

FOREWORD

In the heat and smoke of a major fire season in August 2000, thirty-five wildlife organizations with nearly 4.5 million total members, gathered in Missoula, Montana, at the Wildlife Conservation Partners Summit (WCPS) as guests of the Boone and Crockett Club. These dedicated hunter/conservationists met for one purpose: To identify how best to work collectively to help chart the course for the future of wildlife conservation in the United States.

In assessing current wildlife conditions, the partners found many positives. For example, big-game populations and habitats are generally in good shape and the North American Waterfowl Management Plan is working well. We also discussed a “short list” of issues which, we agreed, if not properly resolved soon could put American wildlife and wildlife management at risk. That list includes:

- Habitats of federal forests and rangelands are deteriorating; especially those at risk of uncharacteristic wildfire.
- The authority of state natural resource agencies to manage fish and wildlife populations within their borders is eroding.
- Actual and projected declines in hunter participation indicate that America’s hunting heritage is at risk, and along with it, the tradition of American game management.
- Public conflict and polarization over wildlife issues are increasing.
- Incentives for wildlife conservation on private lands are inadequate.
- The stewardship of federal lands is hampered by the web of laws and regulations guiding the management of these lands.

The recommendations offered here in *Wildlife for the 21st Century* represent a general agreement of the partners and are, in our judgment, necessary to successfully resolve these and other issues and ensure the continued success of wildlife and wildlife management in America. While unity is a goal of the partners, each reserves the right to establish independent positions on any issue. In addition, not all partners necessarily support each and every position or recommendation. Together, we stand ready, as never before, to assist in this critically important work.

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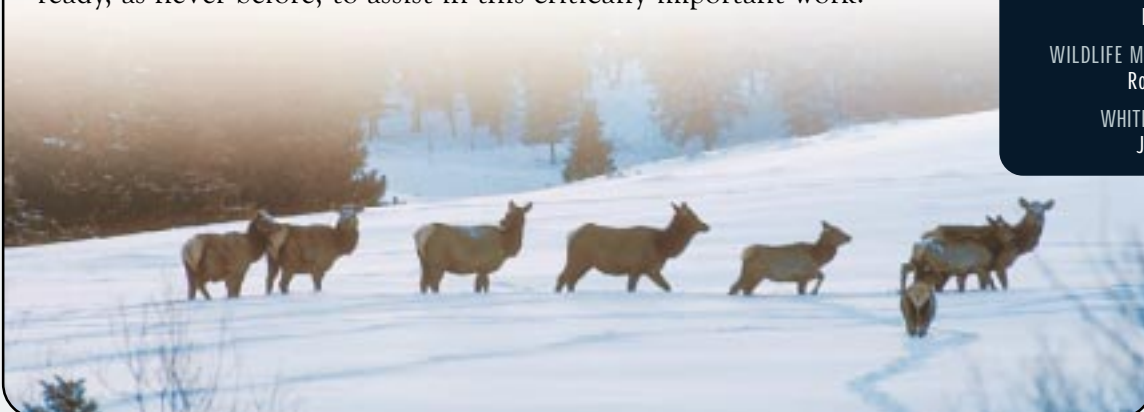
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ESTABLISH FEDERAL BUDGET PRIORITIES THAT WILL RESTORE WILDLIFE FUNDING TO THE 1980 LEVEL

After a decade or more of increased funding for natural resources and environmental programs that followed passage of the 1972 Clean Water Act, Function 300 (Natural Resources and Environment) of the federal budget took a nose-dive. Funding has not recovered from the drop that occurred primarily between 1980 and

1984. In fact, funding in real dollars is programmed to continue to decline through 2003 based on the Balanced Budget Agreement. Federal funding for natural resources and environment, as a proportion of total federal funding, is now 40% below the 1980 level. Ongoing efforts such as the Public Lands Funding Initiative and the Cooperative Alliance for Refuge Enhancement have had some success during recent budget cycles at increasing authorizations and appropriations for public lands and wildlife accounts, but have not reversed the broader downward trend.

RECOMMENDATION

The Administration should establish a budget plan that would return Function 300 allocations to the 1980 level of 2.6% of total federal funding.

In the absence of adequate funding for federal land management agencies and other agencies responsible for environmental health, the future condition of fish and wildlife and the habitats on which they depend are certain to be diminished. A fundamental reassessment of agency funding priorities with emphasis on performance quality and incentive based professional management, and full funding of stewardship needs is essential. ■



MAINTAIN AND RESTORE FOREST AND RANGELAND HABITATS IN THE WEST THROUGH PROACTIVE PUBLIC LAND MANAGEMENT

Forest and rangeland health is a great and growing concern. Despite progress in its restoration, much rangeland (especially old-age shrubland) remains at risk of uncharacteristic wildfire and deteriorating ecological condition. Combined use of forage by livestock and wildlife, coupled with decreased use of herbicides and increased risk of large and intense shrubland wildfire, impede range improvement. Expansion of annual exotic

grasses such as cheat grass, and weeds such as spotted knapweed on both summer and winter ranges is a particularly great challenge. Unwise growth and development such as human sprawl and some oil and gas development projects that do not properly consider wildlife habitat, also encroach on rangeland habitat.

RECOMMENDATION

The Administration should support a new or updated (2001) management strategy to restore the millions of acres of forest identified by the USFS as currently at risk. In addition, a companion strategy addressing fire-adapted shrub/grassland ecosystems at risk should be prepared. Agency funding recommendations should be based on the new strategies and a high priority should be placed on their preparation and implementation.

Forest health is vital to all values associated with forests, especially wildlife. Control of wildfire in the West has resulted in many aging and stagnated forests that are becoming more susceptible to large, uncharacteristic wildfire, insects, and diseases. During the summer of 2000, nearly 6.7 million acres burned, one of the worst fire seasons in 50 years. Timber mortality has increased substantially in all regions of the country, on all ownerships for both hardwoods and softwoods. The current U.S. Forest Service (USFS) strategy to deal with forest fire risks is based mostly on protecting homes in the urban/forest interface. Risks beyond that interface affecting wildlife and other watershed values are not addressed.

A NATIONAL FOREST SYSTEM EXAMPLE

On the roughly 100 million National Forest System acres with ponderosa pine, dry Douglas fir and mixed conifers that historically had low or mixed severity fire, a recent USFS assessment found that more than 77% is now at risk of moderately or significantly altered disturbances including fire, insects, and diseases. Likely adverse effects include potentially changed environments *never before measured* including increased fire sizes, intensities, and severities, increased smoke (CO₂) production and stream sedimentation, significant changes in landscape composition and biological diversity, reduced stream flows, and generally reduced resilience to disturbances.

IMPLICATIONS

Federal public lands contain much of America's wildlife. For example, the 192 million acres of national forests and grasslands provide habitat for 80% of the elk, bighorn sheep, and mountain goats in the lower 48 states. Deteriorating forest and rangeland habitat, as described above, puts populations of these and other species at risk. ■

MAINTAIN AND RESTORE FOREST HABITATS IN THE EAST THROUGH PROACTIVE NATIONAL FOREST MANAGEMENT

Eastern deciduous forests are largely middle aged; few very young or very old forests exist in this region. This lack of diversity negatively affects wildlife and renders these forests susceptible to insects and diseases. Proactive management on national forests in the South and East—necessary for wildlife such as maintenance of openings, timber harvest with wildlife objectives, and prescribed fire—has substantially decreased over the last eight years. Compounding the problem, the USFS has been sued for many accepted natural resource management activities that enhance wildlife habitat by removing mature trees and converting sites to earlier successional stages. These activities have been approved during public review processes and described in plans for individual forests. Unfortunately, the USFS has often failed to aggressively defend approved management plans against obstructionists challenges (e.g., Allegheny, Shawnee, Wayne, and Hoosier National Forests). As a result, necessary proactive wildlife management has been severely restricted on the national forests to the detriment of many plant and wildlife species. ■

RECOMMENDATION

The Administration should clearly state a high priority for proactive management of national forests for wildlife purposes. It should also direct the Washington Office of the USFS to work closely with Regional and Forest-Level Offices to reduce the likelihood of National Environmental Policy Act (NEPA) based lawsuits. Language should be developed within the NEPA process that reduces the likelihood of litigation. The Department of Justice and the USFS should be directed to aggressively defend management project proposals that are consistent with plan objectives and science-based management methods from challenges that are primarily obstructionist in nature.



EMPHASIZE COOPERATIVE NATIONAL FOREST DECISION MAKING

Western national forests are suffering from management neglect. After years of interventions (such as excessive fire suppression, predator control, road construction, and stream channelization) public lands policy has for the last few years, restricted many uses

and opportunities—except for growing recreation use. As a result, problems created by these interventions continue to worsen, and opportunities for restoration and to promote the sustainable use and enjoyment of these lands are declining.

Though controversies over resource management on public lands continue, a new kind of debate is emerging. In recent years, a growing number of conservation-minded citizens have engaged voluntarily in face-to-face negotiations. These people have acknowledged the complexity of problems on public lands and the opportuni-

ties to solve them. A few hard-won agreements based on detailed study of maps and local data have emerged from this work, only to be stifled in some cases by bureaucratic

process or scuttled by the legal tactics of those who refuse to support agreements. ■

RECOMMENDATION

The Administration should encourage volunteer efforts of interested publics to propose science-based, packaged solutions to public land management dilemmas. For example, projects could package together compatible practices such as road repair or removal, erosion control, and modern forestry practices to restore native vegetation. The most effective encouragement would be to ensure that projects resulting from these volunteer efforts are analyzed, modified where necessary, and expeditiously implemented by the appropriate agency(ies). Such volunteer efforts could test better ways of expanding and streamlining “stewardship contracting” within the letter and spirit of the NEPA.



ENSURE EFFECTIVE FEDERAL NATURAL RESOURCE LEADERSHIP

There is a great need to re-emphasize the value of experienced and effective federal department and federal agency leadership. The United States has the most successful conservation system of its size and duration in the world. It has evolved over the past 100 years. In the next five years, as many as 50% of federal agency wildlife biologists may retire. This drain of skilled and trained personnel is of crisis proportions and must be dealt with now if we are to preserve and continue our unique conservation success.

In addition, over the past few years, federal land management agencies appear to have emphasized protection over conservation. This has had the effect of discouraging active management of habitats, which require maintenance or restoration. ■

RECOMMENDATION

The Administration should reduce the loss and continue the employment of seasoned professionals and fully train those assuming new agency leadership. It is imperative that appointed Department Secretaries, Directors, and agency leaders have comprehensive knowledge of natural resource conditions, the U.S. conservation system, and the outdoor cultural heritage that has prevailed for more than 100 years. This includes demonstrated commitment to multiple use management and to sport hunting.



SUPPORT WILDLIFE CONSERVATION PROVISIONS IN THE 2002 FARM BILL

Beginning in 1985, conservationists recognized that the large amounts of money being spent at the federal level in farm bills for income support could be better used to help fund conservation activities. Income support programs, which

include such things as commodity support payments, deficiency payments, acreage set-aside programs, etc. typically have consumed from \$9-25 billion per year of the federal budget. These payments tend to be short term and the public benefits are debatable.

The Conservation Reserve Program (CRP) in the 1985 Farm Bill was a voluntary program that retired croplands that were highly erodible. The set-aside period was typically ten years and the program was targeted to provide vegetative cover on erodible lands. CRP and other habitat enhancement programs provide substantial fish and wildlife benefits.

RECOMMENDATION

The Administration should identify and support conservation provisions for inclusion in the 2002 re-authorized Farm Bill and any “emergency” addendums to the existing or future Farm Bill.

The 1990 and 1995 Farm Bills recognized wildlife habitat as co-equal with erosion reduction in CRP programs, which expanded the benefits of CRP. In addition, a Wetland Reserve Program (WRP) as well as a Wildlife Habitat Incentive Program (WHIP) were authorized along with the CRP.

The 2001 Agriculture and Related Agencies Appropriations Bill raised the acreage cap on the WRP to a level not to exceed 1.075 million acres. In addition, this bill directs that certain funds in the crop insurance reform law be made available to fund the WHIP.

These farm programs, which incorporate conservation provisions, have become highly successful and enjoy broad public support. They provide income support for the landowner, while at the same time they provide public benefits in terms of fish and wildlife, reduced erosion, improved water quality, and open space in areas that otherwise would be developed. Current Farm Bill conservation programs expire in 2002. The reauthorization scheduled for 2002 provides substantial opportunities to include conservation provisions to further improve the resource benefits that have accrued to date. ■



REAFFIRM STATE AUTHORITY AND RESPONSIBILITY FOR WILDLIFE MANAGEMENT – LEGAL ISSUES

Efforts by conservationists at the turn of the 19th century paved the way for state laws vesting authority in state agencies to manage fish and resident wildlife on all lands within state boundaries. The authority of states to protect and manage fish and resident wildlife within their respective borders is being eroded, in part due to some federal actions.

Congress has consistently deferred to state regulation of fish and resident wildlife, preempting state law only when necessary to the purpose of federal legislation. Congress has consistently inserted “saving provisions” into direction provided federal agencies that reserve for the states the authority to manage fish and resident wildlife on federal lands.

However, federal agencies have increasingly ignored these saving provisions, often times ostensibly to avoid interference with other congressional directives. Additionally, federal laws are being used to obstruct the states from completing specific management activities. Cases have arisen recently where the federal government has restricted state wildlife management on federal lands in contravention of specific statutory provisions. Other actions are “federalizing” state wildlife agency decision making by imposing new National Environmental Policy Act (NEPA) requirements, changing 30 years of precedent on state actions that use Pittman-Robertson wildlife restoration funds. Extending NEPA to routine habitat management activities (formerly categorically excluded) will confound the timely implementation, or preclude the implementation of long-standing management policies and programs to the detriment of wildlife and outdoor recreation. ■

RECOMMENDATION

The Administration should adopt a policy that requires federal agencies to defer as a general rule, to the authority of the states in fish and resident wildlife matters. The Administration should direct agency heads to review discretionary NEPA processes and eliminate those that unnecessarily limit state wildlife management programs. The Administration should also act with restraint, acknowledging the authority of the states in fish and resident wildlife.



REMOVE DISINCENTIVES AND CREATE INCENTIVES FOR PRIVATE LAND WILDLIFE CONSERVATION

Tax laws, particularly the Federal Estate Tax Law, are causing wildlife habitat loss and habitat fragmentation, which are the greatest threats to wildlife in America today.

The primary reason given by private property owners, particularly those in agriculture, for selling parcels of their land is debt. One of the contributing factors to debt load, the one that breaks the proverbial camel's back in many in-

stances, is the estate tax at both the federal and state levels. In order to maintain ownership of any land at all, many families are forced to sell off portions of their holdings, sacrificing and/or fragmenting the habitat in their possession, to meet their financial obligations.

RECOMMENDATION

The Administration should seek the repeal of the Federal Estate Tax and institute tax policies to encourage wildlife habitat conservation as top conservation initiatives. Programs to expand purchase of conservation easements and development rights should be explored.

In addition, property taxes in most states penalize private landowners for conserving wildlife habitat by taxing the property at the market or commercial rate instead of a rate based on likely economic return. In Texas, voters passed a constitutional amendment in 1995 that allows land used solely for wildlife habitat conservation purposes to be valued at the same rate as agricultural land, thereby equalizing the tax burden. Other wildlife conservation incentives are also proving beneficial. Throughout America, purchase of conservation easements and development rights has significantly enhanced wildlife management. ■



INCREASE FUNDING TO PROVIDE FOR HUNTER RETENTION, RECRUITMENT, AND EDUCATION

There is a need to advance wildlife conservation in the United States. Hunting and trapping have been the key elements in providing funding for wildlife conservation programs for state and federal wildlife agencies (approximately \$2 billion annually). This support will be even more important in the future to benefit the nation's wildlife and to conserve America's great outdoor heritage.

In 1998, Congress approved an outreach program designed to improve communication with and among existing and potential anglers, boaters and the general public. A similar program is needed to foster communication on behalf of hunters and trappers, wildlife professionals, private landowners, and the general public as a means of reducing barriers to participation in these activities. Such programs would advance recruitment and retention of hunters, promote communication among private landowners, hunters, and the wildlife management community, and enlighten the public at large on principles of sound wildlife management.

Increased funds should enable the U.S. Fish and Wildlife Service (USFWS) to cooperate with wildlife conservation organizations and the states to advance these causes. The program could authorize the states to spend additional federal payment dollars to enhance state wildlife agency outreach programs advocating hunting and trapping and their vital role in wildlife management. ■

RECOMMENDATION

The Administration should provide increased funding to enhance hunter recruitment, retention, education, and public outreach on behalf of hunting, trapping and wildlife management.



REINFORCE STATE AUTHORITY AND RESPONSIBILITY FOR WILDLIFE MANAGEMENT –FUNDING ISSUES

State fish and wildlife agencies perform a variety of critical tasks, including the establishment and enforcement of hunting and fishing regulations, inventory and monitoring of fish and wildlife populations, public education and information, proactive management of designated wildlife habitat areas, and biological research. State fish and wildlife agencies have been exceptionally effective in fulfilling their

wide-ranging responsibilities. Surveys reveal that the public generally believes its state fish and wildlife agencies spend their money in a wise and efficient manner and do a very effective job overall.

In recent years there has been increasing pressure for state agencies to take on a greater role in conserving wildlife species, particularly those that are imperiled or at risk of becoming so. This is a serious

RECOMMENDATION

The Administration should support efforts to secure the intent of CARA – Title III in legislation, in the 107th Congress.

problem for most states since hunter license fees and excise taxes pay for most or all wildlife management and these sources are increasingly inadequate. Since most states provide little or no general fund support for wildlife, there is a growing need for increased state government financial support for these programs. The International Association of Fish and Wildlife Agencies (IAFWA) estimates that unmet fish and wildlife needs amount to approximately \$1 billion annually nationwide. Unfortunately, there is no dedicated funding source for conserving the full array of wildlife.

The number of species listed as threatened or endangered under the Endangered Species Act (ESA) has increased significantly in the past decade. From August 1992 to August 1999 the number of species on the list increased from 728 to 1,187. As more species are listed under the ESA, or proposed for listing, the authority and credibility of state wildlife management is eroded.

To address the continuing shortfalls in the funding of state resource agency wildlife programs, House and Senate versions (H.R. 701/S.25) of the Conservation and Reinvestment Act (CARA) of 1999, were introduced in Congress early in 2000. A drastically scaled-back version of CARA was passed, leaving wildlife seriously under funded.

Both versions would have dedicated 50% or more of the annual federal income from off-shore oil and gas leases, which averages about \$4.6 billion per year, primarily into three separate funds. The distribution of these funds was outlined in the three titles of these bills:

- Title I – Outer Continental Shelf Impact Assistance;
- Title II – State, Local, and Urban Conservation and Recreation; and
- Title III – Wildlife Conservation and Restoration.

The first purpose of Title III was “to extend financial and technical assistance to the states under the Federal Aid to Wildlife Restoration Act (Pittman-Robertson Act) for the benefit of a diverse array of wildlife and associated habitats, including species that are not hunted or fished, to fulfill unmet needs of wildlife within the states in recognition of the primary role of the states to conserve all wildlife”. Title III dedicated about \$350 million to states annually for wildlife conservation and related recreation and education programs. ■



INITIATE AN ASSESSMENT OF FEDERAL LAND LAWS TO IDENTIFY LEGAL AND REGULATORY PROBLEMS CONTRIBUTING TO FEDERAL LAND MANAGEMENT "GRIDLOCK"

The uncoordinated and sometimes conflicting web of federal land laws, regulations, and policies is a major barrier to habitat restoration and sustainable forests and rangelands.

In the late 1960s, it had become evident that accumulating federal law dealing with land management, wildlife, and the environment were producing significant conflict and confusion in the management of the federal lands. In response, the President and the Congress authorized the Public Land Law Review Commission composed of distinguished citizens to address this problem. The Commission offered no specific, substantive proposals.

The problem was exacerbated by a spate of legislation coming to bear on federal land management agencies around 1970. Among these Acts were: National Environmental Policy Act of 1969 (which created the Council on Environmental Quality), Wild Horse and Burros Protection Act of 1971, Marine Mammals Protection Act of 1972, Federal Advisory Committee Act of 1972, Endangered Species Act of 1973, Forest and Rangeland Renewable Resources Planning Act of 1974, Federal Land Policy and Management Act of 1976, and the National Forest Management Act of 1976. The 1995 version of The Principal Laws Relating to Forest Service Activities listed 104 laws passed from 1872 - 1969 that influenced agency activities. From 1970 - 1993, an additional 934 such laws were placed on the books. Volumes of case law have evolved, further complicating the issues.

Management of federal lands has become increasingly centralized, confused, and inefficient resulting in a condition commonly known as "gridlock" where management (including that for wildlife) comes to a halt. A technical assessment of the specific legal and regulatory factors contributing to the problem of "gridlock" is needed along with options for resolution. ■

RECOMMENDATION

The Administration should initiate an assessment of federal land laws. It should be conducted by well-qualified natural resource management and legal professionals. They should be directed to conduct a rigorous, technical assessment of the compatibility between federal land management laws and regulations and regulatory environmental laws and regulations. The detailed requirements of each should be listed, along with specific areas of conflict and overlap with other statutes and rules. Options for resolution should be developed. The effort should have staff and funds necessary to carry out the assigned task with a time certain for completion – say, two years.