

**CHARTER
FOR A JOINT FEDERAL/STATE TASK FORCE
ON FEDERAL AID POLICY**

Background:

September 5, 2002

The longstanding and unique relationship between the States and the Service was created by the Federal Aid in Wildlife Restoration Act in 1937 and the Federal Aid in Sport Fish Restoration Act in 1950 which authorize and direct the Secretary to cooperate with the States through their fish and game departments in wildlife restoration and fish restoration and management projects, respectively. 16 USC [669, 777]. U.S. Fish and Wildlife Service coordination with state fish and wildlife personnel is specifically exempt from the Federal Advisory Committee Act (5 U.S.C. App). Almost one-half billion dollars annually is apportioned to the States for sport fish and wildlife restoration which includes habitat management and protection, boat access, education, and research.

These programs represent cooperative efforts not only between the U.S. Fish and Wildlife Service but are supported and funded by a wide variety of hunters, anglers and boaters through dedicated taxes paid by users.

Although the Programs serve as a model for cooperative efforts, events of the last few years underscore the need for renewed efforts to provide clear direction to streamline and improve management of the Programs. Recommendations from review teams and the recent round of audits of State fish and wildlife agencies indicate the need for the development of clear policy to reduce confusion, prevent wasted time and resources, eliminate inconsistencies in program implementation, and reduce controversy sometimes associated with administration and execution of the Programs.

In order to assure continuing smooth operations the States and the Service have agreed to this Charter that provides a continuing federal-state task force on federal aid policy to review operational policies and administrative problems and to recommend solutions

Purpose:

The purpose of the Task Force (composed of Service and State fish and wildlife agency personnel) is to provide a process for the Service and State fish and wildlife agencies to identify cooperatively Program issues of national significance and to develop jointly recommendations concerning those issues to the signatories of this agreement.

Composition:

Co-Chairs: Office of the Director, U.S. Fish and Wildlife Service
State fish and wildlife agency Director, designated by the International Association of Fish and Wildlife Agencies (IAFWA)

Members: Service will name six additional Federal employees as members. IAFWA will name six additional State fish and wildlife agency employees as members. (See attachment.)

Working Groups:

At the direction of the co-chairs, working groups may be established or appropriate legal counsel may be enlisted to assist the Task Force in developing its recommendations.

Amendment to Charter:

At the request of either party, this Charter may be amended to the mutual benefit of the parties.

/s/ Steve Williams 9/6/02
Director, USFWS Date

/s/ Bob McDowell 9/6/02
President, IAFWA Date

CHARTER

**Attachment 1
FOR A JOINT FEDERAL/STATE TASK FORCE
ON FEDERAL AID POLICY**

U.S. Fish and Wildlife Service Representatives

Co-Chair - Office of the Director - Clint Riley

Assistant Director Migratory Birds and State Programs- Tom Melius

Chief Division of Federal Aid - Kris E. LaMontagne

Regional Director, R-5 - Mamie Parker

Assistant Regional Director Migratory Birds and State Programs, R-4 - Mitch King

Regional Chief Division of Federal Aid, R-1 - Don Friberg

Branch Chief of Grant Operations and Policy - Gary Reinitz

State Fish and Wildlife Agency Representatives

Co-Chair – Terry Crawforth, Director, Nevada Division of Wildlife

David Waller, Director, Georgia Wildlife Resources Division

Gerry Barnhart, Director, New York Division of Fish, Wildlife and Marine Resources

John Frampton, Assistant Director, Development & National Affairs, South Carolina DNR

Tom Niebauer, Office of Intergovernmental Programs, Wisconsin DNR

Bobbi Keeler, Federal Aid Coordinator, Montana Department of Fish, Wildlife and Parks

Kelly Hepler, Director, Sport Fish Division, Alaska Department of Fish and Game

**CHARTER
FOR A JOINT FEDERAL/STATE TASK FORCE
ON FEDERAL ASSISTANCE POLICY**

Amendment No. 1

This amends the Charter for a Joint Federal/State Task Force on Federal Aid Policy that was signed by the Director of the U.S. Fish and Wildlife Service (Service) and the President of the International Association of Fish and Wildlife Agencies (IAFWA) on September 6, 2002 (Charter). Unless addressed in this Amendment No. 1, the provisions of the Charter remain unchanged.

A. Title

The title of the Charter shall be "Charter for a Joint Federal/State Task Force on Federal Assistance Policy" to reflect the terms of Wildlife and Sport Fish Restoration Programs Improvement Act of 2000 (Public Law 106-408), as well as to reflect the broader purposes of the Charter as reflected in Section B of this Amendment No. 1.

B. Add State Wildlife Grants and Landowner Incentive Programs to Charter

More recently, the State Wildlife Grants Program (SWG) and the Landowner Incentive Program (LIP) have broadened the cooperative relationship between the States and the Service. Both programs focus on declining species.

The SWG Program originated as a \$49,890,000 appropriation in the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 2001 (Public Law 106-291). These Fiscal Year 2001 funds were for competitively selected grants to States and Territories. The Appropriations Acts for the three subsequent fiscal years provided \$60-80 million for grants to States and Territories. The Service apportions these funds to implement wildlife management and habitat restoration for the most critical needs of species that are not hunted or fished. One of the primary purposes of the Program is to benefit declining wildlife species to preclude their listing as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. §1531, *et seq.*).

The LIP Program originated as an appropriation in the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 2002 (Public Law 107-63). Although the original appropriation was rescinded, the Appropriations Acts for the two subsequent fiscal years provided \$26-35 million for the Program to carry out the purposes of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. §4601, *et seq.*). The Service grants these funds competitively to the States and Territories to establish or supplement landowner incentive programs that protect and restore habitats on private lands. One of the primary purposes of the Program is to benefit species that have been listed, proposed for listing, are candidates for listing

under the Endangered Species Act of 1973, or are otherwise documented as species-at-risk by the State or Territorial fish and wildlife agency.

For these reasons, the Joint Federal/State Task Force on Federal Assistance Policy ("Joint Task Force") shall review operational policies and administrative problems, and recommend solutions, regarding grant programs authorized under the State Wildlife Grant Program and the Landowner Incentive Program, in addition to the Wildlife Restoration and Sport Fish Restoration Programs. Otherwise, the Purpose of the Joint Task Force as stated in the Charter remains unchanged. By State Wildlife Grant Program and Landowner Incentive Program, the Charter shall not refer to the Tribal elements of these two programs.

C. Composition

The Composition of the Joint Task Force may be amended at any time by mutual notification to the parties of any change in membership. The composition as of the date of this Amendment No. 1 is as follows:

U.S. Fish and Wildlife Service Representatives

Clint Riley, JTF Cochair, & Special Assistant to Director, USFWS
Tom Barnes, Chief, Branch of Grant Operations & Policy, Federal Assistance, USFWS
Dale Hall, Regional Director, USFWS Region 2
Kris LaMontagne, Chief, Division of Federal Assistance, USFWS
Mitch King, Assistant Director, Wildlife and Sport Fish Restoration, USFWS
Chris McKay, Asst. Regional Director, Mig. Birds & State Programs, USFWS Region 1
John Organ, Wildlife Program Chief, Division of Federal Assistance, USFWS Region 5

State Fish and Wildlife Agency Representatives

Glen Salmon, JTF Cochair & Director, Division of Fish and Wildlife, Indiana DNR
Gerald Barnhart, Director, New York Division of Fish, Wildlife and Marine Resources
Lisa Evans, Federal Funds Manager, New Mexico Department of Game and Fish
John Frampton, Director, South Carolina DNR
Kelly Hepler, Director, Sport Fish Division Alaska Department of Fish and Game
Tom Niebauer, Federal Policy Advisor, Wisconsin DNR
Keith Sexson, Assistant Secretary for Operations, Kansas Dept. of Wildlife and Parks



DIRECTOR
12/10/04
Date



President, IAFWA
12/10/04
Date

**CHARTER
FOR A JOINT FEDERAL/STATE TASK FORCE
ON FEDERAL ASSISTANCE POLICY**

Amendment No. 2

This amends the Charter for a Joint Federal/State Task Force on Federal Aid policy that was signed by the Director of the U. S. Fish and Wildlife Service (Service) and the President of the Association of Fish and Wildlife Agencies (formerly the International Association of Fish and Wildlife Agencies) (AFWA) on September 6, 2002 (Charter) and amended on December 10, 2004 (Amendment No. 1). Unless addressed in Amendment No. 1 or this Amendment No. 2, the provisions of the Charter remain unchanged.

A. AFWA's name change.

The Charter and Amendment No. 1 are amended to reflect AFWA's name change from the International Association of Fish and Wildlife Agencies (IAFWA) to the Association of Fish and Wildlife Agencies (AFWA).

B. Composition.

The composition of the Joint Task Force may be amended at any time by mutual notification of the parties of any change in membership. The Co-Chairs of the Joint Task Force are as follows:

Co-Chairs: Office of the Director, U. S. Fish and Wildlife Service
State fish and wildlife agency director, designated by AFWA's President

Members: Service will name six additional federal employees as members.
AFWA's President will name six additional state fish and wildlife agency employees as members.

The composition as of the date of this Amendment No. 2 is as follows:

U. S. Fish and Wildlife Service Representatives

Hannibal Bolton, JTF Co-Chair and Assistant Director, Wildlife and Sport Fish Restoration, USFWS

John Organ, WSFR, Division Chief, USFWS, Region 5

Mike Piccirilli, FA Division Chief, USFWS, Region 4

Stephen Guertin, Regional Director, USFWS, Region 6

Joyce Johnson, WSFR Division Chief, Policy and Program, USFWS, Region 9

Steve Barton, WSFR, Division Chief, Administration and Info, USFWS, Region 9

Tom Barnes, WSFR, Chief, Policy Branch, USFWS, Region 9

State Fish and Wildlife Agency Representatives

Kelly Hepler, JTF Co-Chair and Assistant Commissioner, Alaska
Department of Fish and Game

John Frampton, Director, South Carolina Department of Natural Resources

Lisa Evans, Assistant Director, Alaska Department of Fish and Game

Keith Sexson, Assistant Secretary for Operations, Kansas Dept. of Wildlife and Parks

Curtis I. Taylor, West Virginia Division of Natural Resources

Wildlife Resources Section Chief

Jon Gassett, Commissioner, Kentucky Department of Fish and Wildlife

Wayne MacCallum, Director, Massachusetts Division of Fisheries & Wildlife

David M. Aule 9-29-11
Director Date

Carl A. ... 2-17-11
AFWA President Date

**CHARTER
FOR A JOINT FEDERAL/STATE TASK FORCE
ON FEDERAL ASSISTANCE POLICY**

Amendment No. 3

This amends the Charter for a Joint Federal/State Task Force on Federal Aid Policy (JTF) that was signed by the Director of the U.S. Fish and Wildlife Service (USFWS) and the President of the Association of Fish and Wildlife Agencies (AFWA), (formerly the International Association of Fish and Wildlife Agencies), on September 6, 2002 (Charter), and amended on December 10, 2004 (Amendment No. 1), and again on September 28, 2011 (Amendment No. 2). Unless specifically addressed in Amendment No. 1, 2, or this Amendment No. 3, the provisions of the Charter remain unchanged.

A. Publication of Updated Task Force Membership List

At such times as vacancies occur on the JTF and are filled in accordance with the process set out in this Charter, as amended, the Co-Chairs of the JTF shall direct that an updated list of the JTF membership be published on the Wildlife and Sport Fish Restoration (WSFR) Website which is maintained by the USFWS.

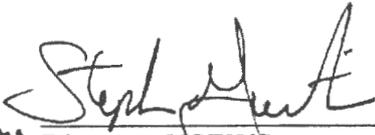
The Composition of the Task Force as of the date of this Amendment No. 3 is as follows:

U.S. Fish and Wildlife Service Representatives

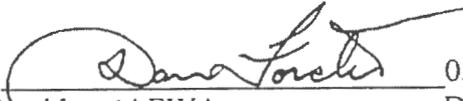
Hannibal Bolton, JTF Co-Chair and Assistant Director, WSFR, USFWS
Tom Barnes, Chief, Branch of Policy, WSFR, USFWS
Steve Barton, Chief, Division of Administration and Information Management, WSFR, USFWS
Tom Busiahn, Chief, Division of Policies and Programs, WSFR, USFWS
Mike Piccirilli, Chief, Region 4, WSFR, USFWS
John Organ, Chief, Region 5, WSFR, USFWS

State Fish and Wildlife Agency Representatives

Kelly Hepler, JTF Co-Chair and Assistant Commissioner, Department of Fish and Game, Alaska
Gary Armstrong, Federal Assistance Supervisor, Division of Fish and Game, Indiana
Lisa Evans, Assistant Director, Division of Sport Fisheries, Alaska
Dan Forster, Director, Wildlife Resources Division, Georgia
Wayne MacCallum, Director, Division of Fisheries and Wildlife, Massachusetts
Curtis Taylor, Chief, Wildlife Resources Section, West Virginia
Larry Voyles, Director, Game and Fish Department, Arizona


Deputy, Director, USFWS

5/25/14
Date


President, AFWA

05/06/2014
Date



FWS/WSFR/AWSR/069522

MEMORANDUM

To: Margaret E. Everson, Principal Deputy Director, U.S. Fish and Wildlife Service (Service)
Ed Carter, President, Association of Fish and Wildlife Agencies (AFWA)

From: Paul Rauch, Co-chair, Joint State/Federal Task Force on Federal Assistance Policy
Kelly Hepler, Co-chair, Joint State/Federal Task Force on Federal Assistance Policy

Subject: Amendment of the Charter for the Joint State/Federal Task Force on Federal Assistance Policy

PAUL
RAUCH

Digitally signed by
PAUL RAUCH
Date: 2019.01.18
12:27:39 -0500

Kelly R.
Hepler

Digitally signed by
Kelly R. Hepler
Date: 2019.01.18
12:09:31 -0600

The Joint State/Federal Task Force on Federal Assistance Policy (JTF) was established in 2002 and amended in 2004, 2011, and 2014. (charter and amendments attached). As the JTF has successfully addressed many issues over the last sixteen years, its informal processes for issue identification and decision making have evolved. Formalizing these processes as part of the JTF Charter will provide clarity and benefit all interested parties.

At the April 2018 JTF meeting, a Charter Amendment describing the processes for issue identification and decision making was proposed. After the meeting it was reviewed and commented on by the entire JTF and adopted as a final recommendation at the December 2018 JTF meeting.

In order to support a transparent understanding of JTF processes for issue identification and decision making, the JTF requests the Service's Principal Deputy Director, and the AFWA President approve the attached amendment to the JTF Charter.

If you have questions or concerns about this request, please reach out to Paul Rauch (202) 208-5078 or Kelly Hepler (907) 242-1907.

CHARTER
FOR A JOINT FEDERAL/STATE TASK FORCE
ON FEDERAL ASSISTANCE POLICY

JTF Issue Identification and Decision Making*

Amendment No. 4

This Amends the Charter for a Joint Federal/State Task Force on Federal Aid Policy that was signed on September 6, 2002 and amended in 2004, 2011, and 2014. Unless addressed in this Amendment No. 4, the provisions of the Charter and Amendments No. 1, 2, and 3 remain in place.

Definitions:

Scoping Document means a paper that briefly provides background, relevance, and other pertinent information for the JTF's initial discussion of an issue.

Communications Protocol means the JTF-approved process for distribution and discussion through the State/WSFR organizational hierarchy.

Proposed Recommendation means a suggested resolution of an issue developed after discussion by the JTF.

Final Recommendation means a proposed resolution of an issue endorsed by the JTF and intended to be submitted to the Charter signatories, after having been shared with all State agencies and WSFR staff as a Proposed Recommendation.

Issue Identification:

- Using the *Communications Protocol*, each January co-chairs will issue a 30-day call to all States, AFWA representatives, and FWS Regions for issues of national significance that may be appropriate for the JTF to address.
- Request for input will include a description from the JTF Charter of the type of issues the JTF is intended to address.
- Any issue submitted should include a brief description of the topic, any prior efforts at addressing the topic, and why the JTF review is requested.
- All issues received through the *Communications Protocol* will be reviewed and summarized by the Federal Assistance Coordinators (FAC) Working Group in collaboration with FWS WSFR Chiefs (e.g. at their spring joint meeting), for recommendation to JTF co-chairs regarding which topics merit JTF involvement, a brief statement regarding why, and a proposed priority order. The Chair of the FACWG will deliver the recommendation document to the JTF Co-Chairs and Trust Fund Committee Chair no later than two months after the conclusion of the Spring Meeting of the WSFR Chiefs/FACWG. After review, JTF co-chairs will submit a report to the entire JTF membership to review and make final decisions regarding JTF agendas.

- This issue identification process does not preclude the JTF from addressing issues that may emerge from other sources (e.g. AFWA Executive Committee, FWS Director's Office) when the JTF agrees action is warranted.
- If the JTF does not select a submitted issue for JTF engagement, a response and explanation will be provided to the entity who submitted the topic. (Co-chairs will assign an appropriate entity to convey that message.)
- Once topics are selected, Co-chairs will share with relevant parties the list of JTF issues to be addressed in the coming year using the *Communications Protocol*. The JTF Decision-making Process will address issue resolution.

JTF Decision-making Process

- At least three months out from a meeting, JTF Co-chairs will set an agenda identifying issues to be addressed during the upcoming meeting.
- At the time the agenda is set, the JTF co-chairs will assign workgroups (2-3 JTF members, with both State and Federal representatives) to develop a *Scoping Document* for each issue not previously addressed by the JTF. The workgroups may consult with subject matter experts as necessary including the original party who submitted the issue to the JTF.
- Each *Scoping Document* should involve legal counsel review during development, and should include:
 - An explanation of the issue
 - A discussion of the range of viewpoints and opinions on the issue
 - Relevant laws and regulations
 - Probable options for resolving the issue, including:
 - Summary of pros and cons
 - Likely impacts
 - Possible format for resolution (e.g. Directors Order, Service Manual Chapter, regulatory changes)
 - An initial recommendation for resolution of the issue, if appropriate
- One month out from each meeting, *Scoping Documents* will be distributed to JTF members for review and internal discussion prior to the meeting.
- Once the JTF has begun considering an issue, it may identify additional information needed to develop a *Proposed Recommendation*. The JTF may assign further work to the workgroup or seek additional input from States and WSFR staff.
- When the JTF or a small workgroup is developing an approach, they will consult with WSFR Policy and the Service and AFWA Solicitors to ensure the approach is consistent with current policy/legal authorities, and to help identify any associated issues.
- Once the JTF develops a *Proposed Recommendation*, the JTF will share it with States and WSFR staff using the *Communications Protocol*.
 - The *Proposed Recommendation* must briefly summarize the range of options considered and rejected, and why the resolution is being recommended.
 - The JTF will use the *Communications Protocol* to describe the level of feedback/input requested and method(s) to respond.

