sport Fish Boating Partnership Council to survey state agencies affected by nonmotorized (paddlecraft) activities in an effort to gain a more comprehensive understanding of the challenges and opportunities surrounding paddlecraft recreation across the country.

AFWA Government Affairs staff hosted a webinar earlier this month to discuss the ABA proposal. We are currently working with our ABA partners to have proposal language included as part of the base bills that will formulate the House's Transportation reauthorization package. However, you should be aware that there is an intense grassroots effort underway since June that is fueled by D.C. lobbyists and is working against the ABA and in support of restricting states' use of boating access funds for recreational "motorized" boating access only.

On July 30th the Senate Environment and Public Works (EPW) Committee advanced "America's Transportation and Infrastructure Act (ATIA) of 2019" (S2302) that seeks to reauthorize Fixing America's Surface Transportation Act (FAST Act). This is an important first step toward reauthorization of the FAST Act before it expires in 2020 as several other committees will need to approve separate titles, including the Senate Commerce, Science and Transportation Committee which is expected to release its title in the early fall. In the House, the Transportation and Infrastructure Committee is also working on a bill, but it is not projected to be released until later this year or early 2020. AFWA staff are working with our partners and Congressional offices on provisions related to Wallop-Breaux reauthorization, wildlife corridors, mechanisms to reduce wildlife-vehicle collisions, habitat connectivity, and more.

Recently, AFWA staff has been working with a strategic team of conservation partners to chart a path to enactment for HR877, the "Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act." The plan includes developing key messages and support from a broad group of hunting and conservation organizations, garnering more democratic support for the bill from strategic offices, meetings with members of House leadership and key bill sponsors, and introducing an identical Senate companion bill (S2092) on July 11th. Specifically, please focus your attention on House Democrats and those in leadership positions as well as members of the House Committee on Natural Resources (HCNR). Please contact your Representatives and ask them to: 1) cosponsor the legislation, 2) go to House leadership and their colleagues on the Committee on Natural Resources and ask them to move the bill as soon as possible without amendments, 4) vote for the bill to move it out of the HCNR, and 3) ask them to support passage of the bill when it gets to the House floor. The success of your hunter R3 strategies depends on it!

There is lot of conversions going on, Conversations on CWD, and also Forage Fish Conservation Act.

I will raise one bill that I believe is a concern to states and that is Pittman-Robertson Parity for the Territories (HR 1809). This bill was introduced last congress, passed out at the community against our wishes and concerns we expressed.

As introduced, AFWA cannot support this bill. HR1809, which enjoys bipartisan HCNR leadership and member support, would redirect about \$15 million annually away from state fish and wildlife agencies' Wildlife Restoration Program 4c (hunter education) funds and send it to the US Territories (USTs) for their 4c activities, whether or not they can make the nonfederal match and spend it. It would also remove a statutory cap on Sport Fish Restoration Program funds, leaving it to DOI Secretarial discretion to determine the amount of SFR funds that could be redirected away from the states to the USTs. No needs assessment was conducted to validate the USTs' needs for these funds or to assess the ability of the USTs to meet the nonfederal match that is required to spend these funds as intended by Congress and under current law. USTs have different nonfederal match requirements, and none except Puerto Rico have the same 25% nonfederal match requirements as the states. Further, not all USTs sell hunting and/or fishing licenses, which undermines the American System of Conservation Funding and the "user pays – public benefits" system of fish and wildlife conservation in this country. According to research conducted in 2018, minimum states would see 4c funds decline by about \$100k/yr, and the state most affected by this bill would be TN with a decrease of about \$740k/yr. AFWA is trying to work with members of our conservation community and HCNR staff to slow the progress of this bill until due diligence is performed and a valid proposal brought forward to discuss with the states in good faith negotiations and to truly examine the need for change. Rumor has it this bill could be moved to a legislative mark-up soon in the HCNR, particularly since four USTs are members of the HCNR (2 democrats and 2 republicans). Voice your concerns to your Representatives and ask them to speak with HCNR members, requesting a pause in legislative progress on HR1809 until a needs assessment of the UST is conducted to inform the bill, consider adverse effects on the states, and chart a path forward that has both state and UST support. Your assistance is greatly appreciated.

Questions/Comments: Just to keep in mind, when the manufacturers ship to territories there is no tax.

- Alliance for America's Fish and Wildlife Update – ***Dan Kennedy, MI***

Recovering America's Wildlife Act was reintroduced on July 12<sup>th</sup> by Congressman Jeff Fortenberry (R-NE) and Congresswoman Debbie Dingell (D-MI) and there were 60 original co-sponsors. The bill was referred to House Natural Resource Committee and the Budget Committee where it is sitting at this moment. The current number of cosponsors is 122 which exceeds last year's total that was 116.

Some of major components that are different from last year is the total amount which changed to \$1.4B and that includes \$97.5 M that is going to tribal nations and it still includes \$1.3 B to stay in States Wildlife Agencies. There is also a 10% allocated to competitive grant program that will be taken right out of top of \$1.3B. These grants will promote innovation and partnerships grant programs, kind of like SWG. There will be a board made up of state agencies representatives and NGOs that will oversee the program. There is a new provision that at least 10% will go to the conservation of state and federally listed species.

Also, the funding sources changed to General Treasury fund. Last, there is a probability of a portion of this that states would have to report back to House Natural Resources Committee and EPW Committee in Senate every 5 years.

What can we do over the next couple of weeks?

The most important action is to secure support from your state's Members of Congress (MOC) by mid-October.

Develop state fact sheet(s) or briefing document(s) to share with MOCs, Governor, state legislators, and others that identifies a roadmap of how funds would be allocated in your state. Obtain a wildlife commission, and/or a state legislature resolution supporting the Recovering America's Wildlife Act (see Nevada for example).

Develop and maintain a statewide coalition to generate additional voices willing to contact MOCs in support of passage of the Recovering America's Wildlife Act. Take action: [www.OurNatureUSA.com](http://www.OurNatureUSA.com).

Secure support from your Governor to sign a letter of support or to draft their own letter of support.

Identify and ask business/industry leaders to sign a letter of support. A national business support letter is being circulated for sign-on and is available [here](#).

Identify and ask scientists to sign a letter of support. The Wildlife Society and American Fisheries Society have drafted and distributed this letter of support, and it can be found [here](#).

Develop and deploy a Communication Plan (see Nebraska for example), including a social media plan, to generate overall support by creating positive media about the bill. (use #RecoverWildlife to tie social media messaging to the national campaign).

Please share your state's success stories (what worked for you), documents, presentations and other materials via the Alliance's toolkit or with Sean Saville at 202-838-2561 or [ssaville@fishwildlife.org](mailto:ssaville@fishwildlife.org).

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

The Council is celebrating it's 10<sup>th</sup> anniversary this year. Today was the first time to sign the bylaws and this is a celebratory moment for us.

The Council's mission is to facilitate the promotion and growth of hunting and the shooting sports and the education of the public on the contributions that hunters and shooters make towards wildlife conservation.

The Council to Advance Hunting and the Shooting Sports was formed by the leaders in the Conservation community to take a fresh look at the business of recruiting and retaining hunters and shooters and to develop new and sustainable strategies and tactics to solicit, engage and support these groups so vital to Conservation and America's heritage.

A lot of people have questions about us, and we strive to communicate. We take recommendations and input try to increase the communication channels. Just recently we completed a survey to collect input about our relevancy. We are also working on Strategic Planning and will bring that to the table.

In early 2018, the Council Board of Directors tasked the Council staff to identify key areas which should be addressed to further advance implementation of the National Plan and hunting and shooting sports R3 efforts at the national, regional and then state level. To accomplish this task and through MultiState Conservation Grant Program, the Council developed the National R3 Implementation Workgroup (IWG) and in late 2018, the Council began working with the IWG to review the current adoption of R3 best practices and identify factors that might be halting further implementation of the National Plan and hunting and shooting sports R3 efforts. Together, this workgroup of 24 R3 experts (representing 11 states and 18 organizations) dedicated more than 1,500 hours of work over six months to document ten key R3 Implementation Priority (RIP) areas with more than 74 different needs that the collective R3 Community should address to achieve the ultimate goal of creating more hunting and target shooting participants.

- The Federal Aid Coordinators Working Group – ***Tammy Brooks, MA***

The FACWG Chair gave few highlights. She referred to “Financial Assistance Interior Rule” published in the Federal Register on August 2019. The Work Group members have few concerns related to NOFO like allowing an agency to put terms and conditions in the NOFO without broader consideration or review could allow a federal agency to circumvent the regulatory process. Another concern is promoting open science. This section raised concern with states regarding the potential use of non-published data. Also, data that is deemed sensitive by the state such as certain habitats or information that may provide location information may not have the same protections under federal law and may be open to a Freedom of Information Act request. The group was also concerned that data collected for fish and wildlife management purposes may be requested and used for commercial purposes such as energy development projects or by guides and outfitters.

Another thing that we will discuss later is the JTF issue identification, we have some proposed language that we are asking that we all work together to make sure we have consistent language in all our bylaws.

Mike Sawyer, TRACS WG - Earlier this month, WSFR announced that the timeline for the TRACS Enhancement testing and launch has been delayed. WSFR’s decision was based upon user feedback during Alpha Testing, staffing turnover on the TRACS Development Team, and a desire to ensure that the TRACS Enhancement provides a system that is fully functional at the time of release. The FACWG was part of the alpha testing and supports this timeline change. The FACWG looks forward to further participating in future TRACS testing and comment periods to ensure the system is fully functional and is developed in collaboration with State partners. Another issue not touched upon was the proposed a requirement (in “Financial Assistance Rule”) for grant recipients use the SF429 for all grant actions related to land, facilities, and capital improvements. The TRACS land and facilities modules were developed with the intention of providing an alternative method for collecting the information reported on the SF429 in a streamlined fashion. On August 30, 2019, the Final Rule was published in the Federal Register. Given the recent publication, it cannot yet be determined if the land and facilities modules will be deemed an approved alternative to the SF429. We anticipate that WSFR will provide an update on the status of this matter at this meeting.

Comments: Mike and Tammy were thanked on the great job they do with the Work Group.

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

Our last meeting was on April 2019 in Denver. We had discussions about the reversions, hunter education as match and wildlife damage management.

One of the issues was that the reversions of WR funds have increased in recent years and we are trying to figure out where the state directors are in that issue. We sent a survey out to the state directors and the response rate was low, so we are going to follow up and send the survey out again.

About issue ID Protocol that Tammy and Mike brought up, we have been working at JTF in the last couple meetings trying to figure out a better way and structured one to identify issues that will be on the agenda for the JTF. Last year, Kelly and I issued a joint memorandum that put out the call for issues for the meeting and we heard from only two states, Alaska and New Jersey. We had several issues that were put forward. One of the issues is the definition of state fish and wildlife agencies, what IS a State fish and wildlife agency, and especially within the context of super-agencies – was not specific to a single State and has come up repeatedly over

the years. The group discussed more generally issues related to uses of lands and improvements acquired, constructed, or managed with WSFR funds including examples from several States. The Legal Committee is working on this now.

The other issue circled around the R3 eligibility and the use of Wildlife Restoration funds. We still have a lot to do in our next meeting about this issue.

We are working with Mark Tisa on the TRACS Public Viewer version. We are hoping to have something conceptual to share by the next JTF meeting

- New Business – ***Bryan Burhans***

***Action Items:***

- The committee supports the resolution “Promoting the American System of Conservation Funding”
  - The committee supports the resolution “Demonstrate support and need for the passage of the Modernizing the Pittman-Robertson Fund for Tomorrow’s Act”
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- Wrap Up/Adjourn