

Hunting and Wildlife Conservation Council

Fall Virtual Meeting: December 4, 2023

Meeting Minutes

The Hunting and Wildlife Conservation Council was convened for its fourth meeting at 9:00 A.M. on December 4, 2023. The meeting was held at the Department of the Interior Building, with a Microsoft Teams option. In accordance with the provisions of Public Law 92-463, the meeting was open to the public.

Council members in attendance:

John Devney, Vice Chair
Colin Beck (virtual)
Brian Nesvik
Michael Crowder
Bethany Erb
Dan Forester
Lucas Martinez
Joel Pederson
Land Tawney
Keith Tidball
Joel Webster
Jeff Crane
Ed Arnett* (for Collin O'Mara)
Wayne Hubbard* (for Lydia Parker)
Kathleen Falk* (for Lauren Ward)

**Alternate member*

Alternate members in attendance:

Simon Roosevelt
Mark Hennelly
Theodore Sedgwick
Andrew Schmidt
Brad Brooks

Ex Officio:

Martha Williams, Director – U.S. Fish and Wildlife Service
Ron Regan, Executive Director – Association of Fish and Wildlife Agencies

Meeting overview - John Devney, HWCC Vice Chair

- Devney welcomed Council members and attendees and provided an overview of the meeting.
- Council members considered and approved the minutes from the April 17, 2023, meeting.
 - Motion by Keith Tidball and Second by Michael Crowder

Comments of Martha Williams, Director – U.S. Fish and Wildlife Service

- Director Williams made comments opening remarks acknowledging the work of the Council.

Public comment session

- Jean Public provided comments to the Council regarding the Women Hunt Program.

Approval of Council meeting minutes from the September 2023 meeting

Motion to approve: Lucas Martinez

Second: Keith Tidball

Motion approved

Council Subcommittee report-outs

Wildlife Health: Land Tawney, Chair

Tawney presented a summary of the subcommittee work related to possible best practices for considering the future use of lead-based ammunition on lands of the National Wildlife Refuge System. This was an issue discussed/considered at the September 12, 2023, Council meeting, but which no action was taken. The draft includes items related to incentives and education in helping transition hunters to the use of non-lead ammunition, use of science in making future decisions regarding management of the use of lead ammunition, and issue related to the development of non-lead alternative ammunition. The draft recommendation can be found on the HWCC website. Council members discussed the issue:

- Kathleen Falk suggested that trying to address the issue geographically might help. Pick a number of places and attempt approaches. This will allow the speeding up of implementation of actions that work.
- Brian Nesvik and Ron Regan indicated that AFWA is supportive of the Council's approach and ideas.
- Keith Tidball indicated that Cooperative Extension might be useful in undertaking outreach to the public on the matter.
- Ed Arnett indicated that the recommendations comport with The Wildlife Society's thinking.
- Keith Tidball suggested that Cooperative Extension units might be able to help with outreach efforts.

Approval of recommendations related to the management of future use of lead/nonlead ammunition.

Motion to approve: Land Tawney

Second: Michael Crowder

Motion approved

Hunting & Recreational Shooting: Jeff Crane, Chair

Crane provided an update on the work of the subcommittee. He reported on the findings of the subcommittee consideration of a firearms tax issue that could potentially provide more conservation funding through the Wildlife Restoration Program. Currently, tax funds generated by the sale of firearms suppressors are going to the Bureau of Alcohol, Tobacco, and Firearms, with none of the funds going to the Wildlife Restoration Program. Crane presented the matter to the Council for discussion, including potential recommendations for addressing the issue.

- Brian Nesvik asked whether the recommendation letter endorses suppressor use. Crane said that it highlights some of the benefits recreational shooters have realized.

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Firearms suppressor tax issue recommendations

Motion to approve: Jeff Crane

Second: Joel Webster

Motion approved

Crane also reported on an issue considered by the Subcommittee related to the strategic growth policy of the National Wildlife Refuge System to potentially improve access opportunities and opportunities to increase habitat for migratory and at-risk species. Crane explained that access for the public could be increased if the strategic growth policy for the Refuge system considered the priority recreational uses identified in the National Wildlife Refuge System Improvement Act in 1997. The Council could suggest that more priority be given to these uses as part of land acquisition and easements considerations.

Crane also highlighted a potential opportunity to prioritize seasonal habitats for migratory and at-risk species. This suggestion could also help evolve the Refuge System strategic growth policy to address other critical wildlife needs when expanded the System.

- Joel Webster reiterated the possible benefits of the use of additional categories to identify lands for future additional to the Refuge System. He mentioned that the HWCC Public Lands Subcommittee had also considered the issue and are supportive.
- Cynthia Martinez touched on the Strategic Growth policy and explained that it consider threatened/endangered species needs and migratory birds.

Refuge strategic growth recommendation letter

Motion to approve: Jeff Crane

Second: Dan Forster

Motion approved

Public Lands: Joel Webster, Chair

Webster provided a review and summary of the recent subcommittee work. He highlighted that an issue that the Council provided recommendations to both the Department of the Interior and Department of Agriculture was going to be discussed later in the meeting. DOI and USDA representatives will update on efforts to improve the land appraisal processes at both Departments. There were no items presented for Council action.

Private Lands: Michael Crowder, Chair

Crowder provided a report on the Subcommittee's work and areas for future consideration on behalf of the Council. He provided summaries of two items for consideration and discussion by the Council.

Crowder and Subcommittee member Julia Peebles highlighted the concept of a migratory bird resurgence initiative. The initiative focuses on 2 Environmental Quality Incentives Program practice. One practice is targeted in the Prairie pothole region for enhancing small wetlands 2 acres or less and crop fields. The other practice is post-harvest flooding in states that produce rice: the California Central Valley, Mississippi River and central flyways. All these areas support waterfowl populations. The Council discussed a recommendation that funding be increased for the initiative.

Wetlands Resurgence Initiative recommendations

Motion to approve: Michael Crowder

Second: John Devney

Motion approved

Crowder and Peebles then highlighted a topic for the Council's consideration related to the national status of wetlands in the United States. They highlighted a long running pledge by Presidential administrations since Jimmy Carter that have pledged support for no-net loss of wetlands. The Council discussed a recommendation that the Biden Administration go beyond that and commit to a net-gain of wetlands. Over half of the wetlands in the United States have been lost.

Wetlands "net-gain" pledge recommendation

Motion to approve: Michael Crowder

Second: John Devney

Motion approved

Conservation Funding: Joel Pedersen, Chair

Pedersen provide a report of the Subcommittee’s work and areas for future consideration on behalf of the Council. There were no items presented for Council action.

Public Engagement/R3: Keith Tidball, Chair

Tidball provided a report on the Subcommittee’s work and areas for future consideration on behalf of the Council. There were no items presented for Council action.

Federal agency briefings

Briefing on 2023 National Survey of Hunting, Fishing, and Wildlife-Associated Recreation

The Council requested a briefing on the results of the 2023 National survey. Jerry Leonard, Economist – Wildlife & Sport Fish Restoration Program, U.S. Fish & Wildlife Service, provided a summary of the survey results. Leonard highlighted changes in the survey protocol and survey design. He highlighted participation rates and expenditure information for fishing, hunting, and wildlife watching. Leonard also highlighted new information about recreational shooting and archery participants. The full presentation can be found on the HWCC website.

Briefing on Dingell Act section 4103 open/closure protocols

The Council requested a briefing on protocols related to the opening or closing of federal lands through the Dingell Act. Kevin Oliver, Chief – Division for Recreation and Visitor Services for the Bureau of Land Management provided the briefing. In process, expected by end of calendar year 2023. Currently tracking one closure, still checking with all BLM Units. As new campgrounds and facilities are developed (e.g. BIL and IRA resilient recreation) new administrative closures will be implemented to provide for public and employee safety around those occupied sites. The full presentation can be found on the HWCC website.

Scott Haas, Program Manager - National Dispersed Recreation for the U.S. Forest Service led the Forest Service portion of the briefing. Haas provided an overview of the directives in Forest Service Law Enforcement and Investigations Handbook 5309.11, Chapter 30, that provide the process for closing National Forest System lands to hunting, fishing or recreational Shooting. The directives have been issued to implement § 4103 of the Dingell Act. Scott provided an overview of the Forest Service policy and relevant Code of Federal Regulations chapter. He also highlighted the public process for proposing and finalizing closures. The full presentation can be found on the HWCC website.

Briefing on 2023/2024 National Wildlife Refuge System Refuge Hunt/Fish rule

The Council requested a briefing on the results of the 2023/2024 Refuge hunt/fish rule. Cynthia Martinez, Chief – National Wildlife Refuge System with the U.S. Fish & Wildlife Service provided the informational briefing. Martinez’s comments can be found in the meeting transcript.

Briefing on land appraisal process for LWCF & easement acquisitions

The Council requested a briefing on the land appraisal process at both the Department of the Interior and Department of Agriculture. The Council provided recommendations on potential actions to improve and shorten the process for completing appraisals at its September 2023 meeting. Brian Bloodsworth, Director - Great American Outdoors Act Program Management Office with the U.S. Department of the Interior.

Jody Holzworth, Acting Director - Lands, Minerals & Geology, U.S. Forest Service

Status of BLM Aquatic Restoration Categorical Exclusion to expedite riparian and wetland habitat restoration activities on BLM public lands

The Bureau of Land Management requested time to brief the Council. Melissa Dickard, HQ Senior Riparian Specialist for the BLM led the presentation related to BLM efforts to develop a suite of actions for implementing aquatic restoration under the proposed aquatic restoration categorical exclusion for commonly occurring aquatic restoration activities. Activities include: improving structural complexity, improving connectivity, protecting resources, and improving riparian function. Dickard indicated that the Council on Environmental Quality (CEQ) would review the proposed cat ex in Spring 2024. The Federal Register Notice and 30-day public comment period will occur, post CEQ review. The full presentation can be found on the HWCC website.

Update on the BLM proposal to modernize and streamline how the agency notifies the public of temporary closure and restriction orders

BLM requested time to brief the Council on the issue. Kevin Oliver, Chief – Division for Recreation and Visitor Services for BLM led the briefing. The proposed rule was drafted to improve the process of issuing emergency closures and temporary restrictions on use of public lands. Aspects of BLM's current closure and restriction regulations (43 CFR 8364.1(c)) limit the agency's ability to respond in a timely manner to emergencies and other unforeseen events. BLM designs temporary closure and restriction orders to apply for the shortest duration and to cover the smallest area necessary to protect persons, property, and public lands and resources. This proposed rule is intended to address short-term closures and restrictions. Long-term closures and restrictions generally must be accomplished through the land use planning process. The Notice of Proposed Rulemaking published on November 21, 2023 and the public comment period closes January 22, 2024. The full presentation can be found on the HWCC website.

Update on Bipartisan Infrastructure Law/Inflation Reduction Act implementation

The Council requested an update on the spend down of IRA and BIL funding by the Fish and Wildlife Service. Chris Nolin, Budget Officer for the Service, briefed the Council on the status of implementation by the FWS. Nolin's comments can be found in the meeting transcript.

Motion to Adjourn meeting

Motion: Dan Forster

Second: Lucas Martinez

Motion Approved

ADJOURN

DRAFT