



WILDLIFE RESOURCE POLICY COMMITTEE

Meeting Minutes

Chair: Amanda Wuestefeld (Indiana Division of Fish and Wildlife)
Vice-Chair: Pete Hildreth (Iowa Department of Natural Resources)

Friday, September 10th, 2021*
10:00 AM- 12:00 PM (EDT)

111th Annual Meeting

Committee Charge

To discuss and develop recommendations on Association positions related to federal laws, regulations and policies concerning habitat conservation, wildlife resources and related funding for such programs as well as wildlife management practices including those concerned with problem or nuisance wildlife, and emerging issues (e.g., commercial trade). The committee also stays abreast of threatened and endangered species wildlife issues, state legislation pertaining to wildlife management and wildlife diversity funding initiatives.

Agenda

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| 10:00 AM | Welcome, Introductions, Review Agenda & Approve Mtg Notes (Amanda Wuestefeld, IN DNR) |
| 10:10 AM | USDA-APHIS Wildlife Services Report- (Janet Bucknall, Deputy Administrator) |
| 10:30 AM | Human/Wildlife Conflicts Working Group Report (Brian Wakeling, MT FWP) |
| 10:45 AM | Bat Working Group Report- (Jenny Dickson, CT DEEP) |
| 11:00 AM | USGS North American Bat Monitoring Program update- (Brian Reichert) |
| 11:15 AM | Recovering America's Wildlife Act (Bryant White, AFWA) |
| 11:30 AM | Landscape Conservation and At-risk Species (Deb Rocque, USFWS) |
| 11:45 AM | Review 2020 Work Plan (Bryant White, AFWA) |
| 12:00 PM | Adjourn |

*This meeting will be virtual

Meeting Minutes

10:00 AM Welcome, Introductions, Review Agenda & Approve Mtg Notes (Amanda Wuestefeld, IN DNR)

- Vice-Chair Hildreth opened the meeting by welcoming members and guests to the virtual meeting. He provided a few details about the virtual meeting protocol.
- Introductions were made via the Zoom chat tool
- Approval of the minutes was proposed by Vice-Chair Hildreth, and the motion carried.

10:10 AM USDA-APHIS Wildlife Services Report- (Janet Bucknall, Deputy Administrator)

- Deputy Administrator Bucknall gave a PowerPoint presentation highlighting changes in personnel, new developments in the program, and the ongoing efforts of Wildlife Services to resolve and mitigate damages caused by wildlife.
- Please see the full report in the Appendix

10:30 AM Human/Wildlife Conflicts Working Group Report (Brian Wakeling, MT FWP)

- Please see Wildlife Chief Wakeling's full report in the Appendix
- The Human Wildlife Conflict Working Group has asked the WRPC to review the manuscript on human-wildlife conflicts with urban coyotes prior to the North American Wildlife and Natural Resources Conference. HWCWG is hoping for "approval" at that time. A submission ready draft will be provided soon.
- The HWCWG intends to develop a survey of AFWA states and provinces to find out how agencies handle funding issues related to resolving wildlife conflicts. North Carolina and Washington indicated interest in developing the survey, along with Berryman Institute. HWCWG intends to seek representation from each Regional Association in development, and this will be discussed further in March.
- Kate Malpeli with USGS had presented to HWCWG earlier, and this was a follow up presentation. She outlined concerns about the influence that climate change might have on wildlife conflict. Kate was seeking input on products that might be produced by USGS, including facts sheets describing challenges and options for individual species. Kate was not requesting HWCWG to undertake any development, but offered the working group the opportunity to weigh in on specific species conservation briefs. HWCWG will continue to pursue this between now and March.

10:45 AM Bat Working Group Report- (Jenny Dickson, CT DEEP)

- No report
- Per AFWA changes the Bat Working Group now reports to the Wildlife Diversity, Conservation, and Funding Committee

11:00 AM USGS North American Bat Monitoring Program update- (Brian Reichert)

- USGS Wildlife Science & Innovation, Branch Chief, Brian Reichert, gave a PowerPoint presentation on the program
- The latest information about the program may be found at:
<https://sciencebase.usgs.gov/nabat/#/home>

11:15 AM Recovering America's Wildlife Act (David Lind, AFWA)

- AFWA Government Affairs Coordinator, David Lind, gave the following report related to RAWA

Senate

- Major news on the legislative front is the introduction of the bipartisan Senate bill ([S.2372](#)) by Sens. Heinrich (D-NM) and Blunt (R-MO) on July 20th. Thanks to the impressive work of President Parker Pauley, the Bass Pro shops team and many other partners in MO and NM, we've got a companion bill led by two tenacious champs in the Senate to complement the House version and continue the bipartisan collaboration led by Reps. Dingell and Fortenberry. We look forward to working with our sponsors' offices and all of you to advance the bill in the Senate.
- Senate strategy—10 R's paired with 10 D's to get Majority Leader Schumer to make good on his promise to tee the bill up for floor time, as well as to motivate Senate Environment and Public Works committee leadership to queue the bill up for action in the committee and advance through regular order.
- High-level touches to Senate offices are particularly appreciated and encouraged now to build strong bipartisan support.
- Of important note...the only major difference between the Senate and House versions is the "source of funding" language in the Senate bill. This identifies civil or criminal penalties, fines, sanctions and similar federal revenues generated from violations of environmental and natural resources laws and regulations as the source to fund the legislation. An important clarifier is that this would be any "remaining natural resource or environmental-related violation revenue" that "are not directed to be deposited in a fund other than the general fund of the treasury or have otherwise been appropriated." So this means no one else's programs are being harmed, no dedicated penalties monies like those from the Deepwater Horizon settlement or other programs that would also go to habitat restoration projects are being touched. We have prepared a handy Q & A document that will be available during the annual meeting and in the [Alliance toolkit](#).
- Reports from DOJ and EPA show that pot of money averages out to about \$2.9B annually on average over past 5-years and \$1.9B annually on average over past 10, so adequate to cover \$1.4 B price tag of the legislation.

House

- On the House front, we successfully navigated a hearing in the Water, Oceans and Wildlife subcmte of the House Natural Resources cmte on July 29th (one of more than a dozen bills heard)
- Supportive testimony was given from Rep. Dingell, Collin O'Mara (NWF), Steve Guertin (USFWS) and Dr. Erika Zavaleta (U.C. Santa Cruz)
- No concerns were raised and no tough questions...as expected, so this sets the stage for full committee markup this fall
- [110 bipartisan cosponsors](#) and counting—keep 'em coming!

Alliance

- We've heard from many of you that you'd like to see more resources available on the Alliance website for partners to be able to utilize for advocacy and outreach purposes...you asked, we listened...check it out by following the "More Resources" tab on the home page [HERE](#)
- And lots of new members have been added recently to the Our Partners page...check those out here: <https://ournatureusa.com/our-partners/>
- As always the best place to check out the latest messaging, resources and other campaign materials, see the Alliance online toolkit [HERE](#)

- Mr. Lind also reported on additional legislative actions which can be found in a summary report in the Appendix

11:30 AM Landscape Conservation and At-risk Species (Deb Rocque, USFWS)

- US FWS Assistant Director for Science Applications, Deb Roque, provided the following report
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11:45 AM Review 2020 Work Plan (Bryant White, AFWA)

- The committee discussed the four Activities and Objectives that are contained in the current workplan and agreed to continue these efforts.
- Continue to provide a forum to communicate the work of USDA Wildlife Services
- Continue to make progress on the development of best practice to address human-wildlife conflict issues
- Continue to provide a forum to discuss bat conservation and update the guidance on bats and Covid-19
- Discuss the role of the committee in working on landscape conservation

12:00 PM Adjourn

- Vice-Chair Hildreth adjourned the meeting

Follow-up Issues:

- There was some discussion about the role WRPC might play relative to pollinators. This could become part of the Committee work plan and will be discussed between now and March. WRPC staffer will reach out to the Science and Research Committee to gain further clarification about what role WRPC might play in the future.
- The committee has been asked to review the outline regarding Humane Dispatch of Wildlife by Agency Personnel and provide comments by December 1.
- There was some discussion about how agencies manage bats relative to removal efforts of Wildlife Control Operators. The Committee would like a report from the Bat Working Group relative to the BMP on this issue.

Action Items

None

Threats and Emerging Issues Identified

None identified.

Appendix:

Report to AFWA Wildlife Resources Policy Committee

AGENCY: USDA-APHIS-WS

DATE: September 2021

WILDLIFE SERVICES (WS) LEADERSHIP CHANGES

- Headquarters
 - Associate Deputy Administrator- Dr. Donna Lalli
- Western Region
 - Western Region Office- Wendy Anderson, Assistant Regional Director
 - Western Region Office- John Steuber, Assistant Regional Director
 - Idaho- Jared Hedelius, State Director
 - New Mexico- Jon Grant, State Director
 - Oregon- Jeff Flores, State Director
 - Montana- Dalin Tidwell, State Director
 - Guam- Aaron Collins, State Director
- National Programs
 - Aviation Training and Operations Center (ATOC)- Thomas McLeary, National Coordinator
 - National Wildlife Disease Program- Dr. Julianna Lenocho, National Coordinator
 - National Feral Swine Damage Management Program- Michael Marlow, Acting Program Manager

CONFLICT INCIDENT REPORT

One Health - Wildlife Disease Surveillance

MOST SIGNIFICANT ISSUES

APHIS WS works in a One Health capacity to integrate expertise from specialists in human health, agricultural animal health, wildlife, and environmental studies.

In March 2021, President Biden signed the American Rescue Plan Act of 2021. Through that Act, USDA Secretary Vilsack designated APHIS as the lead agency to significantly increase and enhance the animal health community's capability to prevent, detect, investigate, and respond to emerging and zoonotic diseases, including SARS CoV-2, in susceptible animal species. This \$300 million initiative represents a monumental shift to ensure our Nation's—and APHIS'—ability to help prevent or limit the next global pandemic. This multi-year effort will focus on expanding SARS-CoV-2 surveillance to a wide range of animal species, increasing diagnostic testing capability and capacity, and investigating new animal detections and exposures and to build an early warning system that will help protect both people and animals from future disease threats. APHIS has developed a Strategic Framework that details how APHIS will lead the effort to significantly enhance the animal health community's capability to prevent, detect, investigate, and respond to emerging and zoonotic diseases in susceptible animals. The Strategic Framework provides additional details and is available on the APHIS website. APHIS will also be hosting a series of webinars (August 31-September 15) to give interested stakeholders the opportunity to learn more about the framework and ask questions before submitting written comments. The 45-day public comment period closes on October 8, 2021. Interested stakeholders can submit

written comments via Regulations.gov.

Specifically, APHIS WS National Programs are working on several diseases with known or potential spillover effects.

- **Human Health and Safety - SARS-CoV-2 Surveillance in White-tailed Deer**
 - The SARS-CoV-2 virus is of the highest concerning viral pathogens currently circulating in the United States and the potential for spillover to wildlife is worrisome both because of the public health impact and the possible establishment of a wildlife reservoir of the virus.
 - WS' National Wildlife Disease Program (NWDP) and National Wildlife Research Center (NWRC) conducted an exploratory survey to determine if free-ranging white-tailed deer had been exposed to SARS-CoV-2, and if additional, in-depth studies were warranted. WS collaborated with the APHIS National Veterinary Services Laboratory on this survey.
 - WS analyzed serum samples for antibodies to the virus to determine exposure of deer to SARS-CoV-2 (not identify animals with active infections). WS opportunistically collected samples in four states (IL, MI, NY, PA) in conjunction with ongoing wildlife damage management activities.
 - One serum set included samples collected from across the range of white-tailed deer in the United States during 2011 to 2019, before SARS-CoV-2 was detected in the country.
 - A second set included samples collected from January 2020 to March 2021 in IL, MI, NY, and PA, after SARS-CoV-2 was detected in the United States.
 - There were no detections of SARS-CoV-2 antibodies in the archive samples collected before January 2020. WS detected antibodies to SARS-CoV-2 in 33% of the 481 samples collected from January 2020 through March 2021, WS only observed 3 weakly positive samples in 2020; most of the positive samples were detected in 2021.
 - Examining only the 385 samples collected from January 2021 through March 2021, WS detected antibodies in 40% of those samples. Note: The survey was not a systematic or random surveillance of deer, so this percentage may not represent the percentage of total deer exposed within a particular state and/or the country.
 - The results of this initial survey indicate that certain white-tailed deer populations in IL, MI, NY, and PA were exposed to SARS-CoV-2. None of the deer populations surveyed showed signs of clinical illness associated with SARS-CoV-2 infection.
 - Further research is necessary to determine the significance of SARS-CoV-2 antibodies in free-ranging white-tailed deer, including how the deer were exposed to the virus and potential impacts, if any, to overall deer populations, other wildlife, and people.
- **Feral Swine - African Swine Fever Surveillance**
 - The recent detection of African Swine Fever (ASF) in the Dominican Republic has initiated an APHIS-level emergency response, as the proximity to Puerto Rico and the Virgin Islands greatly increases the risk of importing the virus into the United States.
 - WS has responded to the detection by enhancing feral swine surveillance in Puerto Rico, the Virgin Islands, and high-risk states.

- **Waterfowl - Avian Influenza Surveillance**
 - Over the past decade, WS has conducted national surveillance of wild waterfowl to monitor for avian influenza viruses. The introduction of highly pathogenic strains of avian influenza (HPAI) in wild birds could spill over to and cause severe disease in domestic poultry and have significant impacts to human health.
 - By monitoring wild birds, WS can detect highly pathogenic strains early, communicate with key stakeholders in the event of a HPAI detection, and provide data that can help assist in the response.
 - From July 2020 to March 2021, WS sampled 7,375 wild waterfowl in the Atlantic flyway, 656 in Alaska, and 368 in Idaho for HPAI, with no HPAI detections.
 - Later this year, WS will deploy wildlife disease biologists to Alaska for HPAI surveillance and to assess waterfowl flock health before the southern migration.
 - In total, NWDP expects to collect more than 15,000 samples in the upcoming year.

CONFLICT INCIDENT REPORT

Cervid Health – Chronic Wasting Disease

Chronic Wasting Disease (CWD) affects cervid species and there is known spillover between captive and wild cervids. WS works with state partners to conduct surveillance on wild deer to detect areas with high disease presence and spillover risk to captive populations. Understanding disease prevalence can reduce the risk of transmission to captive herds.

SIGNIFICANT REGULATORY OR POLICY CHANGES OR ISSUES?

- In FY 2021, APHIS conducted a virtual stakeholder meeting to hear updates on FY 2020 Cooperative Agreements (CA) addressing gaps in CWD control, and to assist in the process of the FY 2021 CAs.
- APHIS will competitively award up to \$5.6 million in CAs or grants to state wildlife and agriculture departments and Tribal governments to control or prevent the spread of CWD.
 - APHIS (WS) received 36 applications from 26 states and one tribal organization for the Wild Cervid Funding Opportunity. APHIS recommended 21 proposals for funding, totaling \$2.5 million. APHIS notified all applicants of their funding status (fully funded, partially funded, or not funded). State Wildlife and Natural Resource agency wild cervid funding opportunity FY21 recipients include:
 - Arkansas, Florida, Tennessee, Wisconsin, Iowa, Northwest Indian Fisheries Commission with support of twenty member tribes, Michigan, Arizona, Nevada, West Virginia, Minnesota, Pennsylvania, Indiana, Mississippi, Kansas, New Mexico, Georgia, South Dakota, Nebraska, California, and Virginia
 - APHIS (WS) received 9 applications from 10 states for funding made available exclusively to Tribal governments. APHIS recommended 7 proposals for funding, totaling \$300K for Tribes in WA, MI, MN, UT, AZ, NM, WI, MT, and NY.
- **CWD Research**

In FY 2021, the NWRC received approximately \$1.5M for CWD research.

 - The initial focus of the funding will be to purchase equipment and consumables for research purposes, convert and modify existing laboratory space to develop a prion lab, and establish cooperative agreements with university collaborators.

- NWRC will be collaborating with various universities (Mississippi State, Colorado State, and Penn State) on research projects to evaluate the potential role of scavengers and other vectors in CWD epidemiology.
- NWRC will primarily focus its in-house research on disease transmission and pathogenesis, and improved diagnostics.
- **CWD Surveillance**
 - WS conducts CWD surveillance in 17 eastern states and Alaska.
 - WS has Cooperative Service Agreements to remove wild deer in infected areas to help control the spread of the disease and provide CWD data to state wildlife agencies in five states (IL, MI, MN, PA, and TN).
 - WS assists APHIS Veterinary Services (VS) or state programs in collecting CWD samples from captive cervid facilities in five states (UT, FL, MN, PA, and WI).

CONFLICT INCIDENT REPORT

Human Health and Safety-Wildlife Attack Response

MOST SIGNIFICANT ISSUES

By request, WS is available to respond to wildlife attacks on humans. For FY21, to date, WS responded to 20 state agency requests related to attacks involving 8 species in 9 states. Responses may include aiding in tracking, capturing, removing, consultation, and/or genetically testing suspected animals.

Species: coyote, black bear, grizzly bear, mute swans, river otter, red fox, and an unknown animal involved in a lethal attack on a woman in TX.

CONFLICT INCIDENT REPORT

Livestock and Property Protection - Black Vultures

MOST SIGNIFICANT ISSUES

New world vultures (turkey and black vultures) are expanding, causing an increase in reports of damage and depredation permits issued. For black vultures (BLVU), this conflict is increasing in a disproportionate manner, with damage to agriculture (livestock) and property (both personal and infrastructure based) noteworthy.

SIGNIFICANT REGULATORY OR POLICY CHANGES OR ISSUES?

- With multiple years of success from the KY/TN black vulture sub-permit pilot program, the statewide depredation permits have recently expanded to additional states. Currently Missouri, Oklahoma, Arkansas, Mississippi, Indiana, and Texas all have joined the pilot program this year, with additional states anticipated to join in the future.

RESEARCH

WS programs from 18 states are collaborating with the NWRC Florida Field Station on a pilot program to assess gaps in understanding BLVU life history and ecology, ways to improve upon existing take models, as well as test current and develop new management methods.

CONFLICT INCIDENT REPORT

Nonlethal Initiative for Livestock Protection from Large Carnivore Predators

MOST SIGNIFICANT ISSUES

WS assists producers with predator damage to livestock via direct control and technical assistance. Beginning in FY20, WS received congressionally allocated funds specifically to implement nonlethal methods of protecting livestock from large carnivore depredation.

SIGNIFICANT REGULATORY OR POLICY CHANGES OR ISSUES?

1.38M, specifically for the implementation and research of nonlethal methods of protecting livestock from large carnivore predators.

- In FY21, WS expanded funding to 13 states (AZ, CA, CO, ID, MI, MN, MT, NM, NV, OR, WA, WI, WY) and NWRC state.
- Although the FY21 is not complete, to date, WS programs funded 23 positions (full-time, part-time, and seasonal) and has started or completed 559 projects for 286 cooperators.
- Most projects are fladry, electric fencing, or range riding projects. Some states have constructed large permanent predator fences or completed outreach events educating attendees on nonlethal tools and management practices which protect livestock from large carnivore depredation.

RESEARCH

- In FY20, NWRC analyzed data from research conducted alongside the operational work to determine the efficacy of various nonlethal methods.
- Evaluation of the nonlethal methods suggested that nonlethal methods employed by WS in FY20 reduced depredations on livestock, especially range riding and fencing.
- WS collected survey results from 40 producers WS provided nonlethal livestock protection services to in FY20. Noteworthy conclusions from the responses were that respondents found all but one of the methods used to be effective or somewhat effective at protecting livestock.
 - The greatest percentage of respondents found range riding to be effective or somewhat effective (90.9% of respondents), followed by electric fencing (72.7%), guardian animals (71.4%), nonelectric permanent fencing (66.7%), and fladry (57.1%).
 - 44.4% of respondents found “other audio/visual deterrents” ineffective or somewhat ineffective. 56.4% of respondents report that after receiving nonlethal assistance from WS, their level of interest in nonlethal methods increased.



HUMAN WILDLIFE CONFLICT WORKING GROUP MEETING NOTES

Chair: Brian Wakeling (Montana)
Vice-Chair: Doug Brimeyer (Wyoming)

Thursday, September 9th, 2021*
1:00 AM – 3:00 PM (EDT)

Agenda

- Call to Order/Review Agenda/Introductions (B. Wakeling/D. Brimeyer)

Approved, no changes, about 47 people in attendance.

- Approval of HWC WG Minutes from the AFWA Annual Meeting (B. Wakeling)

Minutes adopted as presented, no changes.

- Discussion on potential funding for national wildlife conflict issues (B. Wakeling)

Anis Aoude with Washington Department of Fish and Wildlife lead a discussion regarding challenges WAFWA states noted in funding actions to address conflict situations. Several states, based on a WAFWA survey for their Human Wildlife Conflicts Committee, have limitations on addressing conflict due to adequate, eligible funding. The HWCWG intends to develop a survey of AFWA states and provinces to determine what the challenges may be and the priority of those challenges more broadly. North Carolina and Washington are states that indicated a possible interest in developing the survey, along with Berryman Institute. HWCWG intends to seek representation from each Regional Association in development, and this will be discussed further in March. The Berryman Institute also offered to participate and USGS Wildlife Services has recent survey data to assist.

- Report on progress toward the development of peer reviewed publications on human-wildlife conflicts (B. White) https://digitalcommons.usu.edu/hwi_monographs/
 - Urban Coyotes

First draft work is still ongoing, but a thoroughly reviewed and edited version should be available in about 1 month. This draft will be circulated among HWCWG and WRP membership review. Reviews will be incorporated, and a final draft distributed with adequate time prior to the meetings in March. HWCWG intends to request approval from WRP in March and to move ahead with publication, probably in a Human Wildlife Conflict Monograph, like previous bear and deer conflict issues.

- USDA-APHIS-Wildlife Services (Janet Bucknall)

Janet Bucknall and Jason Suckow provided a detailed briefing, similar to that which will be provided the WRP.

- Berryman Institute (Terry Messmer)

Terry Messmer provided a written briefing, which will be provided with the final minutes of this report. Some of the highlights included several workshops and symposiums, including the Wildlife Damage Symposium, and ongoing work on feral equids. The Berryman Institute is also publishing the second edition of *Managing Cougars in North America* for WAFWA, which should be available in late 2021.

- Development of an AFWA document on “humane dispatch of wildlife by agency personnel” (Colin Gillin, Tom DeLiberto)

Colin Gillin and Tom DeLiberto provided an update on the efforts to draft a document on Humane Dispatch for wildlife management and conservation industries. This is an effort supported by the AFWA Fish and Wildlife Health Committee as well as HWCWG. When complete, this manuscript is likely to be more prescriptive than most HWCWG documents. Approval for publication will require higher level approval for AFWA endorsement.

- Update on USGS National Climate Adaptation Science Center: Impacts of Climate Change to Wildlife Conflicts (Kate Malpeli)

Kate Malpeli with USGS had presented to HWCWG earlier, and this was a follow up presentation. She outlined concerns about the influence that climate change might have on wildlife conflict. Kate was seeking input on products that might be produced by USGS, including facts sheets describing challenges and options for individual species. Kate was not requesting HWCWG to undertake any development, but offered the working group the opportunity to weigh in on specific species and products and sought potential reviewers for her work.

Next meeting

Among other topics at the next meeting, the HWCWG intends to address

- a. approval of the urban coyote manuscript
- b. survey about funding and related challenges for conducting wildlife conflict work nationally and international.
- c. update on grizzly bear population growth and distribution

AFWA Annual 2021 Legislative and Administrative Summary

Legislative Updates

Bipartisan Infrastructure Package Passes Senate

On August 10, the Senate passed the bipartisan *Infrastructure Investment and Jobs Act* ([HR 3684](#)) by a vote of 69-30. While the fate of the legislation is uncertain, this would authorize historic funding for conservation and critical programs would be reauthorized including the Sport Fish Restoration and Boating Trust Fund and the Abandoned Mine Reclamation Fund. Funding includes \$1 billion directly for hydroconnectivity/barrier removal programs at NOAA and USFWS, with \$800 million set aside for a new competitive grant program for anadromous fish, the long-supported Wildlife Crossings Pilot Program would be established beginning with \$60 million in FY22 and increasing to \$80 million in FY26, \$100 million would be authorized to the DOI and USDA for invasive species detection, prevention, and eradication, and \$400 million for the DOI to provide grants to states, territories, and tribes for voluntary ecosystem restoration projects on private or public land.

FY22 Budget Resolution

On August 9, the Senate Budget Committee released a [FY22 Budget Resolution Agreement Framework](#) with reconciliation instructions directing 12 Senate committees to report legislation consistent with the \$3.5 trillion topline figure agreed to in July. Reconciliation bills can change laws affecting mandatory spending and/or tax revenue, and in the Senate, only require a simple majority for passage.

The Senate Committee on Agriculture, Nutrition, and Forestry received an instruction of \$135 billion for spending on “agriculture conservation, drought, and forestry programs to help reduce carbon emissions and prevent wildfires,” among other things. Sen. Stabenow is [reportedly](#) pushing to nearly double conservation spending by providing \$50 billion in additional funding for farm bill conservation programs over a 10 year period, potentially increasing baseline funding available in future farm bills.

The Committee on Energy and Natural Resources received an instruction of \$198 billion, which was revised to include funding for DOI. The last minute inclusion of DOI programs in the budget resolution comes at the urging of AFWA via American Wildlife Conservation Partners (AWCP), [13 Western Democratic Senators](#), and House Natural Resources Democrats.

The resolution was adopted in the Senate on August 11; the House cut its recess short to pass the resolution on August 24. The resolution requires Committees to submit legislation to the Budget Committee by September 15. Upon reporting the legislation, the recommendations will be packaged together by the Budget Committees into an omnibus reconciliation bill.

Moderate Democrats in the House threatened to break the narrow Democratic majority by voting against the resolution unless the infrastructure vote came first. Democratic leadership agreed to hold the infrastructure vote no later than Sept. 27, a few days before surface transportation authorizations are set to expire Oct. 1

Reconciliation – House Natural Resources Committee Markup

The House Natural Resources markup began on Sept. 2. As it currently stands, the HNR reconciliation bill includes major priorities for conservation and state agencies that have been years in the making. This includes \$250 million for aquatic ecosystem restoration, \$150 million for federal priority streamgages, and \$9.5 billion for coastal and great lakes restoration with \$400 million for the Pacific salmon recovery fund and \$250 million for grants to states and tribes for marine hatcheries. \$150 million is included for USFWS ESA recovery, with an amendment adopted in markup devoting \$75 million of those funds for developing CCAs and CCAAs for candidate and other at-risk species. Specific language is included for implementation of the Fish and Wildlife Act and Fish and Wildlife Coordination Act, with \$100 million for grasslands restoration and \$10 million for mapping and assisting conservation and restoration of wildlife corridors.

Recovering America's Wildlife Act (H.R.2773/S.2372)

The path forward for the *Recovering America's Wildlife Act* now focuses on garnering support from at least ten Senate Republicans in order to make it in the priority queue with leadership for floor action in this Congress. Those Senators will be paired with willing Democrats to maintain bipartisan support as cosponsors are onboarded. We strongly encourage and greatly appreciate any touches to those priority Senate targets that have been identified as receptive and likely to support from conversations with our Senate bill champions, Sens. Heinrich (D-NM) and Blunt (R-MO). Please feel free to reach out to Kurt or Sean to discuss Senate targeting and strategy. We will also be circulating state specific sign-on letters to demonstrate strategic in-state support from state fish and wildlife agencies and partners shortly. Thank you in advance for any assistance you can lend to that effort as well. Momentum is building on the Senate side and we feel that the source of funding language included in the recently introduced Senate bill ([S.2372](#)) will leverage additional bipartisan support on the House side as well.

Our House sponsors will still be able to add cosponsors to the House bill in pro-forma sessions during recess and we have made some excellent recent pickups to reach a total of [110 bipartisan cosponsors](#) on the House side. The House bill (H.R.2773) was one of a dozen or so bills heard in the Water, Oceans and Wildlife subcommittee of the House Committee on Natural Resources on July 29th. Successful navigation of that hearing sets the stage for a full House Natural Resources Committee markup this fall.

FY22 Appropriations

On July 29, the House voted along party lines to pass a \$620 million package of seven appropriations bills, including the Agriculture, Energy and Water Development, and Interior and Environment bills. The Agriculture and Interior-Environment bills provide for 12% and 20% year over year increases in discretionary spending, respectively. None of these bills are expected to pass as written in the evenly-divided Senate, however. The House Appropriations Committee has advanced all 12 of its bills using a split on nondefense and defense programs.

On July 27, the Senate Appropriations Committee advanced the FY22 Agriculture, Energy and Water, and Military Construction and Veterans Affairs spending bill, with the remaining nine bills planned to receive consideration before the end of September. Given the length of the recess and the impending September 30th deadline, a stopgap spending bill to avoid a partial government shutdown seems likely.

AFWA Pursuing Changes for Abandoned Mine Drainage Funding

While we were pleased to see reauthorization for the Abandoned Mine Land Reclamation Program included in the *Infrastructure and Jobs Investment Act* passed by the Senate, as well as an additional \$11.3 billion authorized for the fund, we are actively pursuing amendments that would allow AML funds to be used on all Acid Mine Drainage projects and make funds eligible for states' set-aside accounts. Several state agencies in AMD states sent a letter to the House committees of jurisdiction requesting these amendments. Discussions continue regarding Senate outreach strategy, and we encourage states to reach out to their delegations supporting these changes.

AFWA Position on Migratory Bird Protection Act ([HR 4833](#))

AFWA has reviewed and is concerned about the reintroduced Migratory Bird Protection Act of 2021 (HR 4833). While AFWA has supported the core issue of the bill, which would amend the Migratory Bird Treaty Act to include prohibitions on incidental take, as it currently stands the bill would also mandate the USFWS to establish an overly prescriptive permitting process. Further, it would include state fish and wildlife management actions in the definition of "commercial activity" – therefore requiring a federal permit. If our current understanding holds true and the bill is enacted, it would be a substantial federal overreach on state authority.

Rather than establishing a permitting process via statute, we'd much prefer to see a permitting system established through a regulatory process. We have a well-established process and history of working effectively with the Service that allows for state and stakeholder engagement to craft the right solution rather than a statutorily mandated solution that ties all our hands and makes it difficult to adjust and improve if necessary. We have done the work to create a redline which identifies ways to preserve and enhance the definition of incidental take but eliminates aspects of the bill that would be cumbersome, excessive, and potentially burdensome. We will continue to remain engaged on this issue and will urge the authors to engage with the Service to get their perspective.

ADMINISTRATIVE UPDATES

Conservation Reserve Program Acceptances

On August 23, USDA [announced](#) that it has accepted 2.8 million acres into the Conservation Reserve Program (CRP). 1.9 million acres of this were offered through the general signup and 897,00 acres through the Continuous Signup. Within the continuous signup, producers have submitted 296,000 acres in SAFE practices and 20,000 acres for CLEAR30.

The Continuous Signup remains open and CRP Grasslands Signup closed earlier in August, so USDA expects to enroll more acres into all of CRP than the 2.99 million acres that are expiring. Because of the policy changes made earlier this year, USDA has reversed the 15-year trend of declining enrollment and, likely, 4-year trend of a widening gap between enrolled and authorized acreage. Nevertheless, 4 million acres will expire in 2022, and 2 million more in 2023, while the acreage cap increases to 25.5 and 27 million acres, respectively.

AFWA LPC Listing Comment Letter

On August 30, AFWA submitted comments in support of WAFWA and their member states encouraging the Service to avoid jeopardizing the success of current state recovery efforts for the LPC, which include the Western Grassland Initiative and the Lesser Prairie Chicken Range-Wide Conservation Plan (RWP), as well as Western Association of Fish and Wildlife Agencies (WAFWA) Conservation Agreements and the Range-Wide Oil and Gas Candidate Conservation Agreement with Assurances for the Lesser Prairie-Chicken (CCAA). It highlighted that since 2006, LPC range states have operated under a memorandum of understanding that directs WAFWA to oversee and report on a comprehensive conservation strategy for prairie ecosystems, including for the population and habitat of the LPC. In addition, if the service proceeded with listing, the letter encouraged a 4(d) rule that includes the conservation actions in the RWP and its mitigation framework, which should be central to all LPC conservation efforts.

Service and CDC Petitioned to Ban Wildlife Import and Export

On August 3, petitions were submitted to the [U.S. Fish and Wildlife Service](#) and the [Centers for Disease Control and Prevention](#) to ban the import and export of wild mammals and birds, which would undermine state authority and legal, science-based hunting. In response, the American Wildlife Conservation Partners transmitted letters to the USFWS and CDC opposing the petitions, to which AFWA signed on with more than 35 other organizations. These letters laid out strong arguments for the benefits of hunting and the need for continued state management of public trust species. In addition, AFWA will be submitting an individual letter as well highlighting various legal issues for the Service and CDC to consider in their response.

CWD Alliance Request for Proposals

The Chronic Wasting Disease Alliance has released this [request for proposals](#) for CWD applied research grants, with a September 17 submission deadline. Selected projects will be funded up to \$90,000, with potential for increased funding from partners and stakeholders. Research priorities include assessment of disease management actions, prion detection, CWD transmission, human dimension impacts and carcass disposal options. For more information and to submit proposals, please contact Matt Dunfee, Project Coordinator of the CWD Alliance at mdunfee@wildlifemgt.org

2021 EPA Decontamination Conference

The Environmental Protection Agency has announced the 2021 International Decontamination Research and Development Conference, to be held from November 1-5. The conference is free to attend and will have overlap with CWD, particularly in regards to carcass disposal research. The EPA is seeking presentation volunteers and abstracts, with a submission deadline of August 31st. Please see the [conference website](#) for more information or to submit an abstract.

APHIS COV-2 Strategic Framework Released for Comment

On August 24, the USDA released and is requesting comment on the [draft strategic framework](#) for implementing \$300 million in funding from the American Rescue Plan Act for SARS-CoV-2 surveillance and other emerging and zoonotic disease. While details are few, the plan is designed around the One Health approach and focuses on expanding surveillance to a wider range of animal species including domestic and wild animals, with a heavy focus on livestock. AFWA is evaluating the framework for comment, and we encourage individual states to comment as well. The deadline for comments is October 8.

AFWA Submits Recommendations for USFWS Mitigation Policy

As legislatively mandated by FY21 spending bills, the USFWS has formally begun the process of issuing an updated policy for compensatory mitigation. On August 25, [AFWA transmitted this letter](#) to the Service with recommendations for their upcoming policy, highlighting the role of states, the need for early and often consultation with state agencies, and the importance of integrating state agency expertise into implementation of mitigation strategies. A draft policy from the Service is expected shortly, with a formal proposal by the end of the year.

2021-2022 Station Specific Hunting Regulations Finalized

On August 31, the Service issued the final rule for 2021-2022 Station-Specific Hunting and Sport Fishing Regulations, opening and expanding hunting and sport fishing opportunities across 2.1 million acres, an historical expansion for outdoor recreation opportunities. This includes 88 National Wildlife Refuges and one National Fish Hatchery. AFWA [submitted official comment](#) supporting this expansion and requesting further consideration and consultation with the Alaska Department of Fish and Game for opportunities in Alaska. Please [click here](#) to see the Interior's press release.

Migratory Bird Hunting Regulations Released

On August 31, the Service published the final rule for [2021-2022 Seasons for Certain Migratory Game Birds](#), covering seasons, hours, areas, and daily bag and possession limits for doves, pigeons, ducks, common gallinules, and Wilson's snipe. Additionally, the Service published proposed [2022-2023 Migratory Game Bird Hunting Regulations with Requests for Indian Tribal Proposals](#), which includes general duck season regulatory alternatives and other preliminary proposals. The Service Migratory Bird Regulations Committee will be meeting on September 28-29 at 11ET to consider and develop proposed regulations. The deadline for comments is September 30.

Senate Interior Budget Hearing

On Tuesday, July 27, Secretary Haaland testified before the Senate Committee on Energy and Natural Resources during a hearing to examine the President's budget request for the Department of the Interior for Fiscal Year 2022. The hearing largely focused on the Administrations freeze of oil and gas leasing, but members raised questions regarding grizzly bear delisting, 30x30, and water infrastructure. For the full hearing and the Secretary's witness statement, please [click here](#).

NRCS Climate Smart Investments

In furtherance of USDA's new [climate-smart agriculture and forestry \(CSAF\) strategy](#), NRCS is providing \$10 million through the Environmental Quality Incentives Program to support climate-smart agriculture and forestry practices in 10 states - Arkansas, Florida, Georgia, Michigan, Minnesota, Mississippi, Montana, North Carolina, Pennsylvania and Wisconsin. States were selected based on demonstrated demand for additional support for climate-smart practices. This pilot will be expanded through a comprehensive effort across all states and programs to support farmers, ranchers and forest landowners in fiscal year 2022.

NOAA Draft Mitigation Policy

The National Oceanic and Atmospheric Administration released its draft [Mitigation Policy for Trust Resources](#) and requested comments. To form comments, AFWA hosted a call with fisheries administrators from coastal and great lakes states as well as other relevant staff. Our letter encouraged a final policy that promotes deeper federal-state cooperation and recognizes state authority as well as including mechanisms for flexibility while maintaining consistency. Additionally, we requested NOAA to clarify within regional and issue-specific guidance methods for valuing habitat and mitigation and the role of partner federal agencies at the project level. [Please click here for the final letter.](#)

Scoping CWA 401 Changes

The Environmental Protection Agency initiated the process for new changes to Clean Water Act section 401 regulations by publishing notice of intent and opening a public scoping period. In order to ensure consensus between states, AFWA submitted our previous comments on the EPA's 2019 rule that were developed throughout a lengthy and thorough process. Our cover letter explained the germaneness of our previous comments to this scoping request and expressed our commitment to working with the EPA throughout this process. For the final comment, [please click here.](#)

Growing Climate Solutions Act Passed in Senate

On June 24, the Senate passed the Growing Climate Solutions Act ([S. 1251](#)) by a 92-8 vote. Senators Braun (R-IN), Stabenow (D-MI), Graham (R-SC), and Whitehouse's (D-RI) legislation establishes a Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program through which USDA can provide transparency, legitimacy, and informal endorsement of third-party verifiers and technical service providers who help private landowners generate carbon credits and participate in private carbon markets. Third party entities, certified under the program, will be able to claim the status of a "USDA Certified" technical assistance provider or carbon credit verifier. Companion legislation has been introduced in the House with bipartisan support.

Farm Bill Field Guide

AFWA, through the North American Bird Conservation Initiative (NABCI), contributed to the newly released [Field Guide to Fish and Wildlife Conservation in the Farm Bill, 2018-2023 Edition](#). This field guide is a tool to assist the staff of federal and state fish and wildlife agencies, non-governmental organizations, Migratory Bird Joint Ventures, and other conservation partners in implementing and explaining Farm Bill conservation programs. The Guide is primarily designed for those who work collaboratively with private landowners and agricultural producers to improve soil health, water quality, and fish and wildlife habitat.

Proposed ESA Regulatory Revisions Coming

On June 4, USFWS and the National Marine Fisheries Service (the Services) released a plan to revise implementation of the Endangered Species Act, following Executive Order 13990, which required agencies to review and address agency actions during the last four years. The Services will initiate rulemaking in the coming months to:

- Rescind regulations that revised Fish and Wildlife Service’s (FWS’) process for considering exclusions from critical habitat designations, reverting to regulations 50 CFR 424.19 and the 2016 policy on 4(b)(2) exclusions;
- Rescind regulatory definition of habitat;
- Revise regulations for listing species and designating critical habitat to reinstate prior language affirming that listing determinations are made “without reference to possible economic or other impacts of such determination;”
- Reinstate protections for species listed as threatened under ESA by reinstating the “blanket 4(d) rule,” which extends protections provided to endangered species to those listed as threatened; and
- Revise regulations governing section 7 consultation for interagency cooperation.

AFWA will be watching closely for these changes as they are proposed and will engage the states and relevant AFWA committees in detailed discussions at that time.

NOAA Finalizes Wisconsin Shipwreck Coast National Marine Sanctuary

On June 23, NOAA issued a [final rule](#) implementing designation of the Wisconsin Shipwreck Coast National Marine Sanctuary. Initially proposed by the state of Wisconsin along with Lake Michigan communities, the Sanctuary encompasses approximately 962 square-mile area of the waters and submerged lands of Lake Michigan. For details, including a map of the new Sanctuary waters, please click [here](#).

AFWA Sends 30x30 General Principles to Biden-Harris Leadership

This spring, AFWA finalized our 30x30 general principles, which are intended to inform the Administration on how AFWA member agencies believe Executive Order 14008, “Tackling the Threat of Climate Change at Home and Abroad,” should be viewed and implemented. The [final General Principles](#) were sent to DOI, FWS, CEQ, OMB, and USDA leadership for their consideration.

AFWA Comments on EO 14008

On 4-29, AFWA, through its Agricultural Conservation and Energy & Wildlife Resources Committees, [submitted comments](#) in response to USDA’s [Notice of Request for Public Comment on the Executive Order on Tackling the Climate Crisis at Home and Abroad](#). AFWA’s comments focus on the role of grasslands and wetlands in USDA’s Climate-Smart Agriculture and Forestry strategy; guidelines for expanding bio, wind, and solar energy; and the need for additional technical assistance to work with private landowners.

Personnel

NOAA Appoints Fisheries Assistant Administrator

On June 21, NOAA announced the appointment of Janet Coit as NOAA Fisheries Assistant Administrator, the lead role for NOAA fisheries. Her appointment was effective immediately. She will also be serving as Acting Assistant Secretary of Commerce for Oceans and Atmosphere and NOAA Deputy Administrator. Coit previously served as director for the Rhode Island Department of Environmental Management for more than a decade, and succeeds acting NOAA Fisheries Assistant Administrator, Paul Doremus.

Wilkes Nomination for USDA NRE

Homer Wilkes, the current director of the Gulf of Mexico Ecosystem Restoration Division of the Natural Resources Conservation Service, was nominated as USDA's Under Secretary for Natural Resources and Environment. Wilkes is one of five Federal Executive Council members to oversee the rebuilding of the Ecosystem of the Gulf of Mexico after the BP Oil Spill of 2010. Dr. Wilkes' tenure with USDA spans 41 years; he has served as the Acting Associate Chief of NRCS from 2010-2012, State Conservationist for Mississippi, Chief Financial Officer at NRCS HQ, Deputy State Conservationist for Mississippi, and Chief of Administrative Staff for the South Technical Center for NRCS in Fort Worth, Texas.

Moore Selected as USFS Chief

On June 28, Secretary Vilsack announced that Randy Moore will serve as the 20th Chief of the U.S. Department of Agriculture's (USDA) Forest Service, a position that does not require Senate confirmation. Randy Moore has been serving as Regional Forester in the Pacific Southwest Region in California since 2007 where he has responsibility for 18 national forests and for administering State and Private Forestry programs in Hawaii and the U.S. affiliated Pacific Islands. Moore also has national-level experience in Washington, D.C., serving as acting Associate Deputy Chief for the National Forest System and the National Deputy Soils Program Manager.

Bonnie USDA Nomination Advances

On July 29, the Senate Agriculture Committee held a confirmation hearing for Robert Bonnie to be Under Secretary for Farm Production and Conservation. Bonnie currently serves as Deputy Chief of Staff and Senior Advisor for Climate at USDA. He led the USDA Transition Team and served in the Obama-Biden Administration as Under Secretary for Natural Resources and Environment. In April, AFWA joined America's Wildlife Conservation Partners (AWCP) in supporting Bonnie's nomination via an AWCP letter in support of Bonnie's nomination. Bonnie faced several negatively phrased questions about the Administration's updates to the Conservation Reserve Program, but his confirmation is expected.