



## Sustainable Use of Wildlife Committee

Chair: vacant

Vice-Chair: Dave Kay (Alberta)

Tuesday, September 24<sup>th</sup>, 2024

10:00 AM – 12:00 PM (CDT)

Ballroom C, Level 4

[114th Annual Meeting of the Association of Fish and Wildlife Agencies](#)

### Committee Charge:

Advocate the North American Model of Fish and Wildlife Conservation and promote the sustainable use of fish and wildlife resources at the international level.

### Subcommittees and Working Groups:

U.S. Furbearer Conservation Technical Working Group

## Meeting Minutes

The Committee had the following actions items:

- 1) **Develop a brief, similar to those on other topics, on the sustainable use of black bears. Bryant will take the lead to develop an ad hoc group to produce the brief and will have a draft for the Committee by the March meeting.**
  - 2) **Seek approval for the brief on Predation Management. The brief was approved by the unanimous vote of State Directors during the AFWA Business Meeting.**
- **Agenda review, adjustments, and opening comments (Dave Kay)**
  - **Introductions (Dave)**
    - 53 guests and members attended the meeting
    - Those in attendance represented:
      - 29 US States
      - 3 US Federal Agencies
      - 15 NGOs
      - 1 Canadian Federal Agency
      - 1 University

- **Approval of Minutes from the previous meeting (Dave)**
  - Minutes from the previous meeting were approved by motion( John Jackson III, Patricia Dwyer)
  
- **North American Model Decadal Review (Gordon Batcheller, NEAFWA)**
  - The Model is reviewed every ten years, and this review had been underway since 2022.
  - The goal of the Review is to allow readers to see a substantive effort to lend the Model with essential historical, cultural, legal, and ecological context that in some cases has been missing from arguments in support of the Model or direct use of the Model in professional contexts.
  - The review can be downloaded here:  
[https://www.fishwildlife.org/application/files/1017/1943/1567/The\\_North\\_American\\_Model\\_Decadal\\_Review\\_6.2024.pdf](https://www.fishwildlife.org/application/files/1017/1943/1567/The_North_American_Model_Decadal_Review_6.2024.pdf)
  
- **Office of Conservation Investment (Tom Decker, USFWS)**
  - **Nick Popoff (Branch Manager, U.S. Fish and Wildlife Service, Office of Conservation Investment)** gave a brief overview of the program and the work it does beyond just wildlife and sportfish restoration funding
  - A noted concern is Federal Excise Tax Slippage. FET is lost through online marketplaces, where non-U.S. companies sell products direct to U.S. consumers. Because the online process doesn't recognize internet marketplace facilitators as importers who would otherwise be responsible for paying the federal excise taxes on these transactions, these funds are slipping through the cracks. Approximately \$17 million dollars are lost annually.
  
- **AFWA Science Brief and Resolution on Predation Management (Bryant White, AFWA)**
  - An ad hoc group developed an AFWA science brief on predation management
  - A copy of the brief can be downloaded [here](#)
  - **This brief was approved by the unanimous vote of State Directors during the AFWA Business Meeting.**
  - **The brief will be distributed via email to agencies soon.**
  - The Resolution on Predation Management did not move forward due to timing with BIDEH, but the Committee plans to resubmit the Resolution again next cycle.
  
- **Update on CITES and other Sustainable Use Tools (Deb Hahn, AFWA)**
  - The coming months include key international meetings and opportunities to influence the global conservation agenda and ensure that the state, provincial and territorial priorities and voice are heard. You can access a copy of the meeting and important deadline timeline [here](#). In preparation for Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES) Conference of the Parties (CoP) 20, the USFWS published a Federal Register notice. It asked the public for recommendations for possible U.S. submission at CoP20 including species proposals to amend the CITES Appendices. The public recommended hundreds of species. Native species recommendations included the non-CITES listed U.S. turtle species (22 species), rattlesnakes, American eel, gulper sharks, oceanic whitetip shark for a transfer to Appendix I, sea cucumbers, tarantulas and other U.S. spider species, arctic mammals, and white sage, along with several U.S. timber species. In the coming weeks and months, the Work Group will be reaching out to the regional associations and individual states, provinces and territories to gain insights and input. The International Union for Conservation of Nature (IUCN) and other partners are developing tools to assess the value and sustainability of species use and documenting that use through the Five-Dimensional Sustainability Assessment (5DSAF) and the Species Use Database (SpUD).

The SpUD identifies and documents different uses – providing evidence of the importance, culturally, socially, economically and for livelihoods based on species use. The SDSAF is in the development phase and intends to assess how sustainable a use is according to five principles – Ecological, Social, Economic, Animal Welfare, and Human Health.

- **Americans’ Attitudes Towards Fishing, Target Shooting, Hunting and Trapping (Jim Curcuruto, Outdoor Stewards of Conservation Foundation)**
  - The mission of OSCF is to: Work with all facets of the outdoor industry to improve cultural acceptance of hunting, fishing, trapping and target shooting. We use research-based communications and engagement programs to recruit the next generation of HATS (Hunters, Anglers, Trappers, Shooters) and promote the fact that HATS are primary funders and stewards of land, fish and wildlife conservation in America.
  - The largest concern from the recent report on Americans’ Attitudes Towards, Legal, Regulated fishing, Target/Sport Shooting, Hunting and Trapping was a decline in approval of hunting by the public (down 6% from 2019-2023 equating to 15.1 million individuals).
  - You can view this full report and more at: <https://www.outdoorstewards.org/>
  
- **Safari Club International (Chris Tymeson, Regina Lennox, Bee Frederick)**
  - Chris Tymeson, J.D., Western State and Local Liaison, Safari Club International, provided the following report.
  - Lawsuits involving predator management remain hot. We’ve also seen significant growth in efforts in Western states to reduce predator hunting.
  - - Gray wolf delisting: In 2020, the Fish and Wildlife Service removed gray wolves in the U.S. from the lists of endangered and threatened species. This included all gray wolves that weren’t already delisted, leaving only Mexican wolves listed as endangered. A California district court vacated the rule in February 2022. A number of entities appealed including the Fish and Wildlife Service, SCI and NRA, ranchers, and the State of Utah. The appeal was stayed for a year, in expectation that the Service would publish a new delisting rule. That did not happen. In mid-September, appellate briefing finally commenced. The Ninth Circuit will now have to decide legal and technical issues about whether wolves in the lower U.S. States are a “species” and whether the Service adequately evaluated the status of wolves outside “core” populations, among other things. Note: The U.S. House of Representatives passed a bill to reinstate the 2020 delisting rule, but the Senate has not picked it up.
  - - Gray wolf relisting: In 2021, the Service received petitions to relist wolves in the Northern Rocky Mountains states under the ESA. This includes wolves in Idaho, Montana, Wyoming, and parts of Oregon, Washington, and Utah. These wolves were removed from the ESA lists by Congressional act. The Service denied the petitions in early 2024. The petitioners sued in three cases pending in federal court in Montana. SCI, Sportsmen’s Alliance Foundation, and Rocky Mountain Elk Foundation have all intervened to defend the Service’s decision.
  - - Louisiana black bear: As we reported at the North American, a federal district court dismissed a challenge to the 2016 delisting of Louisiana black bear at the end of January. The plaintiffs did not appeal. The Louisiana Wildlife and Fisheries Commission then approved a bear season in the Tensas River Basin, the most successful and expanding subpopulation of the bears. The lottery for that hunt recently opened and, in a few months, the State of Louisiana will host its first bear season since the 1980s.
  - - Restrictions on trapping in grizzly bear range: Plaintiffs challenged Idaho’s wolf trapping season, arguing that traps could injure ESA-listed grizzly bears. A federal

magistrate judge ruled in favor of plaintiffs and cut down the wolf trapping season to a fraction of its former length—despite evidence submitted by Idaho Fish and Game that no grizzly has ever been injured or killed in a wolf trap. The decision significantly impacts recreational and management trapping opportunities and expands the concept of “grizzly bear range.”

- - Reduction in Michigan’s coyote season: Michigan’s Natural Resource Commission voted in March to reduce the previously year-round coyote hunting and trapping season. The season was closed during the coyote denning season. The grounds for this proposal and decision were to avoid potential negative social perceptions of hunting and trapping coyotes during the denning season, when female coyotes may have pups in dens. SCI has supported a lawsuit challenging this decision under Michigan law, which requires NRC decisions be made on principals of sound
- scientific management whenever practicable. The ground for the decision is what is interesting, and the proposal was notably made by bear hunting organizations worried about social media posts by coyote hunters and trappers.
- - Outfitters and guides on federal lands: The Department of Labor in 2022 adopted a regulation that extends the federal minimum wage and overtime requirements to seasonal outfitters on federal lands. This includes hunting outfitters, who were exempt under a prior Executive Order. River rafting outfitters in Colorado sued over the regulation, arguing that it does not reflect the economics of the outfitting industry, which typically includes short seasons where employees stack up as many shifts as possible, and overnight trips that quickly exceed a 40-hour workweek. SCI filed an amicus brief in the outfitters’ unsuccessful challenge and appeal. The outfitters are seeking Supreme Court review, and SCI is filing another amicus brief. This case is important because implementation of the regulation (which was previously stayed pending the lawsuit) can significantly raise costs for hunting and other outfitters. That will potentially reduce public access to backcountry hunts. But it will also potentially reduce the use of hunting as a management tool in certain remote areas where guided hunting outfitters are the main rec users. An example where this could be a real issue, coupled with the wolf trapping ruling mentioned above, is gray wolf management in Central Idaho.
- - Hunting bears over bait on Alaska National Preserves: The National Park Service recently reinstated a regulation that prohibits the hunting of black bears over bait on the over 20 million acres of National Preserves in Alaska. The regulation was adopted over the State’s vigorous opposition, including participation in a lawsuit and an over 100-page comment letter. The regulation relies on public safety concerns from bears habituating to human food at bait stations. But the cited support is weak. And those concerns were refuted by data submitted by the State in its comment. SCI has already been in court over this regulation and will undoubtedly be back in court.
- - Ballot Box Biology in Colorado: Proposition 127 is headed to the ballot in November, after many a year-long back and forth between the proponents and opponents. Prop 127 would ban the hunting and trapping of mountain lions, bobcats and lynx and define all hunting of those animals as “trophy hunting”. Currently the population of mountain lions in Colorado is an estimated 3800-4400 animals.
- - Washington State, A case study of retribution to those whose values are different: The Washington Fish and Wildlife Commission has repeatedly voted against the interests of hunters when it comes to the issue of carnivore management/hunting. From dismantling the spring bear season to not authorizing additional mountain lion take to give a boost to a struggling elk herd, the Commission continues to vote against science-based wildlife management. Next up on the docket, a vote to restrict fox trapping in a vast swath of the state due to concerns over accidental take of the Cascade red fox, despite only one verified sighting north of Interstate 90, and making permanent a

beaver relocation program to move problem beavers, despite again the abundant nature of the species.

- - The spread of the anti-hunting movement to Oregon: Recently, anti-hunting forces took up a letter writing campaign to shut down the spring bear season overall, try to prevent a very small expansion of bear permits and the creation of a new youth bear opportunity. The conservation community rallied, delivering several thousand contacts in just a few days to the Commission, which ultimately voted 6-0 in favor of the Department's recommendations.
  - - Coyote contests in Nevada: There is a movement in the conservation community to allow some regulation of coyote contests in Nevada, including requiring a hunting license of participants and establishing a season for the contests, despite defeating the opponents of the contests at the legislative and commission levels.
  - - The emotionally based wildlife management approach is not limited to states: Senator Booker and Rep. Grijalva introduced companion bills in September that would prohibit the take, possession, purchase, sale, or transportation of a bison, grizzly bear or wolf to "ensure permanent protection for these animals."
- **Conservation Leaders for Tomorrow Program (Dave Windsor, CLFT)**
    - To see a list of upcoming workshops: <https://clft.org/programs-pros>
    - The goal of CLFT is to provide natural resource professionals who do not self-identify as a hunter with an understanding of the diverse values and important roles of hunting and its impact on conservation to ensure that hunting is considered a relevant and important component of wildlife conservation; not by creating more hunters but by creating a conservation workforce aware of the history, values, and roles of hunting in wildlife conservation.
    - To learn more about the program visit: <https://clft.org/about>
  - **The sustainable use of black bear fur in the international trade (Bryant)**
    - Animal rights organizations continue to work to eliminate the trade in black bear fur, primarily black bear fur used to make fur hats. The trade does not impact the sustainability of black bear populations, and it allows for a valuable resource from harvested bears to be used. Black bear populations are stable to increasing across most of North America and scientific wildlife management assures that these populations are sustainably harvested.
    - **Action Item: The group proposed to develop a brief, like the briefs on other topics, on the sustainable use of black bears. Bryant will take the lead to develop an ad hoc group to produce the brief and will have a draft for the Committee by the March meeting.**
  - **Update: Current and Future Multistate Grants/Best Management Practices for Trapping Program (Bryant)**
    - **Current Grants:**
    - The MSCG awarded for 2024 will fund a national survey of trappers to collect information on trap types used by trappers (to document use of BMP traps and guide future research), furbearer species preferred, number of trappers nationally (to document current growth in trapper numbers...yes, trapper numbers are increasing!), understand trapper demographics, etc. This will be the fourth iteration of this survey which was conducted in 1992, 2005, 2015. We need to repeat this survey every 10 years to guide research and communication efforts. We will partner with Responsive Management to conduct this survey. The survey report will be available by December 31, 2024.

- Under this grant we AFWA has been conducting Trapping Matters Workshops and Wild Fur Schools for state and federal agencies, The Wildlife Society, and other Conservation Organizations
- The Committee will also be partnering on a MSCG awarded to SEAFWA on developing social media packages for agencies to use for trapper and furbearer hunter recruitment and to educate the public about the importance of trapping in wildlife management. This is a critical need because the public is highly uniformed about trapping and, as a result, easily misinformed by groups with anti-trapping agendas.
- **Future Grants (2025 cycle): Increasing Engagement and Support for State Regulated Trapping Programs through Targeted Media Campaigns and Professional Development Workshops (this grant was approved for funding at \$235,615.00)**
- **Under this grant AFWA will:**
  - Conduct Trapping Matters Workshops/Wild Fur Schools to educate agency staff about trapping, BMPs, key messages for communications efforts
  - Develop a Public Perceptions/Key Messaging Video
  - Produce numerous shorts on trapping for Agency social media
- **Update: Best Management Practices for Trapping Program(Bryant)**
  - Partnering with the American Rescue Plan to sample mesocarnivores for SARS-CoV-2 to investigate susceptibility and disease transmission dynamics
  - As of September 2024, the program has sampled 18 species of wild carnivores totaling ~700 samples.
  - Trap Testing field projects for the development of BMPs, and SARS-CoV-2 testing during the fall of 2024/winter 2025 will focus on badger, bobcat, coyote, gray fox, kit and swift fox, marten, opossum, raccoon, red fox; incidentally captured skunks will be tested for SARS-CoV-2. Projects will be conducted in 14 states including Arizona, Arkansas, Delaware, Florida, Idaho, Kansas, Missouri, Montana, Nebraska, New Mexico, Pennsylvania, South Dakota, Tennessee, Texas involving all regions. We anticipate the capture of ~300 animals during these projects.
- **Update: Canadian Trap Testing and Certification Program (Dave Kay)**
  - Items of note...several jurisdictions have moved to electronic licensing and others are considering it pending lessons learned from these pilots. This platform is critical to increasing the effectiveness and efficiency of trapping programs and in delivery of enhanced fur harvest reporting systems, one of the most important modernizations to happen to provincial and territorial trapping programs. Such changes facilitate the collection of much better information on fur harvest and, importantly trapping effort, getting us closer to being able to establish status and monitor trends of furbearers. The current lack of robust information on furbearers is a vulnerability in maintaining positions on sustainability of furbearer harvest and will help to enable a more collaboration relationship with trappers in a co-management context
  - Several jurisdictions in eastern Canada have instigated programs incentivizing harvest of beavers and coyotes to reduce conflict issues due to declining trapping activity and several others have instigated wolf management programs for caribou recovery.
  - Some jurisdictions are involved with furbearer re-introduction efforts in the United States, with Ontario Marten translocations to Pennsylvania and BC Lynx to Washington. Both BC and Alberta recently completed projects to translocate Fishers to Washington State
  - Several jurisdictions in the east have been monitoring Muskrat populations due to perceived declines, presumed to be related to habitat loss.
  - Incidental catch of domestic pets in killing neck snares is the most significant emerging concern among jurisdictions and is a major consideration in implementing the recently

approved best design of killing neck snares for coyote. Some jurisdictions are implementing setbacks and required notification signage in areas of higher risk.

- Administration of Registered traplines, where these systems occur is another concern, with some jurisdictions engaged in reviews of policies to more effectively and efficiently deal with issues around supply and demand, maintaining activity, license transfer, vacancies, etc. We have agreed to hold a virtual workshop to collaborate on this topic and discuss solutions to many common problems among jurisdictions here, likely in the early new year.
- We are also looking at other such workshops to collaborate on solutions around incidental catch of domestic pets and on fur harvest and effort reporting.
- We are wanting to move Coyote and Raccoon restraining traps from Phase 2 (i.e., traps that are certified to be humane but not yet mandatory) to Phase 1 (i.e., certified traps that are mandatory for use for trapping these species) and will be submitting a proposal to “start the clock” on this in the coming months, instigating the 3-year phase-in for making these traps mandatory
- The successful validation of the reference trap comparison protocol for coyote leghold traps is critical to facilitating this move given the need for multiple models of certified traps to be available to the trapping community.
- This validation was conducted by the TRDC and Innotech Alberta through analysis of field capture and necropsy data and simultaneous analysis of mechanical characteristics of 10 different trap models. These models were the only models still in production, meeting the protocol requirement for the testing of 5 new traps of each model. Results were consistent across all models with the RTC protocol correctly predicting those models that passed the FCN (4) and those models that failed (6). The CFMC has reviewed the report, and we will be re-submitting the proposal to adopt this protocol as an appropriate alternative to Field capture and Necropsy in the coming weeks.
- Other Trap research and development priorities are moving ahead around device modification and BMPs to minimize incidental catch with Killing Neck Snares, expanding killing snare research to samples of wolves in Alberta, BTP videos produced through partnership with Quebec trappers and supporting jurisdictions on phase 1 implementation of KNS where desired.