



U.S. Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program
Joint Federal-State Task Force on Federal Assistance Policy (JTF)
MEETING NOTES



Meeting Date: April 30, 2019

Meeting Location: Denver, CO

Attendees:

AFWA Representatives	WSFR Representatives	Guests
Bryan Burhans (PA) Acting Co-Chair	Paul Rauch (FWS) Co-Chair	Tammy Brooks – Chair - FACWG
Rusty Garrison (GA)	Mike Piccirilli (R4)	Matt Thomas – Vice Chair - FACWG
Lisa Holt (AK)	Colleen Sculley (R5)	Mike Sawyers (MA)
Martha Williams (MT)	Clint Riley (R6)	Scott Knight – WSFR HQ
Lane Kisonak – (Counsel)	Lisa Van Alstyne (HQ)	Christy Vigfusson – WSFR HQ
	Bob Curry (HQ)	Tim Smith – WSFR HQ
	Greg Siekaniec (R7)	
	Larry Mellinger (Counsel)	
	Christina Milloy – WSFR HQ Contact	

TUESDAY, April 30, 2019

AFWA Update (Bryan Burhans/Lane Kisonak):

- AFWA submitted comments on the FAIR regulation.
- AFWA is continuing to work on passage of the Recovering America’s Wildlife Act (RAWA), as well as the Pittman-Robertson Modernization Act.
- Martha gave a hearty “thank you” to WSFR staff Bob Curry and Steve Jose who came and testified at their local legislature and helped to educate them on how WSFR funds are received and distributed and how the State-federal partnership works.

Wildlife and Sport Fish Restoration Program Update (Paul Rauch):

- The Department of the Interior (DOI) has been working on reorganization. We may get some additional clarity with upcoming testimony, but the initial vision was for 12 unified regions. With the exception of Alaska, there is still not clarity. There may be additional organizational changes ahead.
- FWS Joint Administrative Operations (JOA) effort – FWS sustained a cut in administrative funding, so there was a need to do something different to better align administrative services and create efficiencies. A shared services model has been implemented for administrative functions. Financial Assistance was the outlier (not the WSFR piece – that stays the same), but there is a nexus with that program. The decision was made to move Financial Assistance Operations for the rest of FWS under the WSFR AD and Scott Knight, but it is firewalled from the WSFR Program. This is a positive change, and will help ensure that financial requirements linked to the WSFR program are fully considered during Department-wide financial policy discussions.
- The Target Practice and Marksmanship Bill passed the House (it had already passed the Senate.) Lisa clarified that this Act is focused on public target ranges. It provides a definition, and allows a 90-10 funding split for Hunter Ed to acquire land and for funds to be available for five fiscal years. It gives WSFR four months to amend our regulations to reflect this, although there is a lack of clarity on some items.



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Review Action Items from December 2018 JTF Meeting (Bob Curry):

1. Reversions: Conduct an informal AFWA survey through the committee structure.

Status: Lane reported that he is awaiting final results but has preliminary responses from the States that are giving him an initial sense of things. We will discuss this topic later in the agenda.

2. Online hunter education as match: Issue guidance for NRA or other third-party free online hunter education valuation (actual cost) as donated match. WSFR will develop that guidance in a format to be determined (including allocation). Lifetime of funds will be determined in another document. Maybe not as simple as for program income cost-share, but it could follow that format. Then put it through the JTF communications protocol.

Status: We will discuss the comments WSFR received and next steps during our discussion of this topic later in the agenda.

3. TRACS performance reporting questions: Amend Question 2 to read: "If established objectives* have not been or will not be met, please state the reasons why." *"Objectives" refers to 2 C.F.R. 200.76 -Performance goal means a target "level of performance expressed as a tangible, measureable objective").

*Status: **DONE**, completed at last meeting.*

4. Lands and facilities on TRACS: (a) use the JTF communications protocol to explain and discuss issues related to cost; maybe Lands legacy data; and forward-looking Facilities data in the Matrix, and (b) take the issue to the regional association administrators and AFWA, encouraging State review and comment on the proposed regulation on real property grant tracking as it pertains to real property and facilities acquired with WSFR funds (depending on date of the regulation's publication).

Status: FAIR Proposed Rule went out for 30-day comment period that ended April 22 and the Federal Register Notice received 38 comments. In addition, WSFR got together with the Lands Team, and asked the Regions for input, and put together internal comments for DOI to consider. AFWA did request an additional 30 days for comment, but DOI decided not to provide that. We will be discussing this later in the agenda.

5. WSFR program viewer: AFWA will form a working group with State, WSFR, and trade association representation to figure out what state data can be used on the program viewer to tell the WSFR story.

Status: AFWA appointed Mark Tisa, Director, Massachusetts Division of Fisheries and Wildlife to lead a working group of State and federal officials to identify data to share via the TRACS Conservation Viewer. The group had an initial scoping meeting on February 19th in Washington DC. Mark and Paul Rauch, WSFR AD, presented an update to the AFWA Executive Committee at the North American in Denver in March. Next steps are being developed with a plan to present an initial "scoping document" at the WMI Business Summit in August. We will discuss this topic later in the agenda.

6. Wildlife damage management: Produce a proposal to use the Issue ID/DM process and AFWA's committee structure to scope out this issue (need for clarification and what we can agree on re: eligibility) and work toward having more information for the Fall 2019 JTF meeting.

Status: There was a note in the December 2018 meeting minutes/decision points that AFWA would be scoping this issue within its committee structure to clarify the issue and eligibility questions. However, Lisa Holt clarified that the JTF decided not to pursue this issue further unless it is raised during the JTF issue ID process. No further action is required at this time.

7. Issue ID/DM protocol: Produce a "straw man" for Issue ID 30-day call to be shared with JTF for feedback, and clarify that issues identified are for the Fall JTF meeting. Append the protocol to the JTF charter.

Status: WSFR completed this, and the results were included in the read-ahead materials. We received two letters, one from Alaska and the other from New Jersey. The topics submitted were discussed at the Spring WSFR Chiefs and Federal Aid Coordinator meetings. We will discuss this topic later in the agenda.



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Reversions (Lane Kisonak):

- Discuss survey results

Desired Outcome: Decision on how information will be used/communicated.

Paul clarified that WSFR has the information about reversions, and we do include the sum total in the apportionment letter, but not at the State level. We were asked about NGOs accessing this information. Do States want that information disseminated? Reverted Pittman-Robertson funds are transferred to the Migratory Bird Conservation Fund and are used to purchase lands for the National Wildlife Refuge Program. It is not a bad thing – it's a safety net for this program. Maybe we need to consider the messaging around this. Reversions are not ideal, but the money still stays within conservation. The issue with releasing the numbers is that there is no context. Lane suggested that instead of referring to reversions, the phrasing could be whether States have obligated all their funds. Martha stated that ideally States would have the option to release the information themselves, and make their own decision. Lane shared the preliminary survey results that showed eight of the nine States that responded were interested in sharing reversion information if it would help provide clarity. For some States, there are internal budgeting processes that contribute to reversions. Mike Piccirilli said that WSFR Regional Chiefs can help States avoid reversions by informing them of potential issues, as he does in Region 4. WSFR Chiefs need to get in touch with their States before year-end about this.

Action Item: Lane will send the survey results, and Bryan will follow-up with States that have not yet responded.

Issue ID Protocol (Paul Rauch):

- Discuss requests and consider recommendations from WSFR Chiefs and FACWG per approved protocol.
- Opportunities for improved awareness in 2020

Desired Outcome: Determine if incoming requests should be included in the fall 2019 JTF meeting agenda. Determine if distribution should be addressed differently in January, 2020.

Paul explained that this process is how we will determine if issues are "JTF worthy". An annual call for issues went out in January, and we did not receive many responses (only two). However, there was not recognition that all State Directors received this. We will talk with AFWA about how we better communicate this next year (perhaps including it in the Directors Line newsletter, etc.) We want to formalize the process of getting issues to consider. There was also some awkwardness with timing - we spoke with the Federal Aid Coordinators Working Group (FACWG) and the WSFR Chiefs about the issues at their joint meeting (which is before the spring JTF meeting), and the FACWG will send a document two months after that meeting (which is after the spring JTF meeting) for the issues to be discussed at the Fall JTF meeting. We also need to discuss what issues are worthy of being raised to the JTF.

Tammy said there was some awkwardness about having State employees tell other States that their issue isn't important enough, and the FACWG was unclear if the JTF wanted a recommendation, or a list of items. The FACWG also discussed making a list of ranking, and considering how many States are affected. Mike Sawyers also said the FACWG considered what could be a potential issue in other States – we could be proactive versus reactive. Clint said the JTF would do its job better if day-to-day practitioners had the opportunity to review the issues beforehand. Bob said it may be better to discuss the issues together at joint FACWG /WSFR Chiefs meeting instead of breaking up into separate groups. We will structure that differently in the future.

Lisa Holt suggested considering the common audit findings, and if those need to be addressed. Maybe single States do not realize there are issues of national significance. Colleen suggested the primary filter be "is it of national significance",



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then consider the other filters included in the letter of request (probability of audit findings, potential for significant financial implications, inhibit State's ability to accomplish their conservation mission, etc.). Paul said that we did not include a definition for "nationally significant". The timing should be that a definitive statement comes out of the joint spring FACWG /WSFR Chiefs meeting, and be ready for the JTF to discuss at their spring meeting.

Action Item: Once the FACWG role in the Issue ID Protocol is defined more clearly, the FACWG will update their bylaws to reflect this responsibility and submit to the AFWA Trust Funds Committee (TFC) for approval (hopefully for the fall meeting). Mike Sawyers has the lead on this, and Clint and Tammy will assist too.

Issue #1 Submitted – New Jersey

Colleen said that a new Director started effective April 1st, and they spoke about this issue. He wrote to her on April 23rd and had some concerns, and requested the JTF postpone the consideration of this letter so he can discuss it with his staff. Colleen and the JTF were understanding of the new Director's position, and acknowledged New Jersey's desire to remove this from consideration. If the JTF does move forward with this issue, it is because they see it is an issue of national significance and not specific to New Jersey. Other JTF members agreed that the crux of this issue – what IS a State fish and wildlife agency, and especially within the context of super-agencies – was not specific to a single State, and has come up repeatedly over the years.

The group discussed more generally issues related to uses of lands and improvements acquired, constructed, or managed with WSFR funds including examples from several States. The JTF identified four issues that are all complex in where the State and FWS interests intersect:

- 1) What is a State Fish and Wildlife Agency within the context of a super-agency? Do Commissioners meet the requirement in 50 CFR 80 of being the Director? (This links to the State Fish and Wildlife Agency maintaining their management authority.)
- 2) What constitutes interference under 50 CFR 80 when access/activities are being removed?
- 3) What are the approved/authorized purposes for grants?
- 4) What are the expectations of the right to hunt and fish on PR-acquired (State Wildlife Management Area) lands?

Larry agreed there are a lot of layers to these issues. Sometimes we get fixated on a specific State, but we need to look at this in the context of every State and the issues we are dealing with (not a specific State's problem), and need to be broad when discussing these issues. One question would be if more than one agency within a State can be considered for fish and wildlife management authority. Lisa Van Alstyne said if the JTF took this up we would write it up as an issue for States (not specific to a single State) and then have States review it to determine if States want the JTF to address it. Clint suggested it may be better as an academic paper, and might be useful to have a five-10 page primer for folks to refer to. Bryan suggested that it may be an appropriate topic for The Wildlife Society to research, as there are no national guidelines. Larry asserted that adequate assent legislation is required for the program; the question is if some States are violating their own assent legislation. Martha said we need to pay attention to the trends that are pushing legislatures ahead of us – this is not a single State issue, but a question of how this program fits in with larger trends, and those questions will keep coming up.

As far as next steps, Lane confirmed that AFWA has the statutes and assent language from all States, and he can put that together and share it. Paul asked if the AFWA TFC or Legal committees could take this on to see if there is a policy issue that the JTF needs to address - this is more legal authority, and maybe not policy. There are core legal questions, and the AFWA Legal Committee could take this up, however we need to frame it for them. Colleen suggested information collection and synthesis - how many state fish and wildlife agencies have super agency structure, and how do their



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assent legislations relate to these? Martha agreed that surveying and understanding, and starting broadly would be helpful.

Action Item: Martha, Larry, and Lane will discuss this issue, frame it, and share with JTF and have them comment, and the Co-Chairs can send a letter to make the request for the Legal Committee to review it. Larry suggested a presentation at the September 2019 AFWA Annual Meeting to get a discussion going, then maybe put a sub-committee together at that point to develop a white paper of what the issues are. Folks can send examples for consideration to them.

Issue #2 Submitted – Alaska

Tammy said the opinion of the FACWG was that this issue did not appear to increase probability of audits, but does have potential to impact multiple States as we do need consistency. Bob said there needs to be sideboards, and internally we are working on guidelines and updates. We would continue to work on that, and then get comments on it, focusing on eligible activities. Lisa Holt said it would be a better process if States were included, as States are going to be proposing some new activities that may make WSFR staff uncomfortable. We are wasting a lot of time on case-by-case basis, and need to work together. Christina said that every issue that has been included in the draft guidance was an issue elevated to WSFR Hunter and Aquatic education staff by States. The goal is to provide States maximum flexibility within the law, and to provide consistent administration of the program throughout the WSFR Regions. Paul said we are seeking “standardized flexibility.” He said that we can share draft information that WSFR has worked on so the JTF can review it. Then we can decide if it is on the agenda for the Fall meeting. Colleen said she did not think there was agreement within WSFR on the draft document, and that Region 5 is using a decision process instead of the issue by issue approach.

Action Item: Paul will share what WSFR has developed with the JTF, and then we can frame a question for a workgroup to look at. We can also look at internal processes within Regions. Then Paul and Kelly will assign leads to review, and they can provide a statement 30 days in advance of our Fall meeting.

Financial Assistance Interior Regulation (FAIR) Update (Scott Knight):

Desired Outcome: Inform State partners of Federal Register Notice and comments received.

Scott said that comments on the proposed regulation closed on April 22nd. AFWA had requested an extension from DOI, but it was not granted. DOI said they had 52 comments from 12 NGOs, 1 private citizen, and the rest were from States. WSFR commented but not publically – our lands team, regional staff, and both policy branches were involved and many of the comments were technical (definitions that needed to be clarified, etc.) DOI is planning on a 30 day timeframe to have the Final Rule submitted. WSFR will receive a comment table, it will be discussed, and our final input is due May 13th - we are going to request a one week extension. Paul expressed his thanks to the State fish and wildlife agencies for their diligence, and appreciated them taking this opportunity to comment. Lisa said that DOI will have to respond to the comments, and the additional comments that were made but not available to view may have included personally identifiable information, vulgarity, or spam, which OMB (not DOI) removes.

No-Cost, Third Party Hunter Education as Match (Paul Rauch, Larry Mellinger, Lisa Van Alstyne):

- Review comments submitted and discuss

Desired Outcome: Identify next steps.

Paul provided the background on this issue, which was initially brought to the WSFR Regional Hunter Education Coordinators in May 2016, and was brought to the JTF in 2017. The JTF had tentatively decided that the third party match for online hunter education should be based on actual costs, and a draft guidance document was developed and



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shared for comments in January. Comments were received, however, in the meantime we have received some new legal advice from the DOI Office of the Solicitor (SOL).

Larry said if you look at the various regulations, 50 CFR 80 addresses in-kind match, but is not very specific. It says it can be used, and provides some general guidelines. 2 CFR 200 applies to all Federal grants, and the match issue is in 200.306. Because this is primarily a general grants issue, he consulted with attorneys in the DOI Solicitor's Office Division of General Law. The primary view of SOL is that initially it would be the State's responsibility to determine if they want/need to propose an in-kind match and if so, the State should document the value of the match based on the fair market value of the goods or services donated to the project. . 2 CFR 200 states that a granting agency must accept in-kind match if it meets all the criteria. WSFR Regions would need to consider if a proposed match value meets the criteria.

The draft guidance document reviewed by States in January is no longer applicable as it is not consistent with the informal guidance recently received from SOL. But to close the loop on that discussion Lisa summarized the comments received from States as follows:

1. Confusion over student fees and match;
2. Questions about how costs would be allocated to States;
3. Concerns of discrimination against certain vendors/providers, and overall impact on an industry;
4. Concerns about a donor (such as the National Rifle Association/NRA) being a lobbying organization and having memberships;
5. Questions on how a donor (such as the NRA) will be monitored and if the State will be held accountable for any violations;
6. Concerns about favouritism and unfairness;
7. State decisions perhaps being influenced by something other than the best interest of Hunter Education;
8. The proposed guidance would not be in compliance with some State procurement policies;
9. Does not account for the quality of product many vendors offer and need to charge for, and could compromise quality and, as a result, hunter safety;
10. Will lead to an "unhealthy market";
11. Concerns about continued upkeep, customer service, etc. and free courses; and
12. Data security/integrity.

The JTF had a discussion with some State representatives noting that many States already have more match than they need for Hunter Education Program grants, due to volunteer hours, and will likely not choose to use an online hunter education course as in-kind match. However, it could be another tool for States to use if they do need additional in-kind match. There is agreement that a free, online hunter education course is eligible as in-kind match – the issue is how to value it, and how to be consistent. There are already a lot of audit findings related to in-kind match.

The JTF concluded that based on the informal advice received from SOL, it is best to wait and see if States choose to use the course as in-kind match, how States propose to document and value it, and then see whether or not WSFR Regions can make consistent determinations using the criteria specified in 2 CFR 200. If not, then this experience will inform the question(s) to be asked of the JTF. There is currently no need for additional guidance beyond 2 CFR 200.

Decision Point – Draft guidance is not currently needed.



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Shared Vision Update (Paul Rauch):

Desired Outcome: Inform JTF of current progress in implementing a shared vision work plan and WSFR administrative funding needs.

Paul provided some background, and why additional administrative funding was needed as workload had increased and the administrative funding had not. States potentially supported this, but needed clarity on why it was needed, how efficiencies were accounted for, and also wanted to understand the commitments being made for these additional dollars. The numbers that had been shared prior to Paul starting as Acting AD were not transparent. He made the decision to have the previous proposal set aside until we could do more work on it. Two and a half years later, we have worked with a contractor to do a program management analysis and also received input from States, Regions/FWS, and NGOs and Industry. The AFWA Trust Funds Committee formed a work group (four FWS staff, four State Directors, and four Industry representatives from the major trade associations) that took this info and developed a *Shared Vision for WSFR Administration*. The workgroup brought that shared vision back to the AFWA TFC and then to the AFWA Business Meeting in September 2018, where it received an endorsement. The next step was building the implementation plan. Paul shared some PowerPoint slides and said they developed a work plan that in 2019 focuses on:

- 1) Identifying and evaluating work flow processes, and
- 2) Establishing standards

Paul explained that if we are going to seek this additional funding, it needs to be done with the Dingell-Johnson/Wallop-Breaux reauthorization, which is moving forward (it will address both PR-DJ because it amends the Improvement Act). He explained some of the changes for the request including:

- In 2003, there were 28 steps to get a grant awarded, now there are 95 (due to changes in 2 CFR 200, FBMS, etc.);
- In 2003, award letters were two-three pages long, now they are 12 pages;
- In 2003, NOFOs were very basic, and now they are over 20 pages long and require annual updates and maintenance for 508 compliance etc.; and
- The overall, conservative estimate is that the WSFR workload for grant processing has increased by 75%.

We have documented our efficiencies, laid out a series of commitments, and are requesting very modest increase tied back to those commitments. There will be full transparency for the source of the numbers. We must address the issue of PR-DJ recipient audits – we need to shift resources to this issue whether or not we receive additional funding. Paul will be sharing this with the Assistant Secretary soon to see if the proposal will be pursued. Everyone realizes that things have changed since 2003, but the partnership must support it. The next step will be sharing it with the community for support if it is supported by the Assistant Secretary. In the Improvement Act, there is a 900,000 cap on small grant programs, which is a constant issue for WSFR as we always overspend. We would request an alignment on the Dingell-Johnson side to rectify that. Funds will mostly go to Regions, except for the Training Branch since that is an HQ role. Bob said that the Angler and Boating Alliance has draft language that they support the modest increase, and they also have want to address the Improvement Act's 20 hours a week limit, which is another chronic audit finding for WSFR.

Lisa Holt applauded Paul's efforts, and said she greatly appreciated all his work on this.

Policy Updates (Lisa Van Alstyne):

- Status of 50 CFR 80 Federal Register notice
- Lands Chapters

Desired Outcome: Participants understand the Federal Register processes and timelines associated with proposed 50 CFR 80 changes and publishing the Lands Chapters.



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Lisa said that 50 CFR 80 is still not moving forward, but we are communicating with the offices, and working on a FAQ document to share before it publishes to communicate changes ahead of time. She also explained that the Lands Chapters, which we were about to publish, have been voluntarily paused for two months while we wait for the FAIR rule to be finalized as it has implications for those chapters.

TRACS Status Update (Tim Smith, Paul Rauch):

- Update development schedule, Transition, and Working Group progress
- Lands and Facilities TRACS Matrices Update
- Communication strategies and Timelines

Desired Outcome: *Understanding of timeline and strategy leading to GO LIVE in December 2019.*

Tim provided a PowerPoint presentation that highlighted the accomplishments and timeline for TRACS products, and included a discussion on communications, training, timing, expectations, etc. He said he has gotten lots of positive feedback on the grant translation guidance, and also many questions. Christy said there is still some underlying anxiety, but we are taking it seriously and trying to address it as we work together. Scott said the FACWG will be part of the alpha testing. The primary training will be distance training, and then we will do weekly live webinars where folks can ask questions. Folks will also be trained in the Regions to assist States. There are no plans for face-to-face training from HQ right now.

Paul Rauch notified AFWA Trust Funds Committee Friday, March 08 at the WMI North American Conference that we are proposing a May 01, 2020 Hand-Off; with a vote to be taken by the States Friday, March 13, 2020 at the North American Wildlife and Conservation Conference in Omaha, Nebraska. The Memorandum of Understanding calls for 2/3 majority vote, but we would like to see it be unanimous. Paul said WSFR will continue to provide support to States after the May 1st hand-off, and it is not a hard deadline. Support and development will be ongoing, and it may be a few years until all States are fully on board. Also, if TRACS is not fully functional, we will not ask for the vote and will hold off until Fall 2020. What if a State refuses to take this on? Hopefully we have built enough trust and collaboration, and if we meet expectations this will not be an issue. If a State has individual challenges, or capacity issues, we will continue to work with them, of course. Colleen said that the vote helps provide clarity, and the date itself may be less important. The vote helps us work State by State to get everyone where they need to be.

In regard to key messages/communications, Martha suggested talking to each State's Federal Aid Coordinator first, so they receive the information and reassurance before Paul contacts the State's Director. Paul agreed that folks need to know all the effort that went into this, and that it had broad based input. We need to articulate our expectations and why we are doing this in a meaningful way. Tammy said that having the FACWG serve as Alpha testers will help, and they will also assist with the messaging for State Directors.

In regard to the lands and facilities modules, Tim said the real property modules will be included in TRACS, and we are working on other modules too. Lands and facilities did not fit in neatly because there were an additional set of requirements related to lands acquisitions. These projects will go into the regular TRACS database, because they are grants, but there will be these additional modules. These have been delayed due to the FAIR regulation, as requirements may change. However we've laid out a path. Scott said the FAIR regulation may state if the 429 form is mandatory or not; WSFR has said that TRACS could be an alternative to the 429 form.



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WSFR Program Viewer Update (Paul Rauch):

- Update on Working group and status

Desired Outcome: *Understanding of strategy for developing requirements with partner input and review next steps.*

Paul explained that in this version of TRACS, we need to be ready to provide what the requirements will be for this program viewer. AFWA is having a work group that will look at this, and Mark Tisa will be leading it. There are two options: 1) in theory, you could open all the information in TRACS to anyone who would want to see it or 2) have the highest level information available for the public to see. We are continuing to work on this issue, and will talk to our industry partners at the August WMI Industry Summit. Hopefully, we can have everything ready for discussion at the AFWA Annual meeting in September. Mike Sawyers said he attended a meeting about this during the North American, and he thinks we are pretty close on what the expectations are. We do have some comments, and will be working to refine them over the summer. One question is: should program accomplishment roll-ups be national since apportionments are? We not sure about that yet. We are going to try some models to have examples to work with and see what the reception is. The concern is ensuring similar comparison, especially as individual States are different.

Action Item: AFWA has a work group that is working on this, and Mark Tisa will be leading that effort. It will be discussed at the WMI Industry Summit in August, and we plan to have this ready for discussion at the AFWA Annual meeting.

Wildlife Damage Management Update (AFWA and Bob Curry):

- Report from AFWA on scoping exercise to gather information from States on their needs and issues

Desired Outcome: *Determine next steps.*

Bob said that we handled this issue this morning during the Action Items status updates. We made a decision to let this rest, and see if it comes up in the issue ID protocol. Lisa said that the last meeting minutes said that we would do both – JTF issue ID protocol as well as having AFWA committees scope the issue. She emphasized that we need to make sure these kinds of decisions are correctly documented in the meeting minutes.

Decision Point: The JTF decided not to pursue this issue further unless it is raised during the JTF issue ID process. No further action is required at this time.

Audit Updates (Scott Knight, Paul Rauch):

- Sub-recipient Management Guidance
- Letter to States on Audit Expectations
- FY-2018 Audit Findings

Desired Outcome: *Inform JTF of issues and establish a work team to address sub-recipient management guidance.*

Paul explained that audit reports used to only go to FWS staff, and in this administration these started being distributed to Assistant Secretaries and now the Secretary of DOI. They also receive a list of open audit findings. A few years ago, we were up to 260 audit findings and are now down to the mid-hundreds. The perception is that there are a lot of issues with the WSFR program. However, WSFR is the only financial assistance program being audited every year - of course it generates findings. Once we go through the process, we often find that many audit finding costs ARE legitimate. This program is held to a higher standard. There may be some additional language included in the NOFOs due to this. We have drafted a letter intended to be signed by the FWS Director that goes to all State Directors as a reminder of responsibilities. The success of the program relies on shared responsibilities between WSFR, States, and auditors and we need to set some clear roles and expectations. In some cases the information is there, but it is not provided in a timely



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manner to auditors and it results in a finding. We met with the Office of Inspector General (OIG) last week and they plan to make improvements too. WSFR also wants to provide more staff support. The solution involves all of us, and is not especially problematic, but we do need to show some improvement with audit findings. This is an opportunity for us to put in a bit more effort, work closer together, and make improvements. He said audit findings will now be reported to Congress as well. Larry said that much of this is education, as the scope of this program is not always well understood.

Scott said we will take a hard look at training and audits, as audits are a valuable management tool. Some fundamental issues/risk events include:

- Introduction of new financial or payroll systems (there will be a new module put into the AGM course.)
- Management letters (these are provided to WSFR)
 - o One of these issues is that FWS needs to provide further guidance on subcontractor versus subrecipient. Indirect costs only apply to grants and not contracts. Risk assessments are not being performed on subrecipients. 2 CFR 200 includes procurement standards, and if subrecipients can meet those.
 - o Land reconciliation (we have made a lot of progress on this.)
 - o License certification (we need to get a process/methodology to get these into HQ, it will be resolved when the next version of 50 CFR 80. We need to provide letters to States, and then there will not be audit findings.)

Action Item: We need to stand up a team to develop subrecipient management guidance. The team would need to develop something in the next few months and then send it through the communication protocol. We need to have a final draft for the Fall 2019 JTF meeting for their approval. (Lisa and Samantha? (Martha nominated) Mike Sawyers, Julie from FACWG), Ryan Oster. We did some preliminary research and have that ready for the group.

Selection of Format, Time and Place for Fall 2019 JTF Meeting

Desired Outcome: Decide on fall meeting logistics.

The next meeting is planned for December 2nd – 6th (meeting on the 3rd and 4th) in Bozeman, Montana (Yellowstone). Martha will work with Bob (and Alicia) and check in on locations.

Wrap up, Review of Action Items and Decision Points (Paul Rauch)