

**U.S. Fish and Wildlife Service
83rd North American Wildlife and Natural Resource Conference
March 26-30, 2018
Hot Issue Talking Points**

Hunting/Fishing/Access

- We are implementing several Secretarial Orders designed to expand access and support for hunting, angling and outdoor recreation.
- We have reassigned 12 FWS employees across the country working full time on hunting and fishing access issues, with the goal of opening another 250,000 acres by the end of this year.
- New Hunting and Shooting Sports Conservation Council:
 - Will provide advice about integrating hunting/shooting sports considerations into our operations.
 - DOI announcing names soon.
- Also created the International Wildlife Conservation Council – will provide expertise and advice on international conservation issues. First meeting was on 3/16/2018.
- Focusing on making information on hunting, fishing and outdoor recreation on public lands more accessible to the public.
- Expanding efforts to partner with the private sector – particularly the outdoor industry – to take advantage of their marketing expertise and reach.
- Also working with the private sector and states to pilot a network of eight Outdoor Skills Centers – focus on improving R3 efforts.
 - We have staff assigned to R3 efforts in most FWS regions.
- We will also be working with state and federal partners to help implement the recent (February) Secretarial Order 3362 – emphasizes identifying key migration habitat for big-game species; and facilitating migration across federal, state and private lands.

Budget

- **FY19 budget proposal** – Supports Secretarial and FWS priorities:
 - Creating jobs;
 - providing access to hunting, fishing and other outdoor recreation;
 - facilitating energy development;
 - modernizing infrastructure;
 - reducing regulatory burden; and,
 - protecting our borders.
- **Infrastructure**
 - FWS has a \$1.4 billion maintenance backlog. Budget includes \$135.5M for Refuge System maintenance and \$19.3M for maintenance of hatcheries.
 - DOI's Public Lands Infrastructure Fund proposal would provide up to \$18 billion to help pay for repairs and improvements in parks, wildlife refuges, and Indian schools. Funds will be generated via energy development on federal lands.
 - Investing in our infrastructure will benefit visitors, wildlife and local communities. It will employ local contractors and workers, while increasing access and helping local economies benefit from growing visitation.

- Bipartisan legislation was introduced in early March to address NPS infrastructure needs. The Secretary supports adding refuges to the legislation in line with the FY 2019 budget request. Support for adding refuges was also included in congressional testimony.
- **Grant Programs** – While Congress has not yet considered the President’s FY 2019 budget recommendation, the proposal has the following adjustments to meet our guidance and address our top priorities:
 - State & Tribal Wildlife Grants request is \$31.3M.
 - North American Wetlands Conservation Fund request is \$33.6M.
 - Partners for Fish and Wildlife program request is \$35.8M.
 - Coastal program request is \$6.5M.
 - No funding requested for the Cooperative Endangered Species Conservation Fund (CESCF; Section 6 of the Endangered Species Act).
- **Hurricane Damage**
 - 44 FWS properties were damaged by hurricanes in 2017
 - \$210.6M provided via supplemental funding for FWS-related recovery projects in the Gulf Coast and Caribbean
 - We are currently in the process of planning and identifying projects, focusing on making infrastructure and habitat more resilient to future storms.

Status of PR/DJ Funding

- In FY 2018, over \$797 million (2.2% increase over 2017) will be apportioned to State fish and wildlife agencies for the Wildlife Restoration and Hunter Education programs, and over \$351 million (1% increase over 2017) will be apportioned to State fish and wildlife agencies for the Sport Fish Restoration (SFR), Recreational Boating Access, and the Aquatic Resources Education grants (over \$1.1 billion).
- Wildlife Restoration annual apportionments doubled since 2012 from about \$400 million to nearly \$800 million; seems to be leveling off at around \$800 million.
- SFR annual apportionments have been fairly flat over the past 9 years at around \$350 million annually.
- Since 1937 over \$20.2 billion has been apportioned to States for PR/DJ, with over \$6.7 billion in matching funds.

Grant Review Process

- All discretionary Notices of Funding Opportunities must be reviewed by DOI prior to posting on Grants.gov to ensure alignment with new Departmental priorities for financial assistance.
- All discretionary awards must be reviewed prior to award by a highest level reviewer based on recipient type (i.e. nonprofit) and funding amount.
- FWS anticipates needing to submit ~3,000 discretionary financial assistance actions for review in FY18.
- The following WSFR programs are nondiscretionary and not subject to the review:
 - Sport Fish and Restoration;
 - Wildlife Restoration and Basic Hunter Education;
 - Enhanced Hunter Education and Safety; and,

- the apportionment funding under State Wildlife Grants (SWG competitive awards are subject to the pre-award review).
- FWS continues to work with DOI to ensure timely review of all discretionary Notice of Funding Opportunities and financial assistance awards.

Reorganization

- DOI restructuring proposal focuses on establishing unified regional boundaries for DOI bureaus, and now reflects the concerns bureaus raised regarding splitting states into multiple regions.
- The new map more closely follows state lines, with some exceptions, while still adhering closely to original goal of organizing boundaries along watersheds and ecosystems.
- The FY19 budget proposes \$5.9M to shift some headquarters resources to the field and support the Secretary's vision of migration to common regional boundaries to improve service and efficiency, and push resources closer to the field.
- FWS is currently in the process of identifying approximately 50 HQ employees that could move to a western location TBD.

Migratory Birds M-Opinion

- DOI M-Opinion released on December 22, 2017 concluded that the MBTA's prohibitions apply only to direct and affirmative purposeful actions, i.e. MBTA does not prohibit incidental take.
- This legal interpretation returns enforcement of the MBTA to conform with the intent of its creators, and to the way the law was interpreted for decades by administrations of both parties.
- In response, we are working to refine how we administer the MBTA.
- We will continue to aggressively investigate, prosecute and convict those who deliberately kill or harm migratory birds, their nests and eggs.
- We will also continue to work in partnership with developers, industry and other landowners to help them implement voluntary conservation measures that reduce, and avoid impacts to migratory birds from their legal activities.
- ESA and BGEPA protections still apply to migratory birds covered under these laws.

ESA Reform

- FWS continues to look for ways to improve ESA for the public.
- AFWA has participated in discussions with FWS on ESA reform, including congressional briefings.
- WGA sent a letter to Secretary Zinke in November 2017 with recommendations for regulatory and administrative actions to improve ESA implementation.
- Last March, the National Governor's Association adopted a policy similar to the WGA.
- We anticipate revisions to sections 4, 6, 7, and 10 to be sent soon to the Federal Register.
- We anticipate continued oversight and legislative activity from the House and Senate regarding ESA implementation and modernization.
- Our appropriations subcommittees have directed that we prioritize ESA recovery funding on activities that are inherently mandatory under the ESA, such as recovery planning, 5-year reviews and rules to downlist or delist species when warranted.

Wolves

- **Gray Wolves**
 - FWS is preparing a new rule to delist gray wolves range-wide except for the separately listed Mexican wolf subspecies. Targeting late 2018.
 - This Congress, several bills have been introduced to reinstate final rules delisting wolves in WY and the WGL, and shield both rules from future legal challenge. Similar language is included in various sportsmen's bills and recent House and Senate appropriations bills.
- **Red Wolves**
 - FWS is evaluating alternatives for revising the nonessential experimental population for red wolves in NC.
 - The FY 2018 House Interior appropriations report directs the Service to determine whether the red wolf is a genetically valid species designation. The Senate Interior appropriations report encourages ending the red wolf program in FY 2018.
- **Mexican Wolves**
 - FWS continues to work with partners to further Mexican gray wolf recovery.
 - The FY 2018 House Interior appropriations report directs FWS to determine whether the Mexican gray wolf is a genetically valid subspecies designation.

Landscape Conservation Cooperatives

- The President's FY 2019 budget eliminates funding for LCCs (as in FY 2018).
- The FY 2018 House Interior Appropriations bill suggested FWS focus on areas where LCC partnerships are strongest. The bill also underscored OIG recommendations that FWS issue formal guidance for the award process and store all project information in one database.
- FWS is currently working with Congress and the Department to determine the future of the program.

International Sport-Hunted Trophies

- FWS announced recently that it will now consider all trophy imports from African nations on a case-by-case basis.
- Appointed a new acting AD (Eric Alvarez) to implement changes to our international grants/permit programs.

NEPA

- Secretarial Order 3355 on streamlining National Environmental Policy Act reviews and implementation of EO 13807 was signed August 31, 2017.
- The purpose is to: 1) immediately implement certain improvements to NEPA reviews conducted by DOI; 2) begin assessment of additional such opportunities; and 3) begin implementation of EO13807, "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects."
- In most cases, the SO requires that an EIS be no more than 150 pages and be completed within a year of publishing a NOI.

- FWS issued a memo in December recommending actions to streamline the NEPA process in accordance with SO 3355, including development of additional guidance and training, as well as streamlining internal review processes.

Cormorant Depredation

- In November 2017, a final NEPA EA was published that found No Significant Impact for the lethal take of up to 51,571 birds per year in 37 states and the District of Columbia.
- This EA allows FWS to issue individual permits for managing cormorants at aquaculture facilities, alleviating human health and safety concerns, protecting threatened and endangered species, and reducing damage to properties caused by this species.
- FWS is working with state fish and wildlife agencies to review the science and available data to better understand the impacts cormorants have on free-swimming fish populations and recreational and commercial fishing. This process is expected to take approximately one year.
- After evaluation of the relevant scientific data, FWS will initiate a NEPA review, which may result in which may include options for free swimming fish, depending on what the science says.

Black Vultures

- Like double-crested cormorants, black vultures are protected under the MBTA. Though they feed primarily on carrion, this species sometimes preys upon newborn or downed livestock.
- As with depredation by other protected species, FWS works with Wildlife Services to manage depredating black vultures through non-lethal approaches as well as through lethal take permits.

Ravens

- Ravens are also protected by the MBTA, and this species is also known to prey upon newborn and downed livestock, primarily in western states. Ravens are among wild predators of desert tortoise and sage grouse eggs and young.
- We have been have asked for increased lethal take through increased depredation permits, a depredation order, or a hunting season for ravens.
- A FWS team has been assembled to being working through it to develop a long-term management approach to raven depredation.

Alaska Issues

- **Arctic NWR**
 - The final tax package rescinded ANILCA's prohibition on development of the 1002 Area and requires two oil and gas lease sales, of not fewer than 400,000 acres each, on the coastal plain within 10 years. All receipts shall be split evenly between the State of Alaska and the U.S. Treasury.
 - The oil and gas program shall be managed similar to BLM's program in the National Petroleum Reserve in Alaska. Up to 2,000 acres may be authorized by the Secretary to be available for infrastructure for production and support facilities.
 - BLM has been tasked with developing an EIS for the oil and gas program on Arctic Refuge Coastal Plain. FWS is a cooperating agency, and is working closely with BLM staff.

- Since passage of the tax bill, FWS is evaluating the CCP and determining what revisions may be necessary to bring it into alignment with the legislation, consistent with EIS process.
- **Izembek NWR**
 - In January, the Secretary signed an “Agreement for the Exchange of Lands” with the King Cove Corporation in Alaska.
 - The land exchange will be made pursuant to the Secretary’s authority under ANILCA. No NEPA is required under this authority.
 - Every effort will be made to minimize adverse impacts to the refuge, including minimal acreage transfer to meet the purposes of the exchange.

Workforce Planning

- Regardless of how the 2018 and 2019 budgets end up, we will be hard pressed to meet all our mandates and obligations with available resources.
- Our buying power has eroded nearly \$500 million from where it was sixteen years ago, as appropriations haven’t kept pace with increases in fixed costs.
- We’re currently engaged in a Workforce Planning Initiative designed to maximize our ability to provide resources to the field.
- As part of this restructuring effort, we’ve offered a voluntary early retirement option to all eligible employees, as well as Voluntary Early Separation Incentive Payments to employees in certain series and programs.
- These authorities will help us lower payroll costs and provide additional career advancement opportunities for lower-graded employees.
- Pending Congressional budget approval, in FY2019 we will realign our Budget and Administration (BA) operations nationwide under a single chain of command, known as Joint Administrative Operations (JAO).
- This reorganization is expected to save FWS significant funding, reduce duplication, enhance customer service, and result in increased efficiency.
- While this restructuring initiative is independent of the Secretary’s vision for reorganizing the Interior Department, as an agency we plan to design our Joint Administrative Operations (JAO) in a manner that supports that vision.