



# Facilitation of Hunting Heritage and Wildlife Conservation

*The Recreational Hunting and Wildlife Conservation Plan  
as directed by Executive Order 13443*





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*The Recreational Hunting and Wildlife Conservation Plan  
as directed by Executive Order 13443*

*A Ten-Year Plan for Implementation*

Developed in cooperation with the Sporting Conservation Council (a federal advisory committee), diverse volunteers from state agencies, conservation and sportsmen's organizations, and participants in the White House Conference on North American Wildlife Policy.

December 14, 2008





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# Executive Order 13443: Facilitation of Hunting Heritage and Wildlife Conservation

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. The purpose of this order is to direct Federal agencies that have programs and activities that have a measurable effect on public land management, outdoor recreation, and wildlife management, including the Department of the Interior and the Department of Agriculture, to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

Sec. 2. Federal Activities. Federal agencies shall, consistent with agency missions:

- (a) Evaluate the effect of agency actions on trends in hunting participation and, where appropriate to address declining trends, implement actions that expand and enhance hunting opportunities for the public;
- (b) Consider the economic and recreational values of hunting in agency actions, as appropriate;
- (c) Manage wildlife and wildlife habitats on public lands in a manner that expands and enhances hunting opportunities, including through the use of hunting in wildlife management planning;
- (d) Work collaboratively with State governments to manage and conserve game species and their habitats in a manner that respects private property rights and State management authority over wildlife resources;
- (e) Establish short and long term goals, in cooperation with State and tribal governments, and consistent with agency missions, to foster healthy and productive populations of game species and appropriate opportunities for the public to hunt those species;
- (f) Ensure that agency plans and actions consider programs and recommendations of comprehensive planning efforts such as State Wildlife Action Plans, the North American Waterfowl Management Plan, and other range-wide management plans for big game and upland game birds;

(g) Seek the advice of State and tribal fish and wildlife agencies, and, as appropriate, consult with the Sporting Conservation Council and other organizations, with respect to the foregoing Federal activities.

Sec. 3. North American Wildlife Policy Conference. The Chairman of the Council on Environmental Quality (Chairman) shall, in coordination with the appropriate Federal agencies and in consultation with the Sporting Conservation Council and in cooperation with State and tribal fish and wildlife agencies and the public, convene not later than 1 year after the date of this order, and periodically thereafter at such times as the Chairman deems appropriate, a White House Conference on North American Wildlife Policy (Conference) to facilitate the exchange of information and advice relating to the means for achieving the goals of this order.

Sec. 4. Recreational Hunting and Wildlife Resource Conservation Plan. The Chairman shall prepare, consistent with applicable law and subject to the availability of appropriations, in coordination with the appropriate Federal agencies and in consultation with the Sporting Conservation Council, and in cooperation with State and tribal fish and wildlife agencies, not later than 1 year following the conclusion of the Conference, a comprehensive Recreational Hunting and Wildlife Conservation Plan that incorporates existing and ongoing activities and sets forth a 10 year agenda for fulfilling the actions identified in section 2 of this order.

Sec. 5. Judicial Review. This order is not intended to, and does not, create any right, benefit, trust responsibility, or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH  
THE WHITE HOUSE,  
August 16, 2007







## Sporting Conservation Council

*A Federal Advisory Committee*

9828 North 31<sup>st</sup> Avenue  
Phoenix, Arizona 85051-2517



December 10, 2008

Honorable James L. Connaughton  
Chairman  
Council on Environmental Quality  
722 Jackson Place NW  
Washington, D.C. 20503

Dear Chairman Connaughton:

Thank you for the opportunity to partner with you on one of the most important efforts to affect hunting and wildlife conservation policy in our time. We deeply appreciate CEQ Associate Director for Agriculture and Public Lands Greg Schildwachter's presentation to us on December 2, 2008 in Washington D.C. regarding the completion of the first edition of the *Recreational Hunting and Wildlife Conservation Plan* (Action Plan) that sets forth a ten-year agenda for fulfilling the actions identified in Executive Order #13443.

We strongly endorse the approach to the Plan, particularly the 58 Actions listed on pages 49-51 that are linked back to the more specific supporting actions presented in the body of the Plan under the major topic headings listed on page i. We also appreciate the clear and direct tie of the Action Plan to the "White Papers" prepared by the Sporting Conservation Council in support of the Policy Conference directed by the Executive Order. That tie is a clear validation of our continuing close partnership in this important work on behalf of America's hunting heritage and wildlife conservation.

We remain committed to perhaps the most important criteria for an effective plan: that it is absolutely apolitical and bipartisan in both form and substance. We look forward to working on implementation of the Plan and to future opportunities for providing input on future editions.

Sincerely,

Bob Model  
Chairman

CC: Secretary Ed Schafer  
Secretary Dirk Kempthorne  
Under Secretary Mark Rey  
Assistant Secretary Lyle Laverty  
Assistant Secretary Steve Allred





# Introduction

On August 17, 2007, President George W. Bush signed Executive Order 13443: *Facilitation of Hunting Heritage and Wildlife Conservation*. The Order directs federal agencies “to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.”

The historical significance is clear: 2008 marks the centennial of President Theodore Roosevelt’s Governors’ Conference on Conservation. Through the conference and other efforts, President Roosevelt established a burgeoning conservation movement as an issue of national importance. The thrust of the movement was straightforward: America possesses a bounty of natural resources and landscapes with unique characteristics that should be protected and conserved for present and future generations. This purpose animated an array of federal policies that guided conservation practices throughout the 20th and into the 21st centuries.

In May 2008, the Departments of the Interior (DOI) and Agriculture (USDA) and the White House Council on Environmental Quality (CEQ) held a reception at the Department of the Interior to commemorate the anniversary of the Governor’s Conference and formally launch implementation of Executive Order 13443: a similarly historic endeavor to address modern challenges and shape conservation and wildlife dependent recreation in the 21st Century.

Executive Order 13443 directs federal agencies to work in coordination with the Sporting Conservation Council Federal Advisory Committee, state, and tribal fish and wildlife agencies and the public to “facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat” in a manner that respects state management authority over wildlife resources as well as private property rights.

To achieve this goal, the Order calls upon the chairman of the CEQ to convene, within one year, and periodically thereafter, a White House Conference on North American Wildlife Policy to facilitate the exchange of information and advice needed to fulfill the purposes of the Order. The Order also calls for a comprehensive ten-year Recreational Hunting and Wildlife Conservation Plan that will set forth an agenda for implementing the actions called for in the Order.

Over the last year, a diverse cross section of federal, state, local, and tribal government officials, Members of Congress and their staffs, sporting and conservation organizations, and the private sector have engaged in an intense effort to assess 21st century issues and develop innovative ideas for consideration at the conference and possible inclusion in the ten-year Recreational Hunting and Wildlife Conservation Plan.



Sen. Blanche Lincoln (D-Arkansas) addresses the Congressional Sportsmen's Caucus briefing on the Action Plan.



Representatives of the shooting sports industries, nonprofit groups, and state and local government attended the White House Conference: Jay McAninch, Archery Trade Association; Glen Salmon, Indiana Division of Fish and Wildlife; Mitch King, Archery Trade Association; and Melissa Simpson, U.S. Department of Agriculture.



Jeff Crane, Congressional Sportsmen's Foundation; Dirk Kempthorne, Secretary of the Interior; Jim Caswell, Bureau of Land Management; and Rex Amack, Nebraska Game and Parks Commission and AFWA President discuss the Action Plan with conferees.



Beginning in the fall of 2007, the Sporting Conservation Council (SCC) assembled diverse working groups to begin developing recommendations for implementing the goals of the Order. These groups offered background information, identified challenges, and proposed goals and opportunities for addressing them.

The work of the Council supported the White House Conference on North American Wildlife Policy in Reno, Nevada, on October 1–3, 2008. Conferees reviewed topics based on the Council's white papers, which informed the discussion sessions at the Conference. CEQ, USDA, DOI, and the Sporting Conservation Council gathered comments and ideas from individuals and partners who share a common commitment to enhancing conservation and hunting in the 21st Century.

This Action Plan presents the results of all these meetings, workshops, and detailed deliberations under headings for background information, goals and recommendations from the Sporting Conservation Council, and Actions. Note that the goals and recommendations from the Council are not the product of the Administration but the work of the Council as presented to the Secretaries of Interior and Agriculture. The Actions are the product of CEQ based on the input of the Council, a diverse coalition of federal, state, local, and tribal government officials, Members of Congress and their staffs, sporting and conservation organizations and private individuals. This Administration offers this first edition of the plan—the first of many to follow as it evolves over time—as a strong starting point. As a statement of bipartisan policy, it is feasible and widely supported. The plan is a sound basis for developing hunting and wildlife policy through subsequent administrations.

Bringing the sporting community together with policymakers would not have been possible without the Sporting Conservation Council, a federal advisory committee. Therefore, the first action in the plan is to establish the Council in law.



Arlen Lancaster, National Resource Conservation Service; John Tomke, Ducks Unlimited Mexico; Greg Schildwachter, Council on Environmental Quality; Jimmy Bullock, Resource Management Service; and Rebecca Humphries, Michigan Department of Natural Resources, listen to the conferees.

(left) Secretary Dirk Kempthorne attends a planning meeting with conference staff.



Vice President Richard Cheney addresses the White House Conference.

*“The Sporting Conservation Council, which we created in 2006, has proven itself to be an excellent source of insight and good judgment. Congress should formally authorize it for a ten-year term to help us carry out that ten-year plan.”*

— Vice President Richard Cheney  
October 3, 2008

## Action

### 1. Pass legislation authorizing the Sporting Conservation Council.

Drafters of an authorizing bill should:

- Provide a ten-year term for the Council.
- Consider amending the Federal Advisory Committee Act to allow non-governmental, nonconsensus advice to federal land managers.
- Consider an exemption for information provided by landowners about species of concern under the Freedom of Information Act.
- Identify opportunities to promote cooperating agency status for state agencies.



Arlen Lancaster, Natural Resource Conservation Service, speaks to the conferees.



Mark Rey, U.S. Department of Agriculture, and H. Dale Hall, U.S. Fish and Wildlife Service, make a point during the discussions.



A conferee addresses the panel during one of the breakout sessions at the White House Conference. The panel members are, from left: Dave Nomsen, Pheasants Forever; Ken Mayer, Nevada Department of Wildlife; Mark Rey, U.S. Department of Agriculture; H. Dale Hall, U.S. Fish and Wildlife Service; and Pam Roth, Williams Companies.



Ed Shafer, Secretary of Agriculture, addresses the conference.





# Increasing Public and Private Funding for Wildlife Conservation

## Background

Under the United States Constitution, the states possess broad trustee and police powers over the fish and wildlife within their borders, including fish and wildlife on federal lands within a state. Generally, states have delegated this responsibility to the state fish and wildlife agencies. During the early 20th century, the states management focus was on halting the decline of fish and game and restoring depleted populations through use of harvest regulations, law enforcement, and artificial propagation and stocking. Early on, sportsmen demanded a “user pays” system where fish and wildlife conservation was funded with dedicated revenue from the sale of hunting and fishing licenses. In 1937, sportsmen’s collective actions resulted in the passage of the Federal Aid in Wildlife Restoration Act, commonly known as the Pittman-Robertson Wildlife Restoration Act (P-R).

This historic legislation established a “user pay-user benefit” program that is driven by a “self-imposed” tax on hunting firearms and ammunition; 1970 and 1972 amendments extended this tax to pistols, revolvers, and most archery equipment. These taxes are levied on the manufacturers of the equipment and collected nationally by the Internal Revenue Service, the Tariff and Taxation Bureau, or Customs depending on the type and origin of the equipment. The collections are deposited into the Wildlife Restoration Account, and allocated by the U.S. Fish and Wildlife Service (USFWS) to every state fish and wildlife agency, including U.S. territories, to support the management of the state’s wildlife resources.

In 1950, sportsmen expanded this user pay-user benefit funding mechanism to fisheries with the passage of the Federal Aid in Sport Fish Restoration Act (commonly known as the Dingell-Johnson Fishery Restoration Act). This legislation established an excise tax on most equipment used by anglers with the collections deposited into a Sport Fish Restoration Account. The funds deposited into this account are allocated by the U.S. Fish and Wildlife Service to the states and territories based on the number of fishing licenses sold and the water area within the state. This legislation also assures that all funds collected through the sale of fishing licenses are spent on fishery management activities. Later amendments captured federal fuel taxes attributable to motorboat use for the Sport Fish Restoration Account.

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*... the people our country has relied on to fund fish and wildlife conservation for over the last century (hunters and anglers) are declining as a percentage of the population.*

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With this dedicated funding stream, states were able to retain adequate staffs of well-trained employees and law enforcement staff. Consequently fish stocking and state-level programs for public access and habitat management developed all across the country. Thus began America's system of funding the North American Model of Wildlife Conservation that links the hunter, angler, and the industry they support with educated and trained natural resource management professionals. This user pay-user benefit funding system has been a primary engine for implementing the North American Model of fish and wildlife conservation in the United States for the last 75 years.

Despite this success, the costs of fish and wildlife conservation are increasing with public demands for new and expanded services. Professional managers and the organizations and individuals that help support them now must address a large number of new pressures on the landscape that are rapidly changing the outlook for North America's fish and wildlife. At the same time, hunters and anglers, the people our country has relied on to fund fish and wildlife conservation for over the last century, are declining as a percentage of the population. In short, license revenues are falling as demand for wildlife management is increasing. The descriptions below set forth a number of options for addressing these issues in the 21st Century.

## **SCC White Paper Goals and Recommendations**

- Identify and develop new sources of dedicated, long-term funding for federal, state, and tribal fish and wildlife agencies to support conservation and hunting.
- Capture revenue from future climate change initiatives such as "cap and trade" and earmark that revenue to wildlife, habitat, and conservation education.
- Provide additional incentives to private landowners for voluntary programs to enhance wildlife habitat and hunter access.
- Create landowner incentive-based programs to maintain and increase habitat and to encourage public access for hunting opportunities.



## Actions

### Renew, Extend, and Create Tax Incentives for Conservation and Access.

#### 2. Draft and enact comprehensive tax incentives legislation.

Several existing tax incentives fail to reach all potential beneficiaries because of various limits. A tax incentive bill should include provisions that:

- Authorize permanently the conservation tax incentives, enacted for two years in the 2008 Farm Bill.
- Expand the adjusted gross income (AGI) deductibility cap to 100 percent for donations of conservation easements on lands enrolled in state access programs; donations of access easements (long term) or agreements (short term) for hunting, fishing and other wildlife dependent recreational activities; and other hunting-related land uses not covered by existing policy.
- Classify lands used as hunting and fishing leases and clubs in the same manner as working farms and ranches to allow them to qualify for the current 100 percent AGI deduction allowance.
- Increase the carry forward period from five to fifteen years for donations of access easements for hunting, fishing, and other wildlife dependent recreational activities, thereby providing a more valuable tax cut for landowners.
- Replace the requirement for biweekly reports of excise tax from sporting arms and ammunition with a quarterly schedule consistent with other estimated tax payments.
- Establish a more consistent approach for valuing land associated with tax breaks. For example: a wetlands area of high conservation value may be deemed “worthless” for real-estate development and therefore unrecognized by the Internal Revenue Service (IRS) as the basis for tax incentive.

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*“Our conservation tax incentives have proven extremely effective. We should make these incentives a permanent part of the tax code and expand them to include conservation donors who make their living in the hunting and fishing business.”*

— Vice President Richard Cheney  
October 3, 2008

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Bosque de Apache NWR, NM. Jim Clark/USFWS

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*“Effective immediately, we are increasing the incentives for landowners to enroll in state access programs, which should allow us in the next five years to make available seven million acres of CRP lands for hunting.”*

— Vice President Richard Cheney  
October 3, 2008

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### **Increase Federal Funding for State Conservation and Access Programs and Initiatives.**

#### **3. Recommend new programs and authorities to promote hunter access.**

The primary objective is to deliver a great deal of access and conservation benefits utilizing a small amount of funding. Proposals might include some or all of the following components:

- Create a tax credit for fish and wildlife protections, restoration and enhancement and wildlife dependent recreation. This idea requires further development to ensure simplicity in administration so that the Treasury Department need not administer any program that is more appropriately administered by other agencies. Policymakers should note this would be the first instance of a credit authorized for any charitable donation. Considerations include: permanent and long term habitat conservation and preservation; the donation of hunting and/or fishing access easements to an eligible nonprofit organization to expand, improve and enhance hunting, fishing, and other wildlife dependent activities on refuges and adjacent lands; the donation of land (fee simple) or easements to federal agencies that provide access to isolated or difficult to reach public lands for wildlife dependent recreation or land (fee simple) or easements within the acquisition boundary of a specific tract owned by a federal agency; in the Partners for Fish and Wildlife Program, establish a tax credit for landowners conducting restoration and enhancement activities, as approved by the USFWS; and conservation for rare and declining species.
- Revive the President’s Budget Fiscal Year 2006 proposal for a 50 percent capital gains exclusion for conservation land sales that further the goals of Executive Order 13443 or other existing programs such as North American Wetlands Conservation Act (NAWCA) and State Wildlife Action Plans;

- Provide federal funds to state-based programs that open private lands to hunters and anglers. An example might be tax incentives for timber companies that allow public access and use.
- Authorize the use of non-federal funding to match federal funding for State Access Programs.
- Increase structured hunting programs and recreational shooting opportunities as a means of achieving a net increase in federal land hunting.
- Provide federal technical assistance to states to expand and enhance private land conservation projects on lands enrolled in state access programs.
- Encourage federal or state governments to purchase easements on lands needed to open wildlife corridors, conserve priority wildlife species habitat or to provide access to otherwise inaccessible or difficult to reach federal lands for hunting and other wildlife dependent recreational activities.
- Facilitate National Park Service (NPS) purchase of conservation and access easements from willing sellers on lands adjacent to park units to expand and enhance the use of hunting as a wildlife management tool on the adjacent lands.
- Provide funding for the necessary infrastructure for enrollment in state access programs (signage, fencing, maps, parking pull offs, etc.).
- Establish formal arrangements with states and 501(c)3 organizations to fund public relations and marketing programs for hunting and fishing.

#### **4. Improve the Federal Land Transfer Facilitation Act (FLTFA).**

FLTFA authorizes the Secretaries of the Interior and Agriculture to acquire and dispose of lands in a manner that achieves a net conservation benefit. Federal



PhotoDisc

agencies, when assessing lands for acquisition and disposal, shall expand efforts to achieve “overall net gains” of wildlife habitat, hunting opportunities, and economic benefits to both the federal government and the private sector while respecting the rights of private property owners.

Future debate on FLTFA could:

- Develop a Conservation and Recreation Benefits Index (CRBI) that would be created to “score” potential tracts for their contribution to, for example, migratory corridors, federal trust species, riparian areas, scenic rivers and streams, wetlands and areas that contribute significantly to the conservation and/or protection of groundwater or water quality. Priorities for sale would include high economic value lands identified as yielding little or no natural resources benefit that is consistent with and in furtherance of the mission of the federal agency of jurisdiction.
- Involve the SCC, Congress, and states in considering how receipts could be directed to a non-federal account where they would be leveraged by non-federal funding and obligated to a prioritized list of projects chosen based on their CRBI score.
- Establish priorities for acquisition that would include purchase of title and/or easements on lands needed to open wildlife corridors, conserve priority wildlife species habitat such as waterfowl production habitat, and/or to provide access to otherwise inaccessible or difficult to reach public lands for hunting, fishing and other wildlife dependent recreational activities. All purchases would require certification of a willing seller.

#### **5. Draft and enact an Upland Conservation Act.**

Such a bill would provide a companion law to the North American Wetlands Conservation Act by coordinating upland wildlife conservation the way NAWCA does for waterfowl.

#### **6. Establish the Impact Directed Environmental Account (IDEA).**

This fund would collect fines and mitigation fees under federal conservation laws. The monies so collected would be invested in established conservation goals in partnership with non-federal conservation entities.





## **7. Identify, in cooperation with state agencies, options for improving Federal Excise Taxes (FET).**

The primary means of funding wildlife conservation is the Federal Aid in Wildlife Restoration Program, which collects a federal excise tax and distributes funding to states. An examination of this program should:

- Solicit information from the Association of Fish and Wildlife Agencies Excise Tax working group and equipment manufacturers and retailers.
- Consider expanding or reducing the categories of hunting and fishing equipment currently subject to FET.
- Consider including or excluding categories of wildlife dependent recreation and associated equipment—but only in close coordination with a representative group of affected participants and manufacturing industry that share a desire to have a particular type of equipment included or removed.
- Educate consumers and the public about the categories currently subject to FET, the amount paid, and how the funding is used.
- Develop legislative recommendations to reduce the costs and administrative burdens on manufacturers subject to the FET (i.e., quarterly payments, rather than weekly).

## **8. Establish a blue ribbon panel of experts on wildlife funding.**

The primary means of funding wildlife conservation—the Federal Aid in Wildlife Restoration Program—is more than 70 years old. It is time for wildlife conservationists to reach out to leaders from other sectors of American life to compare and consider additional models of funding.

- Establish and dedicate funding for implementing State Wildlife Action Plans.

## **Identify Potential Partnerships for Voluntary Funding for Conservation.**

## **9. Recommend funding arrangements that pool federal, state, and private funds.**

For example, recommendations might:

- Create a new partnership between state and federal agencies, equipment manufacturers and retailers to collect manufacturers' rebates as funding for wildlife habitat and enhanced outdoor recreation. Funds could go to state wildlife and access projects or programs or to a hunting foundation. The arrangement could involve a widely-recognized logo sticker used at retail stores to indicate the products and rebates and promote positive publicity and satisfaction for manufacturers and consumers. An example is the current use of "Smokey Bear" approved camping equipment.
- Expand the allowable uses of State Wildlife Grants and new grant programs to include communication and education projects and programs that are ranked highly as state wildlife conservation priorities.

## **10. Develop a model state ballot initiative to increase funding for wildlife.**

Use ballot proposals to increase funding for conservation. Local and state initiatives for land acquisition have been successful. Broaden these propositions to include conservation education and experience.





# Improving Wildlife Habitat Conservation

## Background

The states have long been recognized as having primary responsibility for the conservation of resident fish and wildlife. Existing federal statutes—Fish and Wildlife Coordination Act, Sikes Act, National Environmental Policy Act, Federal Lands Policy and Management Act, National Wildlife Refuge System Improvement Act, among others—require coordination between federal agencies and state fish and wildlife agencies during project planning processes and throughout project implementation. Land and resource management projects conducted by federal agencies on federal lands can significantly affect the ability of states to attain or sustain fish and wildlife population goals—this is particularly the case in the western United States where federal lands account for a significant proportion of the land area of most states.

A number of conservation challenges exist that can be addressed by Executive Order 13443. For example, landscape fragmentation brought about by suburban and urban development on formerly wild or agricultural lands is a leading cause of wildlife habitat loss and degraded habitats throughout the United States. Wildlife habitat quality on millions of acres of public and private land is threatened by insect infestation, disease, and the spread of invasive plant species. Reduced levels of vegetation management on lands throughout the country have resulted in reduced availability of young forest habitats and disturbance-dependent forest types such as aspen-birch and, to a lesser degree, oak. These habitats and forest types are important to many species of game and nongame wildlife.

Habitat conservation on private lands is a key to sustaining populations of game and non-game wildlife—this is particularly the case in the eastern United States where most lands are in private ownership. State Wildlife Action Plans, regional bird conservation plans, and game bird conservation plans have documented the loss of biodiversity in the eastern United States due to declines in shrub lands and young forest habitats.

Enhanced cooperation between federal and state agencies could facilitate better public understanding of the role of active management in wildlife conservation and improve public support for the management of disturbance-dependent habitats and associated wildlife. Where big game populations are now contributing to deteriorating range conditions, these populations should be reduced to levels that will allow important early-successional habitats to successfully regenerate.

Farm Bill conservation programs provide financial incentives for landowners to establish and maintain important wildlife habitats by withdrawing lands from crop and forage production. Payment rates through these programs must be a competitive alternative to income from agricultural production or landowners will be unlikely to set aside significant acreages for wildlife habitat enhancement. Recent interest in biofuels has significantly changed these economic considerations. Grain-based and cellulosic ethanol offer opportunities to increase our nation's energy security and benefit rural economies. However, the development of these new sources of energy on a finite land base must be balanced with the demonstrated wildlife habitat benefits derived from existing conservation programs.

## SCC White Paper Goals and Recommendations

- Enhance and improve federal, state, and tribal interagency coordination and staff training on issues and authorities related to habitat conservation and hunting.
- Develop baseline data and use it to set goals and measure and monitor results.
- Ensure that federal and state fish and wildlife management agencies have the infrastructure and capacity needed to be successful in research, educational outreach, habitat and population monitoring, and on-the-ground habitat management activities for both public and private lands.
- Facilitate multi-jurisdictional and/or multi owner conservation and access projects on a landscape scale. An example might be access to more refuge lands.





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*“During our administration, the USDA Forest Service has partnered with hunting groups to improve habitat for game and species such as elk and deer. As a result, across broad stretches of federal lands, the animals now have better food and cover, which can lead to healthier populations. And in 2002, President Bush took one of the most significant and positive environmental steps in our lifetime when he announced the Healthy Forests Initiative.”*

*— Vice President Richard Cheney  
October 3, 2008*

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## Actions

### Develop Baseline Data for Long-Term Goals and Measurable Results.

#### 11. Expand existing wildlife and habitat databases.

Federal agencies will work with state and tribal governments, nongovernmental organizations (NGO), and the private sector to facilitate and build upon existing efforts by public and private entities to develop baseline data and science-based objectives for achieving overall net gains in habitat and populations where consistent with state objectives. The data will be used to:

- Create measurable goals and outcomes for implementation of Executive Order 13443. For example, “X numbers of ducks, turkeys, quail, elk, etc., by August 15, 2018.” Population metrics can be recorded for nationwide increases and/or landscape-scale increases or decreases.
- Populate a standardized, web-based, one-stop-shop to disseminate population data for use in adaptive management, information about best practices, conservation tools, and grant opportunities.
- Coordinate wildlife population and habitat modeling protocols that ensure consistency with most recent research findings.
- Develop, support, and advertise a web-based capability to help identify public lands available for hunting, to learn where to hunt, and also where to learn more about hunting.
- Review current predator control policies at the state level in the context of maintaining elk and deer populations primarily as management objectives.

#### Create Financial Incentives for Private Lands Conservation and Access.

#### 12. Recommend updates to the timing and amount of Conservation Reserve Program (CRP) payment rates.

The Farm Bill governs how CRP payment rates rise or fall based on market information. The next Farm Bill could use these provisions to promote additional conservation and hunting access to:

- Increase rental payments to CRP enrollees who donate or sell hunting access easements on their CRP lands, enter into access agreements, or enroll their lands in a state access program.
- Promote and support added incentives to programs like CRP and conservation easements to encourage landowners to allow public access and public hunting on their lands.
- Review CRP rental rates on a more frequent basis to ensure competitiveness with alternative uses.
- Consider new incentives for keeping properties with the best wildlife habitat enrolled in the CRP program.
- Provide incentives to maintain the continuity of large landscapes; for example, by creating conservation co-ops to manage lands divested by timber companies and other large land holders.



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*“We’ve expanded federal tax incentives to encourage private property owners to designate their property for conservation purposes. The response has been strong and positive. Through the Conservation Reserve Program, we are helping ranchers and farmers to restore grassland habitat. Since 2001, we’ve enrolled more than one million acres in this program — and this has yielded important new nesting habitat.”*

*— Vice President Richard Cheney  
October 3, 2008*

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### **13. Create a grasslands conservation initiative.**

State wildlife agencies will work in consultation with federal agencies, the SCC, and conservation organizations to develop a grasslands conservation initiative or improve/expand existing programs like Sod Saver. The initiative would focus on building a private and sustainable infrastructure for delivery of technical and financial assistance to agricultural producers through a private-public partnership. Framers of the initiative should:

- Develop common metrics and priorities for each state to ensure that projects are targeted toward development of ecologically sustainable habitat.
- Develop a conservation funding source—federal, state, and/or private—to create and implement a grassland conservation initiative.
- Coordinate a model National Grassland/Shrubland Restoration Act prepared for federal public lands to address, among other things, the problem of invasive plant species, such as cheatgrass, overtaking areas of multiple native species and thereby eliminating a good food source for native wildlife.

### **14. Create new options for keeping family-owned private lands intact when inherited.**

To pay federal estate tax, families often must subdivide and sell property to raise cash. To reduce the likelihood of this ownership fragmentation and habitat loss, policymakers should:

- Create programs that identify lands and important wildlife habitat that are at risk of fragmentation due to future estate tax liabilities and place them in easements or conservation programs that can keep the lands intact and preserve their importance to wildlife.
- Develop new incentives to maintain continuity of large landscapes. Develop conservation cooperatives for lands divested by timber companies and other large land holders. Encourage programs that maintain conservation easements or continuity of lands that have value to wildlife.
- Consider, for example, tax incentives, such as expanded conservation and access related deductions, exemptions, and transferable credits that could be enacted in the years remaining before the inheritance tax expires (i.e., allow reappraisal of easement and exempt increased value, if any, from the inheritance tax).

## Improve Habitat on Federal Land: Biofuels and Invasive Species.

### 15. Recommend projects, initiatives and new or improved authorities to enhance wildlife habitat on federal lands by promoting biofuel production.

To manage our nation's forest lands through projects designed to reduce wildfire fuel loads, provide woody biomass for nontraditional products, including biofuels in a manner that enhances and improves wildlife habitat, potential projects, among other possibilities, could:

- Initiate a biofuels initiative to reduce risks of catastrophic wildfire causing habitat loss. The initiative protects habitat and provides conservation funding through stewardship contracts. In planning biofuels projects, federal agencies use best available science and models to determine the amount, kind, and location of early seral habitat to meet desired populations of game and non-game species as determined jointly with state and tribal wildlife management agencies.
- Develop investment tax credits that encourage the development of improved technologies for utilizing woody biomass for cellulosic ethanol. The credit would apply to all stages of a project including the removal of woody biomass and its transportation.
- Ensure that mechanisms that will ensure long-term provision of biomass from federal lands (HFRA byproducts) for creation of ethanol and Co-Gen are in place.
- Authorize federal agencies to retain receipts from the sale of woody biomass to provide priority funding toward habitat restoration in areas impacted by harvest. The remaining receipts would be used to fund the Secure Rural Schools program, additional forest health projects, and to provide access for hunting and other wildlife dependent recreation.
- Develop a national strategy for wind farm siting that will protect the grassland/shrubland steppe and associated wildlife in the face of ever-expanding wind farms and transmission lines.
- Create bond authority to facilitate the use of timber receipts for improved forest health.



### 16. Recommend improvements for controlling species that have detrimental impacts on hunting and fishing opportunities and targeted species.

Objectives of this effort will, among other possible approaches:

- Assess the extent and severity of habitat loss and degradation resulting from outbreaks of native pests, diseases, or invasive species encroachment.
- Assess the existing infrastructure and capacity to combat the most prevalent threats.
- Identify the issues most relevant to hunting access and game species conservation.
- Draft recommendations for addressing the threats identified.
- Target specific conservation education programs for urban landowners and ranchette owners; use the National Association of Conservation Districts to help these owners become conservationists; introduce them to Aldo Leopold's essay, "The Land Ethic."





# Expanding Access to Public and Private Lands

## Background

Hunting and recreational shooting with firearms and archery equipment are important elements of America's outdoor heritage, and are uniquely dependent upon public access to federal, state, and private lands. Constraints on access have been identified as one of the leading impediments to sustaining and growing participation in these activities.

## SCC White Paper Goals and Recommendations

- Create web-based tools that provide easily accessible information about hunting opportunities on federal lands.
- Expand and develop partnerships with the DOI, USDA, and Department of Defense (DOD) to determine what lands could be accessed by hunters and recreational shooters.

## Actions

### Reduce Liability for Access to Private Land.

**17. Draft model state legislation on liability for landowners who provide public access to their property.**

**18. Evaluate and assess public safety risks and risk liability associated with shooting and hunting, commensurate and consistent with other public land recreational activities.**

### Expand Wildlife-Dependent Recreational Opportunities on Federal Land.

**19. Integrate conservation and hunting opportunities into the next Transportation Bill.**

Opportunities might include one or more of the following:

- Establish a Federal Open Trails public land access program with federal, state, private, tribal, conservation organizations, and landowner partners. The initiative would be focused on the restoration and enhancement of existing and legal public access roads that would be restored on a prioritized basis according to extent of use for fishing and hunting access and other wildlife-dependent recreational activities.

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*“Since 2001, our administration has launched scores of new hunting and fishing programs on National Wildlife Refuges. We are working with 40 sportsmen’s groups to further improve hunting and fishing on federal property. We’re also making it easier for sportsmen to know where it is legal to hunt, by marking access points, improving highway signage for trail heads, and providing electronic maps online.”*

*— Vice President Richard Cheney  
October 3, 2008*

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- Create a fund to assess current practices and develop recommendations for wildlife friendly construction project design and seek opportunities to utilize construction equipment for conservation projects on adjacent lands, e.g., creation of wildlife passages, and wildlife-safe fencing.

## **20. Establish a one-stop-shop website of information on hunting on federal land.**

Maps of places to hunt, vendors for equipment and licenses, schedules for training courses and other structured activities, and other types of information can be easily assembled online. Some of this information is already available electronically from federal agencies. Enabling private organizations to identify, collect, and share such information could:

- Create uses of advertising profits from websites.
- Offer a “vertical” search engine with information regarding structured hunting programs, existing programs designed to generate youth and minorities interest in hunting and outdoor recreation, hunter education, equipment, hunting license requirements, hunting regulations, ethical hunting, and other information useful to new and veteran hunters.
- Establish a map page that will allow users to identify opportunities to hunt on public lands. Maps should show lands where hunting is allowed and the location of their boundaries with adjacent lands; access points for hunting on public lands; and have a mechanism that would allow visitors to add additional information that could populate the site subject to review by a “gatekeeper” (who would verify the content added before it is posted). Information added by visitors would appear on the site in a distinct colored font to indicate that it was added by a visitor to the site.

## **21. Recommend improved and enhanced access to public lands where hunting is allowed.**

Helpful information would:

- Assess interagency opportunities for improving and enhancing hunting opportunities for the disabled; provide access to difficult, or impossible to reach federal lands; incorporate hunting and recreational shooting into federal agency's planning processes. Revise BLM/USDA Forest Service management plans to designate shooting areas.
- Request an interagency data call for a compilation of opportunities to access adjacent public lands through lands they oversee when hunting on adjacent lands would be a beneficial wildlife management tool. For example, in 2008 the Secretary of Interior announced an assessment of National Park Service units to determine the potential benefits of facilitating access to hunting on adjacent federal lands as a wildlife management tool. Such access is already provided at Rocky Mountain National Park (RMNP), which allows hunters to access Arapahoe National Forest through the park as a means of promoting recreational opportunities while concurrently reducing the park's overpopulated elk herd. The assessment would seek to determine where similar programs would be desirable as a wildlife management tool in other park units. Note: pending regulations related to carrying concealed firearms on NPS lands do not affect the RMNP program and would not impact the ability to undertake a similar program in other park units.



## **22. Establish shooting ranges in urban areas as a part of urban centers for outdoor activities.**

- Improve connectivity of school groups to the outdoors.
- Develop a model “hunting easement” similar to a conservation easement for use in providing or protecting hunting opportunities.
- Expand and develop partnerships among USDA, DOI, DOD, Department of Energy (DOE), USFWS, BLM, Bureau of Outdoor Recreation (BOR), NPS, and USDA Forest Service to determine accessible federal lands for hunting and recreational shooting.
- Explore shooting range and hunting opportunity potential assessed as part of the military Base Realignment and Closure (BRAC) process.
- Fund or implement programs resulting from the call for proposals improving federal land access, an initiative under the umbrella of the Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding.
- Facilitate an effective federal government-wide process to use non-federal funds for acquiring hunting and shooting access to federal lands.

### **Provide Specialized Training for Federal Employees.**

## **23. Recommend and implement a training curriculum for federal employees on the history, ecology, and management of hunting on public land.**

Understanding the historic and current roles of hunting in wildlife conservation will help federal employees conduct hunting programs, fully consider hunting in conservation programs and activities, and communicate with hunters. The curriculum will:

- Explain the North American Model of Wildlife Conservation and the American system of conservation funding.
- Communicate a consistent framework that will assess the impacts of project proposals on wildlife populations and hunting opportunities.







- Market strategies to better communicate the availability of existing programs designed to provide educational outreach and technical assistance for private landowners.
- Establish more scholarships and stipends from private entities to bring new people, youth, and minorities to outdoor/hunting/wildlife conferences.

**24. Require all federal land management supervisory personnel to complete a state-sanctioned hunter education course, or an equivalent program.**

Equivalent programs would include those sanctioned by the International Hunter Education Association that teaches the practices, heritage, and traditions of modern hunting in the United States.

**25. Teach best practices for hunting programs in formal training for federal land managers.**

These courses of instruction will provide training in both general and specialized topics (for example, best practices for managing controlled hunts) suitable for a range of employees at all levels in the federal work force. This training shall be incorporated into the formal training program of all employees managing federal lands. This program shall be operational and begin no later than Fiscal Year 2013.





# Educating, Recruiting, and Retaining Hunters

## Background

Between 1990 and 2005, participation in hunting declined by 4.4 percent, continuing an overall trend of decline between 1980 and 1991. This is part of a larger trend away from nature-based recreation of almost all types and a growing disconnect between children and the outdoors. In fact, competition for time from a growing array of leisure opportunities has drawn people away from hunting and shooting sports.

Also contributing to the change in the social landscape is an aging U.S. population. Further, the U.S. population is projected to increase from 282 million in 2000 to 420 million by 2050 (U.S. Census Bureau 2004). The changing family structure reflects further modifications to the U.S. social structure.

In addition to their financial contributions to resource management, sportsmen and sportswomen have traditionally formed the backbone of organizations that provided political support for policies that form the basis of the North American Model of Wildlife Conservation. Failure to reduce the decline in the trend will reduce the funding available to federal and state agencies, as well as NGOs, with a subsequent decline in wildlife habitat and outdoor experience opportunities.

Hunters, trappers, and anglers have traditionally introduced these activities to family and close friends. The social structures in support of hunting and recreational shooting traditions have eroded, however, as the U.S. populace has shifted from a rural to an urban culture.

As society becomes more urbanized and as urbanites have reduced ties to rural settings, the opportunities to take part in these activities have declined. The mobile nature of our society is exemplified by the rate of annual changes of address. As families scatter across the landscape for economic opportunity or retirement, the ability to retain hunters and recruit others into hunting traditions is lessened. While rural upbringing contributes to a propensity to hunt among males, other factors, such as gender and availability of a parent or mentor who hunt, play a role in hunter recruitment. Participation in these activities by women and minorities has historically been very low.

Education programs, such as the Archery in the Schools Program, are vital to the preservation of hunting traditions. A variety of programs mainly aimed at youth, minorities, and women have demonstrated that North Americans are still interest-

ed in learning traditional hunting and fishing skills. These programs offer women, youth, and minorities opportunities to learn skills outside the traditional family setting. They have been successful in increasing participation in traditional hunting, have increased sale of licenses and equipment, and have increased the interest of participants in natural resource management. Recent information suggests, however, that greater structure in youth and minorities activities will be required to engage the next generation of hunters.

An aging leadership within agencies also threatens retention of the foundation within the natural resource profession to ensure the future of the North American Model of Wildlife Conservation. Reports estimate that 27.2 percent of conservation professionals plan to retire by 2010; among leadership positions this was nearly half (46.1 percent) and is projected to exceed three-fourths by 2015 (76.7 percent). While this presents opportunities in natural resources careers, skills needed to address contemporary conservation challenges have changed, and questions arise about the tendency of new hires to embrace a traditional self-sustaining hunting, fishing, and conservation culture. With the advancing age structure in state and federal resource agencies, a primary concern has been the loss of core competencies, leadership skills, and institutional memory.

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*“Conservation also means passing on a way of life to the next generation — a tradition of sportsmanship, cooperation, and respect for the natural world.”*

*— Vice President Richard Cheney  
October 3, 2008*

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*“No other country on earth does a better job than the United States at respecting the environment and caring for the wonders of nature. And one of the reasons for that leadership is the active concern and participation of the American sportman.”*

— Vice President Richard Cheney  
October 3, 2008

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## SCC White Paper Goals and Recommendations

- Create a Hunting and Shooting Heritage Foundation similar to the Recreational Boating and Fishing Foundation.
- Use social sciences and marketing for hunter retention and recruiting.
- Use the Foundation as a forum to bring together industry, NGOs, state, and federal agencies.
- Establish a foundation based on implementation of the ten-year plan. Engage a Chair or Director to manage the foundation; create this entity outside CEQ, and have it be specifically aimed at the wildlife and hunting heritage.
- Use this foundation to generate youth and minorities interest through service programs aimed at wildlife and conservation.
- Develop an “Open Fields,” walk-in hunting access to private lands (which was authorized in the 2008 Farm Bill).
- Use focus groups and other marketing tools to determine how best to understand and reach young people.
- Be sure to put marketers or public relations experts in leadership positions, as well as biologists and hunting enthusiasts as the foundation is established.
- Establish the institutional framework and priorities for education, recruitment, and retention.
- Establish hiring and training standards.
- Ensure that new professionals entering the wildlife field are well exposed to practical experience in the field through programs and training. Help them with the basics of hunting and its relevancy and value to conservation practices for federal land management agencies, and ensure that personnel understand and value the importance of hunters and anglers to wildlife management.
- Increase structured hunting, shooting, and conservation education programs on federal lands.

- Seek visible Executive endorsement for American’s involvement in natural resource based recreational activities and engage influential people as spokespersons in support of the North American Model of Wildlife Conservation.
- Develop ways and means to effectively create and distribute information on the Model/Public Trust Doctrine for dissemination to a wide target audience, including the general public, academic programs, and state, tribal, and federal agencies.

## Actions

### Promote Hunting among Various Demographic Groups.

#### **26. Waive or discount entrance fees for federal hunting lands for veterans and active duty military personnel.**

Policymakers who address this issue anew will need to find a rationale for favoring military personnel for applying these benefits to military personnel and not others. Subject to that, this idea could:

- Work with veterans’, conservation, and sportsmen’s organizations to identify opportunities to expand and enhance hunting on DOD bases by active duty military personnel, provided that hunting would not have a negative impact on Defense’s mission; hunting should also provide beneficial recreational opportunities and be a wildlife management tool.
- Develop a Wounded Warrior Hunting and Fishing Program to provide opportunities for injured and disabled veterans and soldiers to hunt.
- Expand opportunities on USDA, USDA Forest Service, BLM, and USFWS lands for disabled veterans to hunt.



Horicon NWR, WI. Ryan Hagerty/USFWS

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*“Our administration is encouraging young people to learn about the outdoors through federal programs like “Kids in the Woods” — which works to teach children about conservation and the role of responsible wildlife management.”*

*— Vice President Richard Cheney  
October 3, 2008*

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## **27. Recommend new and better means of communicating with youth and minorities.**

- Engage AmeriCorps volunteers that have expertise and interest in hunting and fishing to be mentors to American youth and minorities.
- Use new technology such as YouTube.com and Facebook.com to reach a new generation.
- Create electronic games for cell phones, computers, and play stations that involve hunting and fishing, plant and animal identification, and promote nature acronyms for texting.
- Promote geocaching for youth and minorities.
- Establish a speakers’ bureau for school lectures and activities, possibly drawing from parks and recreation agencies.
- Develop an image for media use of a young or minority person that enjoys the outdoors. Perhaps through television programming, this healthy spokesperson would establish name or face recognition for hunting and make it a “cool” outdoor activity.
- Include a teacher or a teachers’ council to advise a hunting foundation.
- Create and support an exchange program for federal and state employees to teach once a week or once a month in the local schools, particularly in the more urban areas where professionals do not get to explore or talk about what they learned in the field. This will reinvigorate the employee and also give students the benefits of first-hand experience. This “teacher on loan” can educate about wildlife, hunting, instill respect for the outdoors, discuss new energy technology, and relate all of the subjects back to other subjects such as biology, math, and English, especially as they relate in individual state standards of learning (SOLs).

## **28. Develop and fund a hunting access and conservation program within the Youth Conservation Corps.**

Led by AmeriCorps, federal agencies will work with sportsmen’s organizations including outdoor-oriented youth and minorities’ organizations such as the Boy Scouts, Girl Scouts, and the Student Conservation Association to provide opportunities for teens to perform a summer of service working in a natural resources field under the supervision of mentor volunteers. The program, which will be developed in partnership with existing programs such as Ducks Unlimited “Project Webfoot” and US Sportsmen’s Alliance “Families Afield” program will be initiated by volunteers from the sportsmen’s community and federal agencies, who have undertaken appropriate screening and training, who will recruit and lead teams that undertake trail, signage, and habitat conservation projects designed to enhance and improve wildlife dependent recreation and conserve wildlife habitat.

- Initiate a mentoring corps and engage former hunters. These could be aligned with federal land areas. This recruits new hunters and brings former hunters back into the fold.
- Create a national coalition consisting of NGOs, industry, state, and federal agencies. Pittman-Robertson funds could be used to fund this effort.
- Create a national youth and minorities hunting coalition consisting of NGOs, industry, state, and federal agencies. Pittman-Robertson funds could be supporting (≤15 percent).

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*Develop ideas and mechanisms for capturing the imagination and interest of young and minority people and demographics not traditionally engaged in fishing, hunting, and other forms of outdoor recreation.*

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## **Promote Hunting through Public-Private Partnerships.**

### **29. Commission a Presidential Hunting and Shooting Sports Partnership Council.**

Such a council would design, establish, and promote an American Hunting and Wildlife Foundation. The Foundation would be charged with promoting wildlife conservation and reversing declining trends in hunter participation. The Foundation could:

- Imitate the structure of the Recreational Boating and Fishing Foundation.
- Focus on recruitment and retention of hunters and shooters.
- Seek other funds beside the Pittman-Robertson funds unless the resulting reduction in P-R funding to states is offset with an expansion of the P-R program or changing the federal aid match rate to 90:10.
- Promote hunting to young and minority people, the disadvantaged and handicapped through structured hunting, shooting mentoring, and education programs. The initiative would initially focus on coordination between existing programs to avoid redundancy and the need to develop an entirely new framework and capacity.
- Work with state and local school officials and boards and with the U.S. Department of Education to place curricula on the role of hunting in conservation and wildlife management.
- Provide family programs and teaching camps on a variety of outdoor and adventure activities, i.e., birding, hunting, shooting, and fishing.
- Engage energy companies on opportunities for youth and minorities hunts on company properties.
- Develop new partnerships with non-land/wildlife management departments and agencies (i.e., the State Department) and the private sector (ESPN Outdoors, MTV, the International Mountain Biking Association (IMBA), the Boy Scouts, and equipment retailers and manufacturers). Develop ideas and mechanisms for capturing the imagination and interest of young and minority people and demographics not traditionally engaged in fishing, hunting, and other forms of outdoor recreation.
- Achieve overall gains in career conservationists through integration of the North American Model of Wildlife Conservation into educational exhibits and programs; a joint initiative to assist schools and universities in the creation of the curriculum (based on the North American Model of Wildlife Conservation) and promotional activities necessary to urge the development of a new base of career conservationists; market conservation education to teachers urging them to cultivate their passion for wildlife and conservation and to pass it on to their students.
- Promote the ten-year Recreational Hunting and Wildlife Conservation Plan and measure progress.
- Provide funding incentives to states that have effective (measurable) programs in hunter recruitment and retention.
- Administer competitive matching grants to state wildlife agencies for programs and initiatives directed at generating youth and minorities involvement in hunting and hunting ethics.
- Report periodically on progress toward increasing recruitment and retention.





### **30. Issue new regulations to promote responsible filming and photography on public land.**

Since passage of Public Law 106-206, which authorized the Department of Interior to begin charging fees for commercial filming on public lands, the Department has been drafting regulations to govern commercial filming. Final regulations should:

- Clarify how commercial crews can seek permission to film on public land.
- Involve the public in reviewing filming proposals.
- Ensure that the media continues to have the ability to inform the public about public lands.

### **31. Amend Executive Order 13443 to require specific performance, reporting, and updates to the Action Plan.**

- Develop a requirement for relevant federal agencies to develop a competency-based approach, to ensure that federal staff are hired, trained, and rewarded in a manner that promotes an understanding and commitment to the importance of hunters and anglers to wildlife management, the benefits of hunting and fishing as outdoor recreational activity, and the use of hunting as a wildlife management tool.
- Incorporate opportunities for hunting and recreational shooting into public land management, planning, and decision-making. Specifically, consider integrating hunting and recreational shooting opportunities in all federal agency plans for travel management, land management, analyses under the National Environmental Policy Act (NEPA), and related road closures and other access limitations; ensuring that hunting and recreational shooting opportunities are a priority; and by tracking compliance.
- Charge the Sporting Conservation Council with issuing annual recommendations for implementing Executive Order 13443 and this action plan, as well as any amendments to this plan.





# Coordinating Federal, State, Tribal, and International Action

## Background

Facing human population growth, development, climate change and other factors, federal, state, and tribal wildlife managers of North America believe wildlife resources of this continent can only be sustained with more effective collaboration. Wildlife conservation efforts aimed at managing populations, habitat, and people must be coordinated to achieve these goals.

Although most apparent in addressing migratory species, interstate fishery resources and other federal trust species, the importance of coordination is also evident in the management of resident species or populations that cross state, state/tribal boundaries, or reside on federal public land. Development of federal, state, and tribal land management plans and actions should be developed in concert because of the proximity of these lands to one another and because actions taken on one governmental entity's land may have an impact on wildlife and habitat occurring on the same range or habitat type.

Although a great deal of progress has been made through the Cooperative Conservation Task Force, and other programs and initiatives, some challenges must be addressed to maximize collaboration and achieve the stated goals. The challenges continue to occur at all levels of federal, state, and tribal governments. Improvement is necessary to meet the fish and wildlife conservation challenges of tomorrow. To do so, federal and state wildlife agencies and tribal governments should coordinate and collaborate in planning, decision-making, and implementation activities to achieve maximum wildlife conservation success for the nation.

## SCC White Paper Goals and Recommendations

- Develop infrastructure and capacity that will improve and enhance collaboration and communication between federal, state, and tribal governments to achieve seamless implementation and integration of wildlife objectives.
- Ensure that federal agencies, state agencies, and tribal governments collaborate in wildlife conservation efforts aimed at managing populations, habitat, and people to achieve landscape-scale goals. Desired population levels of game and non-game species negotiated between state, federal, tribal, and private entities.

One benefit would be to avoid current frequent conflicts between population objectives for game and non-game species.

- Ensure that federal agencies, state agencies, and tribal governments integrate the seven principles of the North American Model of Wildlife Conservation—as described in the SCC white papers—into resource management decision-making.

## Actions

### Assess Existing Lines of Coordination.

#### **32. Produce and act on a rigorous assessment of existing authorities related to hunting and game conservation.**

Many aspects of hunting and wildlife conservation span the authorities of state, federal, and tribal governments. Various formal and informal means of coordinating these responsibilities have evolved. To examine and improve these relationships, it may be necessary to:

- Convene an expert panel of natural resource management and legal professionals.
- Identify relevant authorities and craft a user-friendly compendium for use by relevant federal employees.
- Identify conflicting authorities that result in detrimental impacts to wildlife conservation and outdoor recreation and craft potential statutory and regulatory language to clarify and/or reconcile these conflicts.
- Develop a user-friendly compendium of relevant authorities that will be shared with federal employees and non-federal partners.
- Collect and update formal coordination agreements such as memoranda of understanding (MOU) and Letters of Transmittal, that should be established or updated. Note: historically, these agreements have been made between the federal agencies and the Association of Fish and Wildlife Agencies (AFWA) on behalf of the states. Agreements should include coordination at all levels of the organizations.
- Produce a detailed proposal for a Public Land Law Review Commission.

### Enact Improvements.

#### **33. Expand and enhance cross-boundary efforts to use hunting as a wildlife management tool.**

Such efforts typically address overpopulated deer herds. These populations overlap state lines and neighboring state and federal lands. To coordinate management among the states and with federal agencies may require a memorandum of understanding outlining the planning and execution of management projects. Such an MOU would include some or all of the following steps:

- Identify a population control issue and contact relevant state fish and wildlife agencies to explore existing authorities and mechanisms—such as new or amending hunting seasons—that can be utilized on federal and/or adjacent state lands.
- Determine that when new or amended hunting seasons or programs will not be possible or sufficient, agencies will work with states to assess the possibility

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*Many aspects of hunting and wildlife conservation span the authorities of state, federal, and tribal governments. Various formal and informal means of coordinating these responsibilities have evolved.*

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of working jointly to utilize qualified volunteers on federal lands to assist in culling operations.

- Authorize the use of contraceptives only upon a joint conclusion, under the terms of the MOU, that none of the above alternatives are available and/or adequate and with the concurrence of the state fish and wildlife agency.

#### **34. Recommend improvements and enhancements to state-federal coordination on wildlife conservation and hunting opportunities.**

Ideas likely to guide development of these recommendations would:

- Improve the ability of states to match federal funds with a model state law creating new dedicated state funds from product sales, impact fees, transaction fees, and other potential revenue sources.
- Complete an objective report on liability and other legal impediments to supervised participation in youth and minorities hunting that identifies improvements possible without changes to existing law, and also those that would require changes in state or federal law. Three examples of legal impediments are: prohibitions on Sunday hunting on federal and state land, age requirements for licensing, and improvements to hunter education requirements.
- Establish a formal, routine coordination and communication among federal, state, and tribal wildlife managers—possibly relying on the Cooperative Conservation Task Force.
- Clarify and simplify state and federal regulations on hunting.
- Develop best management practices for hunting and wildlife conservation consistent across both state and federal agencies.
- Promote federal legislation that clearly enhances the state fish and wildlife agencies' role, their right and jurisdiction to manage wildlife, which includes the timing, manner, and place of take of wildlife.
- Distribute drafts of model legislation that guides implementation of laws and regulations ensuring wildlife species, whether free-ranging or in captivity, remain the jurisdiction and responsibility of states and provinces, and, where appropriate, federal wildlife management agencies.

#### **35. Convene an International Congress on Wildlife Conservation among heads of state and their representatives.**

The purpose of such a gathering would be to review, share, and propose better coordination among the domestic wildlife conservation programs of the participating nations. A possible outcome could be an in-service learning exchange program between U.S. Fish and Wildlife Service staff and their counterparts in foreign countries.

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*Promote federal legislation that clearly enhances the state fish and wildlife agencies' role, their right and jurisdiction to manage wildlife, which includes the timing, manner, and place of take of wildlife.*

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# Understanding Climate Change and Wildlife Effects

Success in implementing Executive Order 13443 means expanding and enhancing wildlife conservation in a manner that integrates emerging scientific data and related climate change policy into the management of wildlife habitat and wildlife dependent recreation.

The United States' Climate Change Science Program (CCSP) highlights recent advances and future directions for climate change research. These efforts need to be integrated into consideration of how climate change affects game species, populations, individuals, and habitats in the future. Opportunities exist to better utilize observed effects of climate change in habitat conservation and adaptive management. It is also important to ensure that the effects of climate change on wildlife populations, habitat, and wildlife dependent recreation is taken into account when addressing the greater challenges inherent in undertaking model-based projections.

## SCC White Paper Goals and Recommendations

- The CCSP should include studies of the effects of climate change on at risk game species, populations, and habitats.
- The federal government's climate change efforts should include state, university, and tribal partnerships in determining effects of climate change on at risk game species, populations, habitat, and in fulfilling the intent of Executive Order 13443.
- CCSP agencies and the natural resource management community should use expanded research partnerships among natural resource agencies to assist in efforts underway to design, construct, and implement adaptation strategies for at risk game species, populations, and habitats using adaptive management principles.

## Actions

### Establish Lines of Communication.

#### **36. Establish an advisory relationship among federal land management agencies, state agencies, and conservation organizations on climate change.**

Coordinating agencies should:

- Assess the potential of forests and wetlands on federal lands to sequester carbon biologically.
- Identify the programs and/or authorities necessary to create an insurance pool against carbon loss during sequestration contracts.
- Work with private sector partners to determine whether a market would exist for the proposed insurance pool.
- Develop mechanisms that would enable receipts from private sector insurance payments to be retained for improving or expanding wildlife species habitat and for creating access for fishing, hunting, and other wildlife dependent recreation on federal lands enrolled in carbon sequestration programs.
- Direct revenue from future climate change initiatives such as “cap and trade” to wildlife, habitat, and conservation education.
- Incorporate carbon exchange rates in creating incentives for landowners to conserve habitats.



PhotoDisc





### **Improve Data and Policy.**

**37. Publish guidance to ensure federal agencies consider the effects of climate change on wildlife, habitat and wildlife-dependent recreation.**

**38. Refine CCSP data to describe climate effects on wildlife populations and habitats.**

The CCSP defines, measures, and models climate at large geographical scales too big to relate to the smaller-area concerns of wildlife managers. Closing this gap in analytical scale and several other ideas may be useful.

- Ensure that CCSP and other available data are made available for inclusion into the various agency management planning and decision-making processes related to the implementation of Executive Order 13443.
- Develop, through the CCSP and partners, models and forecasts at informative geographic scales that will relate climate-related changes to biological responses of at risk game species, populations, and habitats.
- Use expanded research partnerships with natural resource agencies to assist in the design, construction, and implementation of adaptation strategies for at risk wildlife species, populations and habitats, using adaptive management principles.
- Analyze species requirements and habitat dependencies in relation to projections for climate change effects and impacts. Assess gaps and determine trends.
- Include state, university, and tribal partnerships in determining effects of climate change on at risk wildlife species, populations, and habitat and in fulfilling the intent of the Order.
- Develop monitoring programs by federal biological research and management agencies necessary and sufficient for incorporating climate change effects on at risk game species, populations, and habitat. Programs should use existing inventories and create new ones as necessary to improve systematic observation and recording of data on species, population levels, and habitat.



Oil pipeline north of Fairbanks, AK. Don Becker/USGS



# Conserving Wildlife and Developing Oil and Gas on Public Land

## Background

The increased volatility of energy prices has emphasized the need for greater security for the nation through expansion of domestic production of oil and gas, renewable, and alternative energy sources. Federal and state agencies should work cooperatively with private industry, sportsmen, and private landowners to provide certainty to the exploration and development processes, while balancing the conservation of wildlife habitat with the socioeconomic benefits of energy production.

The following recommendations focus on oil and gas development in the western United States as a pivotal example of opportunities for better coordination between all parties to improve decision making through the development of research protocols that result in the collection of baseline data that produces statistically valid results that can be used to guide management decisions. These recommendations are designed to provide a valid, fact-based system for making conservation and energy exploration decisions within the multiple-use mandates of the federal land management agencies.

Fast-paced changes on the western landscape from energy development activities and urban sprawl have raised concerns in the conservation community about maintaining wildlife habitat and avoiding its fragmentation. The federal government has acknowledged a need for landscape-scale planning by proposing programs like the 2007 U.S. Department of the Interior Healthy Lands Initiative (HLI). If landscape-scale habitat initiatives like HLI are implemented, they will be most effective if analysis is based on data that produce statistically sound results. With peer reviewed, data-based analysis consistent with the requirements of the Office of Management and Budget's (OMB) Data Quality Act guidelines, a meaningful balance between energy development and conservation can be achieved.

This landscape-level, collaborative approach is suitable for other forms of energy production, climate change, transportation, and other land use development.

## SCC White Paper Goals and Recommendations

- Create landscape-level assessment standards and protocols for measuring energy development impacts to wildlife.
- Adopt directives for formal collaboration among state and federal land management agencies, conservation groups, and the regulated community.
- Educate the public on the opportunities for public participation in the leasing process.
- Establish scientific, data-based wildlife monitoring protocols for state and federal land management agencies to use to inform adaptive management decisions.
- Identify and develop new sources of dedicated funding to support capacity.
- Collaborate with state and tribal governments to establish specific game/wildlife population and habitat goals and objectives for inclusion in land management plans governing energy development.
- Re-emphasize the discretionary authority of state BLM directors to temporarily defer leasing of specific tracts of land with active land use planning, per BLM Instruction Memorandum No. 2004-110.
- Ensure that wildlife and conservation considerations are incorporated prior to issuing new leases on any BLM lands.
- Complete BLM comprehensive strategic landscape level plans ensuring conservation of wildlife and related values before issuing new leases.



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*“I’m also pleased to tell you that our administration is working to quickly finalize a memorandum of understanding with Western governors on energy exploration. Both Democrats and Republicans understand that this nation can produce more oil and gas — and we can do it in an environmentally responsible way.”*

— Vice President Richard Cheney  
October 3, 2008

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## Actions

### Develop and Use Landscape-Level Assessments of Wildlife.

#### 39. Continue the Healthy Lands Initiative.

- Seek full funding for the Healthy Lands Initiative and actively explain the goals and objectives of HLI and the importance of landscape-level assessments.
- Consider other landscape-scale initiatives in new project areas.

#### 40. Publish standards and protocols for on-site and off-site considerations for oil and gas development and impacts for wildlife.

Federal agencies will establish a landscape assessment taskforce in collaboration with state wildlife agencies to develop assessment.

- Include statewide mapping efforts to identify areas of high importance to wildlife habitat in pre-lease planning; for populations of sensitive species to remain viable, big game crucial winter ranges and migration corridors, areas sustaining a high density of sage grouse leks, and those intact portions of the landscape without substantial habitat fragmentations; use the Western Governor’s Association’s Wildlife Migratory Corridor Report; and use State Wildlife Conservation Plans.
- Use the USGS Healthy Lands Initiative geospatial framework to assess the health of habitats and their resources and monitor changes in landscapes to ensure the long-term viability and sustainability of wildlife, terrestrial, and aquatic resources in areas of substantial energy development.
- Use the USGS estimates of the oil and gas resources of all onshore federal lands as reported in the Energy Policy and Conservation Act (EPCA) of 2000, Phase III Report to identify areas of imminent conflict; develop appropriate strategies to avoid, minimize, and mitigate impacts; amend land use plans to incorporate these strategies; review stipulations and land use plans in light of new information; incorporate wildlife corridors and crucial habitats in NEPA analyses; and identify areas appropriate for temporary deferral of leasing until ongoing land use planning concerns are resolved.

### Improve Collaboration on Project Design.

#### 41. Establish specific game and wildlife population and habitat goals and objectives for oil and gas development projects for inclusion in land management plans and related decision documents.

Federal agencies will collaborate with state and tribal governments through the Healthy Lands Initiative to:

- Issue a joint Secretarial Order to form a team whose goal is to assess landscape-level assessment units on all federal, state, and local units.
- Direct existing planning policy to reinforce the desirability of having all interested state and tribal governments involved in plan development as cooperating agencies with appropriate participants for each landscape.
- Conduct pre-development assessments prioritized by energy potential.
- Require consideration of state/tribal established fish and wildlife habitat/population goals and objectives in formal planning processes.

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*“We’ve been impressed with the record of oil and gas offices in the Bureau of Land Management ensuring our energy decisions properly account for wildlife and other conservation needs. These offices have done a fine job in bringing all the players together, getting everyone on the same page, gathering sound information, and making decisions in the public interest. That’s pretty much the definition, of good government — so we ought to keep those pilot offices in place.”*

— Vice President Richard Cheney  
October 3, 2008

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- Require annual coordination and map sharing between state and federal agencies.
- Require annual federal agency consultation with state agencies to review new data, NEPA documents, etc., prior to new leasing offerings and decisions to avoid or mitigate impacts to wildlife, wildlife corridors, and crucial habitats.

#### **42. Produce a Memorandum of Agreement (MOA) between federal agencies and western governors.**

The MOA should:

- Establish agreement between states and federal agencies to share uniform mapping information on wildlife migration corridors.
- Seek opportunities to work with land trusts and NGOs for conserving wildlife corridors.
- Create incentives for federal land managers to partner on wildlife corridor conservation with private landowners and industry on landscape-scale approaches through coordinated development and conservation planning.
- Establish and utilize mitigation accounts for funding for wildlife friendly fencing and conservation easements.

#### **43. Establish a formal working relationship between federal agencies and state wildlife managers.**

- Discuss specifics involving the AFWA and its Energy and Wildlife Policy Committee to determine needs and opportunities to refine EPACT 2005.
- Establish and fund an energy liaison position among the BLM, USDA Forest Service, and AFWA to promote understanding of processes, policies, goals, objectives, and the socioeconomic benefits of energy development.
- Support an Energy Wildlife policy workshop focused on seeking solutions and promoting joint understanding of process, policies, goals, and objectives.

#### **44. Authorize a program to formalize the BLM Pilot Oil and Gas Offices that were established by the Energy Policy Act, 2005.**

This authority should ensure on-site coordination for federal and state agencies in the processing of applications for permits to drill.

#### **45. Collaborate with industry and wildlife biologists on updating best management practices as new technologies are developed.**

##### **Formalize Wildlife Expertise in Leasing.**

#### **46. Reissue policy guidance contained in IM 2004-110 Change 1, “Fluid Mineral Leasing and Related Planning and National Environmental Policy Act (NEPA) Processes and Best Management Practices.”**

This guidance will re-emphasize the discretionary authority of the state directors to temporarily defer leasing of specific tracts of land with active land use planning activities involving legitimate BLM-recognized concerns for game wildlife conservation options pending completion of landscape assessments and related management plans and decisions.

**47. Collaborate on development of pre-project conservation plans for sustaining wildlife in conjunction with landscape-scale assessments on energy development.**

Federal agencies will base development decisions on statistically valid monitoring and adaptive management studies.

**48. Ensure timely preparation of NEPA analyses.**

NEPA documents are time-consuming; however, there are several ideas for keeping their production timely. Federal agencies can keep an electronic library of routinely useful analytical information and text for use in new NEPA documents. Agencies can retain cooperating agencies in state and local government. Agencies can also hire NEPA analysts and pay federal analysts competitively with analysts in the private sector.

**49. Develop a national strategy for wind farm siting that coordinates the building of new wind farms and transmission lines with conservation goals for the grassland-shrubland steppe wildlife community.**

**50. Improve cross-jurisdictional geo-spatial tools to support pre-planning decisions.**

**51. Incorporate state and regional wildlife plans into federal land use planning.**

**Create Incentives to Improve Wildlife Outcomes.**

**52. Recommend new incentives for identifying lease areas and using new technology.**

Ideas should:

- Investigate options for federal lease trades and buy-backs.
- Identify or support incentives for industry to avoid development in migration corridors and crucial habitats.
- Seek partnerships for increased donation of conservation easements and wildlife-friendly fencing.
- Develop year-round drilling proposals with industry in exchange for less surface impact through use of best management practices: directional drilling, liquid gas gathering systems (reduces volatile organic compounds, nitrogen oxides, and truck trips), more rapid reclamation, smaller well pads, and utilization of state of the art drill rigs, setbacks from leks, reduction of roads, and electronic monitoring.
- Enhance conservation in key areas (e.g., for sage grouse) using credits off-site following the model of the Recovery Crediting Guidance (73 Fed. Reg. 44761).
- Create a Conservation Challenge Fund for every acre disturbed: team industry with sportsmen's groups to donate funds to a foundation that can leverage those funds to redistribute to the BLM, USDA Forest Service, and state agencies for database building, monitoring protocols and adaptive management capacity implementation.
- Educate oil and gas company staff on the benefits of wildlife conservation.



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*Build upon and expand existing monitoring and data storage and management databases to allow peer-reviewed studies to be deposited for federal and statewide use for adaptive management and development of best management practices.*

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## **Establish a Monitoring Protocol for Adaptive Management.**

### **53. Publish a standardized, peer-reviewed, monitoring protocol to guide all land management and wildlife agencies and industries in adaptive management.**

Developers of the protocol should:

- Conduct necessary budgetary analysis to consider using federal and state on-shore oil and gas revenue to fund monitoring.
- Include information on wildlife corridors and other particular habitat features.
- Build upon and expand existing monitoring and data storage and management databases to allow peer-reviewed studies to be deposited for federal and statewide use for adaptive management and development of best management practices.
- Establish panels to review data under OMB's Data Quality Act guidelines and make recommendations on adaptive management within Resource Management Plans and USDA Forest Service Land Management Plans on a regular basis.
- Apply a monitoring plan based on the protocol to each record of decision that clearly assigns responsibility, funding obligation, and accountability for monitoring.

## **Accomplish More Off-Site Conservation.**

### **54. Identify opportunities for off-site conservation.**

Most wildlife conservation goals are measured across areas much larger than energy lease boundaries and drilling facilities. Therefore, protecting wildlife around facilities and within lease areas is necessary but not sufficient for achieving goals for the larger areas. By adding active wildlife management off-site to protections on-site, agencies and companies can achieve conservation goals faster. The first step is to identify active management projects off-site.

### **55. Recommend new policy to promote off-site conservation.**

Based on specific projects to address conservation goals as per Action 53, new policy may be necessary to authorize agencies to acknowledge accomplishment of goals for the larger areas during consideration of leases and permits for drill facilities.

- Establish clear authority by statute and have new regulations developed by the federal land management agencies defining science experience based mitigation practices in the context of energy development.
- Clarify further implementation of off-site conservation strategies and practices to be accomplished by policy development, including coordination with other agencies and defining roles, depending on the scope of the action.



## Optimize Funding for Federal Land Energy Programs.

### 56. Recommend optimal allocations of funding for operation, training, and cost recovery.

Collaborators on this recommendation should:

- Complete an overall review of the BLM budget to ensure that the maximum existing resources are being applied where they are needed.
- Ensure the maximum use of BLM training to provide courses for local managers on adaptive landscape-scale assessments, pre-planning leasing, and sharpen the coordination and leveraging expertise of state agencies.
- Develop proposed cost recovery authorities for the USDA Forest Service and BLM from increased royalties earned through increased production.

### 57. Assess options for a Wildlife Mitigation/Habitat Enhancement Fund.

Options for such a fund are many, but should be certain to:

- Collect a percentage of fees from drilling permits and allocate these funds by a formula based on state and federal land ownership patterns for mitigation, monitoring, and conservation.
- Share oil and gas revenues (including those from the Outer Continental Shelf, where the drilling ban has been lifted) with the states to benefit displaced or affected wildlife.
- Conduct necessary budgetary analysis to consider using federal and state on-shore oil and gas revenue to fund monitoring.

### 58. Develop cellulosic energy crops.

Ideally, these crops would help control soil erosion, provide wildlife habitat, and be economical to farm.





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# Acronyms



AFWA	Association of Fish and Wildlife Agencies
AGI	Adjusted Gross Income
BLM	Bureau of Land Management
BOR	Bureau of Outdoor Recreation
BRAC	Base Realignment and Closure
CCSP	Climate Change Science Program
CEQ	Council of Environmental Quality
CRBI	Conservation and Recreation Benefits Index
CRP	Conservation Reserve Program
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
EPCA	Energy Policy and Conservation Act
EPAct	Energy Policy Act
ESPN	Entertainment and Sports Programming Network
FET	Federal Excise Tax
FLTFA	Federal Land Transfer Facilitation Act
FS	Forest Service
FY	Fiscal Year
HFRA	Healthy Forest Restoration Act
HLI	Healthy Lands Index
IDEA	Impact Directed Environmental Account
IMBA	International Mountain Biking Association
IRS	Internal Revenue Service
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MTV	Music Television
NEPA	National Environmental Policy Act
NAWCA	North American Wetlands Conservation Act
NGO	Non-Governmental Organization
NPS	National Park Service
OMB	Office of Management and Budget
P-R	Pittman-Robertson Wildlife Restoration Act
RMNP	Rocky Mountain National Park
SCC	Sporting Conservation Council
SOL	Standards of Learning
USDA	Department of Agriculture
USFWS	U.S. Fish & Wildlife Service
USGS	United States Geological Survey



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