



## Sustainable Use of Wildlife Committee

**Chair: Doug Vincent-Lang (Alaska)**

**Vice-Chair: Dave Kay (Alberta)**

**Tuesday, September 26<sup>th</sup>  
10:00 AM – 12:00 PM (MDT)  
Glen 205 – Upper Level**

**[113<sup>th</sup> AFWA Annual Meeting](#)**

### **Committee Charge:**

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

### **Subcommittees and Working Groups:**

U.S. Furbearer Conservation Technical Working Group

## **Minutes of the Meeting**

- **Agenda review, adjustments, and opening comments**
  - Vice-Chair Dave Kay chaired the meeting at the request of the Chair.
- **Introductions**
  - 52 guests and members attended the meeting representing 15 State fish and wildlife agencies, 5 provincial agencies, 2 U.S. Federal agencies, 2 Canadian Federal Agencies, 8 NGO organizations, and 1 University.
- **Approval of Minutes from the previous meeting**
  - Vote of Acclamation: A motion to approve the minutes from the [meeting](#) during the North American Wildlife and Natural Resources Conference was made by Vice-Chair Dave Kay and unanimously carried by membership present. **Vote of acclamation with unanimous consent carries.**
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- **AFWA Think Tank/Experts List (Gordon Batcheller)**
  - See Appendix for the full report provided by Gordon Batcheller

- **National Survey of Fishing, Hunting, and Wildlife-Associated Recreation Results (Jerry Leonard)**
  - [The 2022 National Survey of Fishing, Hunting and Wildlife Watching Shows Economic Contribution of \\$395 billion to US Economy](#)
  - The survey shows that hunting and fishing contributed \$145 billion to the US economy while wildlife watching contributed another \$250 billion, 39 million people (15% of the U.S. population 16 years and older) participated in recreational fishing, 14 million people (5.5% of the U.S. population 16 years and older) participated in hunting, 148+ million people participated in wildlife watching, 47+ million people participated in target shooting, and 19+ million people participated in archery.
  
- **Conservation Leaders for Tomorrow Program (Dave Windsor)**
  - **Primary Educational Goal is:**
  - “to provide future and current leaders of the natural resources profession with an understanding of the diverse values & important roles of hunting and its impact on conservation to ensure that hunting is considered a relevant and important component of wildlife conservation; not by creating more hunters but by creating a conservation workforce aware of the history, values, roles, and future of hunting in wildlife conservation”
  - **Primary Objective:**
  - “to provide future and current leaders of the natural resources profession with an understanding of the diverse values & important roles of hunting and its impact on conservation to ensure that hunting is considered a relevant and important component of wildlife conservation; not by creating more hunters but by creating a conservation workforce aware of the history, values, roles, and future of hunting in wildlife conservation”
  - **Progress:**
  - Since inception of CLFT in 2005, we have conducted 160 Workshops and 35 online cohorts reaching over 3000 individuals. Includes participation from 42 state agencies, 5 federal agencies, 5 NGOs and 55 Universities
  - **Conservation Partners:**
  - Since 2012 we have maintained “Cooperative Agreements” with each of the four Regional Associations where state agencies can opt in to participate in our programs
  - We do not consider our relationship a “business/ customer” relationship
  - **Program Summary for 2022-2023**
  - 5 online cohorts
  - 7 in-person workshops
  - 4 locations
  - 28 states and the USFWS
  - 147 professional participants
  - **2023-2024 Season**
  - 8 in-person workshops
  - 4 locations
  - 3+ - online cohorts
  - 28 State Agencies
  - 2 Federal Agencies
  - 1 NGO

- 187 registered participants
  - **CLfT Guidance Committee – 2023-2026**
  - David Buggs – Texas Parks and Wildlife (Past Participant)
  - Tim Beck – Indiana DNR/ HE (Instructor)
  - Sarah Fleming – Ducks Unlimited (Instructor)
  - Leo Miranda-Castro – C w/o C, USFWS Retired (Instructor)
  - Jamie Nack – Univ of Wisconsin –Madison (Instructor)
  - Robert Boyle – South Carolina DNR – (Director)
  - Bob Byrne – Bob Byrne Consulting (Instructor)
  - (May add individuals on an as needed basis)
  - **Guidance Committee**
  - The Guidance Committee will serve several functions.
  - Most importantly, they will serve as the connection to your agency and organization’s needs. They will provide needs assessment, curriculum/ program review, experiential learning options, and make equipment and resource upgrade recommendations.
  - Although this committee will not set policy, they will ensure that the knowledge and skills delivered through our programs align with the needs of the conservation workforce. Their work will help CLfT staff make wise decisions, resulting in the best education program for the natural resource agency professional.
- **Wildlife and Sportfish Restoration Partner with a Payer update (Tom Decker)**
    - Partner With a Payer strengthens the ties between the people who make a successful partnership work- the manufacturers that pay excise tax through the Wildlife and Sportfish Restoration Acts, the state agencies that conserve wildlife and habitat across the country, and the Wildlife and Sportfish Restoration Program of the U.S. Fish and Wildlife Service.
    - For more information see: <https://partnerwithapayer.org/>
    - Tom gave a presentation on signage that will be deployed in strategic locations to educate the public about the work of WSFR and how excise tax dollars are being used to benefit the public, wildlife, and habitats. The [presentation](#) is posted.
- **Safari Club International (Regina Lennox/Beebe Frederick)**
    - **Summary:** SCI, and partners such as Sportsmen’s Alliance Foundation and the National Rifle Association, continue to defend sustainable use and hunting access in courts around the U.S. We have seen trends in plaintiffs challenging predator management efforts, especially State efforts to control large populations of wolves and bears. We have also seen mounting challenges to the use of traditional lead ammunition. (We oppose these lawsuits as restrictions on hunting access, without a clear link between negative impacts of lead usage in a specific hunting area and without additional development of alternative ammunition to lead.) We are also involved in two cases challenging Endangered Species Act (ESA) delistings, which reflect a significant problem with moving large carnivores back to State management.
    - **Gray wolf delisting:** In February 2022, a California federal district court vacated the 2020 removal of gray wolves across the Lower 48 United States from the ESA lists of endangered and threatened species. The court’s decision was appealed. That appeal is on hold, pending a status review of wolves being conducted by the U.S. Fish and Wildlife Service (USFWS). The USFWS is proceeding in that review and has obtained updates from several States and Tribes, including Washington, Oregon, Wyoming, Idaho, and Montana.

On a separate track, the Center for Biological Diversity (CBD) sued the USFWS for two ESA violations: (1) failure to conduct a status review of the gray wolf and (2) failure to develop a national recovery plan for the gray wolf. The status review claim is resolved by the ongoing status review mentioned above, but, recently a federal court denied a motion to dismiss CBD’s claim that the USFWS must develop a nationwide gray wolf recovery plan. If the USFWS loses this claim, it will be required to develop a recovery plan for a species that it believes is recovered—not a good use of federal resources.

- **Louisiana black bear delisting:** A group of plaintiffs challenged the 2016 delisting of the Louisiana black bear. SCI successfully intervened to defend the delisting and obtained a dismissal of the case from a federal court in DC. However, the plaintiffs refiled in Louisiana, and the case has been pending a decision for almost two years. If the plaintiffs succeed, a bear population that has been delisted for over seven years and is doing very well under State management will be put back on the ESA lists—again, not a good use of limited resources. In addition, the case has hamstrung the State’s ability to open a bear hunt.
- **Lead ammo and tackle on National Wildlife Refuges:** CBD previously challenged the 2020 Hunt Fish Rule, which expanded hunting and fishing on over 2 million acres of National Wildlife Refuges across the U.S. The case was settled by CBD and the USFWS in 2021, with the USFWS agreeing to respond to CBD’s petition to phase out the use of lead ammunition and tackle across the National Wildlife Refuge System. In early June 2022, the USFWS denied CBD’s petition for a national ban or phase-out of lead ammo, but stated that it will consider restrictions on lead ammo and fishing tackle on specific refuges. In the 2023 Hunt Fish Rule, the USFWS proposed regulations to phase-out the use of lead ammo and tackle on eight refuges in Maine, Massachusetts, Maryland, and Virginia as of 2026. In the meantime, three groups have sued the USFWS in federal court in DC to challenge the 2022 Hunt Fish Rule, which declined to pledge to phase-out the use of lead ammo on the Canaan Valley National Wildlife Refuge in West Virginia after the State objected to this plan. SCI, Sportsmen’s Alliance Foundation, and the NRA successfully intervened to defend the USFWS’ decision and deference to the State.
- **Lead ammo on Kaibab National Forest:** In 2012, CBD and other organizations sued the U.S. Forest Service, seeking to ban the use of lead ammo on the Kaibab National Forest in Arizona. The groups allege a novel claim under an anti-pollution law, the Resource Conservation and Recovery Act, which holds a polluter liable for releasing “solid waste” into the environment. The case was dismissed twice by a federal district court in Arizona. But the appellate court revived the case both times. However, recently the case was dismissed a third time and the appellate court finally affirmed the dismissal, finding that the Forest Service does not “contribute” to the use of lead ammo by deferring to the State of Arizona’s hunting regulations. A ruling for the plaintiffs would have opened the way to future lawsuits trying to use federal anti-pollution laws against hunting with traditional ammunition.
- **Lawsuit against the Department of Education’s defunding of hunter ed and archery:** SCI, its West Michigan Bowhunters Chapter, and Sportsmen’s Alliance Foundation sued the U.S. Department of Education over its misinterpretation of federal law, which led the Department to announce that federal education funds could not be used to fund hunter education, archery, shooting sports, and outdoor education classes or programs in elementary and secondary schools in the U.S. [Postscript—Congress in October 2023 amended the federal law on which the Department relied. Through the lawsuit, SCI et al.

confirmed that the Department will no longer prohibit the use of federal education funds to support these programs.]

- **Rulemaking petitions challenging predator management practices:** Several organizations have sent petitions to the U.S. Secretary of the Interior to amend USFWS regulations to prohibit the disbursement of Pitman-Robertson wildlife restoration dollars to any state which engages in predator management at “levels that compromise healthy populations of wildlife.” According to these groups, laws expanding the hunting and trapping of wolves in Montana and Idaho and Alaska’s Intensive Management of wolves and bears compromise healthy populations of these species, and these States should not receive Pitman-Robertson allocations. The Secretary has not acted on these petitions yet. However, SCI believes the organizations will sue to force her to make a decision.
  - **Colorado mountain lion petition:** A group is seeking to ban “trophy hunting” of mountain lions, lynx, and bobcat in Colorado by a ballot initiative that would be voted on in 2024. The group defines “trophy hunting” as any hunting of these animals, with a specific focus on hunting with dogs.
  - **Leopard import permits:** SCI is defending the USFWS’ issuance of a number of permits to import leopards from Tanzania, Zambia, and Zimbabwe. The plaintiffs, including CBD and Humane Society International, are challenging the USFWS’ decision-making process for non-detriment findings. They are seeking to require the USFWS to consider certain information in these findings. [Postscript—in October 2023, a federal court in Arizona dismissed the plaintiffs’ claims. The court did not reach the issue of whether the USFWS is properly following its regulations for making non-detriment findings.]
- **Update: Current and Future Multi-State Grants (Bryant White)**
    - The Committee has no grants in 2023
    - The Committee has received approval for its MSCG submission for the 2024 cycle
    - The MSCG awarded for 2024 will fund a national survey of trappers to collect information on trap types used by trappers (to document use of BMP traps and guide future research), furbearer species preferred, number of trappers nationally (to document current growth in trapper numbers...yes, trapper numbers are increasing!), understand trapper demographics, etc. This will be the fourth iteration of this survey which was conducted in 1992, 2005, 2015. We need to repeat this survey every 10 years to guide research and communication efforts. We will partner with Responsive Management to conduct this survey.
    - Under this grant we AFWA will also conduct Trapping Matters Workshops and Wild Fur Schools for state and federal agencies, The Wildlife Society, and other Conservation Organizations
    - The Committee will also be partnering on a MSCG awarded to SEAFWA on developing social media packages for agencies to use for trapper and furbearer hunter recruitment and to educate the public about the importance of trapping in wildlife management. This is a critical need because the public is highly uninformed about trapping and, as a result, easily misinformed by groups with anti-trapping agendas.
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  - **Update: [Best Management Practices for Trapping](#) (Bryant)**
    - The AFWA Furbearer Conservation Working Group will conduct a survey of State fish and wildlife agencies on current trapping regulations and R3 efforts conducted for trapping

- Partnering with the American Rescue Plan to sample mesocarnivores for SARS-CoV-2 to investigate susceptibility and disease transmission dynamics
  - As of September 30, 2023 the program has sampled 18 species of wild mammals totaling 346 samples.
- Trap Testing field projects for the development of BMPs, and SARS-CoV-2 testing during the fall of 2023 will focus on badger, bobcat, coyote, gray fox, marten, opossum, raccoon, red fox; incidentally captured skunks will be tested for SARS-CoV-2. Projects will be conducted in 15 states including Arizona, Arkansas, Idaho, Indiana, Kansas, Maine, Maryland, Missouri, Montana, Nebraska, New Mexico, New York, Ohio, Pennsylvania, Texas involving all regions. We anticipate the capture of ~300 animals during these projects.
- **Update: Canadian Trap Testing and Certification Program (Dave Kay)**
  - The program has been doing work recently with testing lethal snares for coyotes and will expand that program to test devices on wolves
  - A reference trap model has been developed for foothold traps used for wolves and coyotes
  - For more on the program see: <https://fur.ca/research-and-information/trap-research-and-testing/>
  - Some discussion was held about the potential to hold a meeting of the **Joint Management Committee for the Agreement on International Humane Trapping Standards**. The committee generally meets every other year but has not met in some time. The Canadian group is working to organize a meeting. US representatives will be invited to the meeting.

**Assignments for next meeting:**

- The AFWA Furbearer Conservation Technical Working Group will develop a **Conservation Brief on Predator Management**. The group will have a draft prepared for review before the March meeting of the SUWC in Grand Rapids, Michigan.
- The AFWA Furbearer Conservation Working Group requested that the SUW Committee consider **a new charge for the working group**. The working group will request approval at the March meeting in Grand Rapids. Charge:
  - To promote public appreciation for and understanding of the importance of furbearer management programs currently conducted by state, federal, tribal, territorial, and provincial agencies (1) by promoting and coordinating innovative research on the conservation, management, and humane capture of furbearers, (2) by promoting co-operative and symbiotic partnerships with allied resource efforts where the management of furbearers is a critical component – such as endangered species restoration, flood control, watershed management, and wildlife damage management, (3) by providing a platform for wildlife professionals to share and acquire information that advances professional expertise, networking, and communications, and (4) by representing the United States of America in appropriate international fora where commitments for best management initiatives regarding furbearers are discussed and debated.

# Appendix

AFWA Think Tank Report



ASSOCIATION *of*  
FISH & WILDLIFE  
AGENCIES

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The voice of fish and wildlife agencies

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September 12, 2023

**To:** Sustainable Use of Wildlife Committee

**From:** Gordon Batcheller, AFWA's Legal Strategies Advisory Council ("Think Tank")

**Re:** AFWA-sponsored team of experts

### **Background**

AFWA's Legal Strategies Advisory Council (Think Tank) seeks to proactively address new and emerging issues that have a bearing on fish and wildlife agency authorities. The Think Tank's current work plan (2021-2023) was developed with input from the Sustainable Use of Wildlife Committee, among several others.

A need was identified to create an AFWA-sponsored roster of experts on a wide variety of topics. This has now been deployed and is available for AFWA staff when they require technical expert input on short notice.

An overview of this project follows:

### **Objective**

To establish an AFWA-sponsored team of experts to assist fish and wildlife agencies in providing public information/testimony in response to legal challenges to agency authorities and programs.

### **Background and Approach**

A persistent pattern of "animal activism" emerged over 40 years ago, characterized by aggressive campaigns to undermine or truncate fish and wildlife agency authorities or programs or both. In some cases, activists seek legislative remedies to their grievances; in others, they elevate their campaigns to ballot initiative/referendum. In many cases, these campaigns appear to generate significant revenue for the organizing entity.

A typical campaign may generate considerable media and political attention. In some cases, thousands of emails or letters are sent to elected policy makers demanding action, yielding significant political pressure directed towards leaders of fish and wildlife agencies.

There is wide variation in the ability of fish and wildlife agencies to respond to these political campaigns.



In cases where agency employees are restricted or prohibited (by internal policy) in responding to these campaigns, animal activists are easily capable of controlling messaging (to their advantage).

The purpose of this project was to identify a pool of AFWA-sponsored experts who are available to serve as credible sources of information to assist fish and wildlife agencies who are constrained in their own ability to respond to hostile campaigns. In some cases, this would take the form of AFWA-sponsored experts testifying at a hearing or speaking to the media or both; in other cases, those experts would augment AFWA staff as they assist fish and wildlife agencies in conveying scientific/management information related to a hostile campaign. In all cases, this pool of experts would not be deployed without the express request and consent of the agency Director, as well as with the knowledge and concurrence of AFWA staff and policy makers.

To identify key issues subject to past, present, or future “animal activism,” AFWA conferred with members of the Sustainable Use of Wildlife Committee, and reviewed web content from major animal activist organizations to determine their current campaign priorities. From these sources, contemporary issues were identified, and listed below.

## **Active Campaigns**

### Methods of Take

- “Wildlife killing contests<sup>1</sup>”
- “Canned hunts”
- Fur trapping
- Lead hunting ammunition
- Use of bait to take wildlife (e.g., spring bear hunting)
- Use of hunting dogs (e.g., bear and mountain lion hounding)
- “Trophy” hunting

### Species-based Campaigns

- Wolf management
- Brown bear (Grizzly) management
- Feral horses and burros
- Wolverine listing (ESA)
- Canada goose round ups/culling
- Take of marine mammals
- Prairie dogs
- Mountain lions
- Black bear hunting (e.g., CA, NJ, FL), trapping (e.g., ME)
- Trade in bear parts (e.g., gallbladders)
- Bobcat hunting and trapping

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<sup>1</sup> Note: Terms used by animal activist groups are replicated here, though they do not necessarily accurately reflect the nature of the activity from the perspective of fish and wildlife agencies. Predictably and consistently, animal activists adopt carefully crafted language for their campaigns featuring pejorative language, designed to elicit an emotional response during their campaigns. Examples include “canned hunts,” and “killing contests.”

## General

- Commercial use of wildlife, especially wild furs and other wildlife markets
- Import of “trophies” (especially from Africa)
- USDA/Wildlife Services “War on wildlife”
- America’s Wildlife Values study, and misuse of Relevancy Roadmap

## **Status**

A roster of experts has been created and made available to the Government Affairs Staff at AFWA to use and manage at their discretion. On an as needed and short-term basis, this roster is available to help facilitate AFWA’s work to protect agency management authorities and programs.

The actual mechanism and process for the use of this resource follows:

The experts listed are considered reliable sources for information on the categories shown. They should be considered a potential resource to assist AFWA staff on short-order/urgent needs (e.g., responding to legislation or inquiries from elected officials, their staff, or anyone within a state provincial fish and wildlife agency, with the approval/knowledge of each respective Director). Procedure: When the need is identified, Gordon Batcheller or other AFWA personnel can contact the individual to assess their availability, ability, and interest to assist with these needs. This should be done on a case-by-case basis.

The roster of experts will be updated as new issues or experts are identified and kept current on a shared drive available to AFWA staff.

And questions about this resource should be directed to Gordon Batcheller, [gordon.batcheller@gmail.com](mailto:gordon.batcheller@gmail.com).

C: Think Tank Members