

**AGENDA--Joint Federal/State Task Force on Federal Assistance Policy  
February 11 and 12, 2008  
4501 N. Fairfax, Room 2073  
Arlington, Virginia 22203**

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Group Name: Joint Federal/State Task Force on Federal Assistance Policy (JTF)  
 Meeting Title: 18th Meeting of the Joint Task Force  
 Meeting Days/Dates: Monday and Tuesday, February 11 and 12, 2008  
 Travel Days/Dates: Sunday, February 10 and Wednesday, February 13, 2008  
 Start and End Times: 9:00 am Monday, February 11, 2008–4:30 pm Tuesday, February 12, 2008  
 Meeting Contacts: Tom Barnes at 703 358 1815, Kim Galvan at 703 358 2420  
 JTF Co-Chairs: Glen Salmon (IN) and Rowan Gould (USFWS)  
 JTF Staff: Kim Galvan, FWS, and Christina Zarrella, MSCGP Coordinator, AFWA

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**Meeting Notes**

**Monday**

**9:00 am**

- **Cochairs' welcome and review of agenda** – Rowan Gould and Glen Salmon  
 What is the best time to schedule small working groups? Is agenda repair necessary?

The co-chairs noted that two JTF members were absent including: Tom Niebauer (WI) and Ed Parker (CT). Also, JTF meetings will likely be held in DC at least annually to reduce the cost of travel for many members (especially federal employees).

- **Review of action items from the JTF's October 2007 meeting in Roscommon, Michigan** – Tom Barnes

See pages 3-4 of meeting package. Additional comments on specific Action Items are below:

- 1) In regard to the issue of the consistent treatment of State and Tribal Wildlife Grant funds, Rowan explained that the Tribal component is not administered by the Wildlife and Sport Fish Restoration Program, but by the External Affairs. TWG is a competitive grants program with national criteria that is not based on State Wildlife Action Plans. It is treated differently than SWG by OMB. Currently, USFWS is working with External Affairs to frame the issue and identify solutions to address consistency. One concern is that the position of Native American Liaison varies in each region (some regions have a full time liaison, some part-time and others none at all.) Additionally, each region possesses a different configuration for dealing with Tribal issues, which is a challenge in regard to consistency.

- 5) Christy still needs photos for the Strategic Plan. Glen will share images from a presentation made at the first Industry Summit.
- 7) Christina contacted the Vice Chair of the Education/Outreach/Diversity (EOD) Committee regarding the list of issues developed at the Association's Annual Meeting in September 2007. The Vice Chair was unsure of what was being referred to, but sent a list of issues developed from a 2006 survey and also an excerpt from EOD's Conservation Education Strategy about the expectations of an "informed and involved citizenry." Christina shared both of these documents with Christy.

- **Cooperative farming** – Tom Barnes  
See page 20 in meeting packet.

Tom explained the history of this issue. While JTF has re-submitted language to clarify the definition of "cooperative farming" PDM has proposed some additional edits. He asked the JTF members if they agreed with PDM's edits. The JTF agreed with PDM's edits, but identified a grammatical error to be corrected in the last sentence and also preferred the term "sportsman" be changed to "sporting public." Tom will confirm these changes and send the exact phrasing to Christina to include in the notes.

Update: 2/12/08 – Tom confirmed that the JTF's changes were accepted. A memo will be written and signed from Glen and Rowan. Then it will be published. The approved wording is below:

"Examples of income that should not be treated as program income include:

- Cooperative farming or grazing arrangements. Cooperative farming or grazing arrangements are when a grantee allows an agricultural producer to farm or graze livestock on part of the grantee's land. The grantee designs the farming or grazing activities to advance their fish or wildlife management objectives for the benefit of the sporting public and the resource."

- **Climate change legislative issues** – Lisa Evans and Chris McKay  
See handout for more information.

Chris explained that we have answers to the 23 questions previously generated. However these were asked in the context of the Bingaman Bill, but answered in the context of the Lieberman/Warner Bill. However, the questions have been addressed and received the answers needed. Rowan emphasized that a major concern is how this legislation could affect the current process of how funds are delivered. Chris introduced Gary Taylor, the Association of Fish and Wildlife Agencies' Legislative Director, to update the JTF on the current status of the Lieberman/Warner Bill (S-2191).

Gary explained that the Lieberman/Warner (Senate) Bill is the leading climate change legislation on the Hill and provides a more detailed framework than the Bingaman Bill. The Bill was reported on December 5<sup>th</sup> from the Senate Environment and Public Works Committee and has a natural resources adaptation title. The Association worked cooperatively with other conservation organizations to have this included. The potential for passage of the Bill remains uncertain; however it may possibly come to the Senate floor by May or June. This Bill is a solid foundation for climate change legislation whether it is passed in this Congress or a future one.

The natural resources adaptation title secures 18% of the cap and trade revenue derived from the auction of carbon credits, which would be assigned to different state and federal programs with the direction that these funds be spent to remediate effects of climate change to fish, wildlife and their habitats. Federal program spending would be directed by a national plan created by the President, the cabinet and Federal agencies. Within the 18%, 35% would be distributed to states through WCRP and the existing apportionment formula (land area x population). However, the required match would be 90% federal funds with a 10% state match. States would have to develop a state strategy to be eligible, which would also need to be approved by the Secretary of the Department of the Interior (similar to State Wildlife Action Plans). However, by the time these funds would be available, states will hopefully have already identified climate change adaptation strategies. Of the 18% natural resource adaptation funds, 65% would be distributed to federal agencies (DOI, USFS, EPA, NOAA, and Army Corps of Engineers.) The federal agencies have to conclude the aforementioned national strategy that identifies potential effects and remedies.

In the House, Congressman Dingell is also beginning deliberations on a climate change proposal. We have met with them and discussed the merits of the Senate Bill. A House bill will likely be drafted through the spring.

The biggest challenge is protecting the 18% for natural resource adaptation, as many others will want to access these funds. We need to convince Congress that this is a significant public interest and these funds need to be reserved. We need at least 15-18% going to natural resource adaptation.

Gary also explained that the funds, distributed through WCRP, would be direct spending and not subject to discretionary appropriations. The funds will go from the source, to the Treasury and then directly to agencies as PR/DJ funds do now. All fish and wildlife species affected by climate change would be eligible. Also, the Land and Water Conservation fund is fully funded in this proposal, but funds must be used to secure lands, habitats and migration corridors that will contribute to habitat and species resilience. In regard to accountability, this will be accomplished by approving grants and projects that are faithful to the submitted plans. Current landscape level initiatives including NFHAP, Partners in Flight, etc. would be eligible for funding under this construct.

Chris asked if the JTF still had a role to complete regarding this issue. Rowan commented that if the delivery mechanism is through WCRP, it will be a parallel program with PR/DJ and will affect how the USFWS office is organized and also how states will coordinate the programs. We need to make sure that Dale Hall (USFWS) and Matt Hogan (the Association), along with State Directors, understand how these future changes will affect current programs. Glen asked if administrative funds were included. Gary answered no, but that 1% of the funds will be available to tribes but that tribes are not required to develop a plan. Lisa asked if there was any risk to the PR program. Gary said likely not and that there is a sufficient statutory firewall between the WCRP account and the PR fund. Also the Bill's supporters understand the vital political base of hunter and angler constituency.

In regard to follow-up, the JTF formed a small group including Chris, Joyce, John O, and Kelly. The small group will create a one-page Question and Answer handout that will serve as a communications piece for state agencies. This will be distributed at the Association's Annual Meeting in September. This effort is not duplicating the work of the Association's Climate Change Subcommittee, which is focusing more on getting states to plan ahead for potential impacts of climate change. Then states will be able to spend these funds appropriately if/when they become available.

## BREAK

- **General open discussion session (including discussion on White House Conference on North American Model and other items of State/Federal programmatic interest)**  
– Rowan Gould and Glen Salmon (opportunity to bring up issues of interest.)

### JTF Name

Chris asked if the JTF had a new name. Rowan explained The Improvement Act established his position and also renamed the program to "Wildlife and Sport Fish Restoration Programs." This is why there has been an "official" name change from "Federal Assistance." However, the "s" at the end of "programs" has been dropped. The name for JTF will not change.

### RBFF Outreach Effort

Lisa asked if states were allowed to use DJ dollars to help pay for RBFF's outreach effort targeted towards lapsed anglers. Joyce explained that in her meetings with RBFF, they have highlighted a four-prong approach. Under this approach, only 1.5 of the "prongs" would be eligible. John O emphasized that 50 CFR 80.14c mandates that Wildlife and Sport Fish Restoration funds cannot be used to generate new funds; even if this prohibition did not exist, any funds generated would be considered program income and defeat the purpose. Rowan clarified that states cannot match RBFF with DJ funds because the funds come from the same source. Joyce further explained that USFWS is putting together a document that highlights examples of what is and is not eligible. She will also work with RBFF to inform states they cannot match RBFF funds with DJ funds.

### USFWS Wildlife & Sport Fish Restoration Program Budget

Steve began a discussion of the USFWS Wildlife & Sport Fish Restoration Program budget. In an examination of the history of The Improvement Act, he discovered 119 FTEs were identified and accepted in the committee reports as necessary to administer the program. However, the administrative funds provided under the Improvement Act only allow for 104 FTEs. Since 2003, the average cost for personnel has increased about 4.2% per year, but funding has only increased at a rate of 2.8% per year. The discrepancy was not immediately noticed because the Washington office was operating with a 40% vacancy rate. This vacancy rate meant that USFWS had budgeted far below the actual cost for an FTE. When USFWS completed the FY08 budget there was an approximate \$800,000 deficit; six vacancies in the Washington office were frozen. At the end of FY07, \$800,000 was obligated for the audit, which will be used to off-set the FY 08 deficit. When costs and revenues are projected over the next five years, the administrative program continues to have a deficit.

To address this problem, three of the regional chiefs and three ARDs are on a working group to examine the functions of the program and administration. They will address questions of efficiency, choices, options and solutions. They plan to have a report complete before the April Director's meeting. Meanwhile, services offered may need to be limited.

### Hunting License Certification

Steve presented a proposed revision to 50 CFR 80.10, also known as the hunting and fishing certification rules. Tom Barnes is in the process of reviewing that portion as it relates to technology changes. USFWS is trying to update this to reflect changes in licensing systems, while maintaining the concept of counting participants involved in these activities. The law is specific and provides flexibility for states, but a license year must be two years prior to the fiscal year of federal apportionments. Currently there could be a three year difference for an apportionment time period; we are trying to more clearly define the time period. Another requirement is there must be at least \$1 of revenue to count.

Additionally, there are differences in how states consider lifetime licenses. In regard to 365-day licenses, almost every state counted their licenses in the year it was sold and not the year it was valid. When a state certifies the license count, USFWS will not adjust that number if it adversely affects the apportionment to another state. USFWS is working to get this through the Federal Register process so these rules apply when the states certify in July. Rowan commented that the new wording should resolve some of the ambiguity and eliminate confusion. The language will be sent to the Association's Executive Committee for review prior to the public comment period. It will also be circulated to State Directors at the upcoming North American conference in March.

### White House Conference

Glen explained that he, Rowan and former JTF co-chair Mitch King were asked to join a committee regarding the North American Model of Wildlife Conservation. In regard to funding, the current approach (hunter/angler user fees) is unable to provide the level of funds needed for fish, wildlife and habitat conservation. The committee is considering funding and drafting a paper to present at the White House Conference. Glen emphasized that this effort compliments other efforts including the WSFR Strategic Plan, the Association's two Industry Summits and outreach on the importance of WR and SFR programs.

Rowan explained that teams were formed for federal funds, state funding and trust funds to examine impediments to funding what solutions exist. Steve and Joyce are creating one-page impediment briefing statements. He also emphasized that this effort and the meeting on hunting heritage compliments the Strategic Plan. The conference is planned for August/September 2008 in DC.

### Noon

- Break for lunch

### Afternoon

- **Cost for SWG Program Review RFP – Rowan Gould**

Rowan explained that, as previously articulated in Steve's budget discussion, USFWS does not currently have the funds to complete this project, which will probably cost \$30,000+. He asked the JTF if it would be permissible to delay the project for a year.

Lisa Evans noted the delay would be acceptable if SWG funds are not included in the audit cycle. Glen agreed with this statement. Lisa suggested that funds for this project could become available through reverted funds. John O commented that the reverted funds may or may not be available for this project depending on the fiscal year the reverted funds were tied to. Glen and Steve will report on this topic to the Teaming with Wildlife Committee at the North American Conference.

- **Review of Wildlife and Sport Fish Restoration Program Draft Strategic Plan and Draft Conservation Heritage Measures – Rowan Gould and Glen Salmon**

Rowan explained the Heritage Measures were ultimately not named an "operation plan" because it would add additional burden to the chiefs' daily activities. These are a collection of measures we have agreed to work on.

Christy and Jennifer presented the draft Strategic Plan. The JTF members asked questions, provided feedback and made edits, which were incorporated.

The estimate for design and printing of 2,000 copies of the Strategic Plan is \$6,000-\$6,500.

The draft will be sent shortly to Federal Aid Coordinators to ensure there have not been any omissions. It will also be reviewed by State Directors and our industry partners.

The Strategic Plan will be sent to a writer/editor who has both experience editing but and familiarity with the programs. John O suggested Dick McCabe from WMI.

Timeline adjustments:

- a. Send to Chiefs and FA Coordinators Working Group ASAP
- b. Once we have their comments, send to writer/editor
- c. Send to chiefs, ARDs, State Coordinators, State Directors and Industry partners (March 15 if possible)
- d. 3-4 weeks later – comments are due
- e. After comments are in send to the graphic designer.
- f. Proof comes back to JTF for review

Christy and Jennifer will draft different timelines for the JTF to review Tuesday.

**4:30PM**

- **Meeting adjourned for the day**

**Tuesday**

**8:00 am**

- **Continued Review of Wildlife and Sport Fish Restoration Program Draft Strategic Plan and Draft Conservation Heritage Measures – Rowan Gould and Glen Salmon**

Glen commented that during the edits of the Strategic Plan, the challenge related to funding was removed. He asked if a section regarding expanding/strengthening partnerships would be a better way to address this issue. The JTF approved the inclusion of this topic.

Rowan said that the JTF would be sending the writing team a thank you for their hard work and excellent efforts. The team took this job seriously and put a lot of thought into it; they could not have done a better job. The product is something that both we and the program can be proud of. Christy will send an e-mail including the names of the writing team members.

Christy and Jennifer continued their presentation on Conservation Heritage Measures. The JTF members asked questions, provided feedback and made edits, which were incorporated.

In regard to measures for our industry partners, the JTF agreed that specific measures for industry could be provided separately and did not need to be a part of this document, which is targeted towards OMB.

## Noon

- Break for lunch

## Afternoon

### **1:00pm – Outreach/Communications Issue – Matt Hogan and Doug Hobbs**

Matt explained that for the past year the Association has focused on strengthening the relationship with our industry partners as generations have passed since the beginning of the program. The Association has held two Industry Summits and there will be a follow-up meeting later in February in Alabama. However, even the industry folks that are close to us do not have a good understanding of what happens to the excise tax money after it is collected. He said we need to demonstrate what has happened with these funds over the past 70 years. He emphasized there is a good story to tell and we need to do a better job of telling it.

Matt suggested creating a DVD approximately 10-15 minutes and narrated by someone with some recognition to provide an overview of the two programs. It could also include dramatic images of wildlife coordinated with music - similar to a video produced by Ducks Unlimited. The DVD could include flashes of historical information of what has been accomplished with these funds. He asked the JTF how difficult it would be to assemble information including: children educated, number of shooting ranges, boating ramps, etc. He also asked the JTF how we could pay for this kind of important communication tool. An informational DVD would be a good start to an education effort to inform our industry partners and others what these funds have accomplished.

Rowan believed the project was definitely viable and noted that NCTC has a production unit that has produced similar materials that might be able to be utilized. The information would need to be assembled. One challenge is finding the right team who understands the issue and can choreograph it. He did not believe it would be an expensive effort.

John O noted that for the first 50 years of the program there are bound volumes of accomplishments. For the past 10 years the data are archived in FAIMS. To assemble this information, we just need to identify what data we want to highlight and what story we want to tell. The funds are likely being used for the same kinds of activities they initially supported, but perhaps for different reasons. A small team could use those archives and also obtain the contemporary items from FAIMS. The FAIMS data are as current as the performance reports received from states and have been entered into the system. These files are certainly as up to date as two fiscal years ago.

The JTF discussed the subject matter that could be included in the DVD and also highlighted that some of the historical information has been included in the Strategic Plan. Doug said that USFWS External Affairs would be dedicated to assisting in any way they can, and have resources to offer in terms of people and funding. Rowan suggested putting a team together that included talented individuals from both federal and state agencies to combine expertise. He asked if it would be possible for PR/DJ funds to pay for such an effort. Joyce said yes because the purpose of the production of the DVD is an informational effort to highlight program accomplishments, however subsequent widespread delivery, reproduction and presentation costs may be an issue for PR/DJ administrative funding because of the prohibition on outreach activity. Glen noted that this would also be an opportunity to reach the other industry folks we do not get to interact with. This effort would fit very well with our other efforts (Industry Summit, Strategic Plan etc.) John F noted that it would also be a good outreach tool to reach people working in NGOs.

Matt suggested that a good time to release the DVD would be at the Association's Annual Meeting in September 2008. Rowan believed this deadline could be met as it would take just a few months to complete once the right team and infrastructure is in place. Doug noted that the timing is good especially considering the SFR reauthorization starts in 2009. Chris emphasized that the Association and USFWS already have some pieces in place that could help craft that story quickly. Once the data are accumulated, an expert marketer could be brought in. Rowan asked the JTF to consider all of the assets between states, USFWS and the Association and develop a plan. Matt will follow-up with Dale Hall.

- **Continued Review of Wildlife and Sport Fish Restoration Program Draft Strategic Plan and Draft Conservation Heritage Measures** – Rowan Gould and Glen Salmon

After incorporating the edits from the morning session, Christy and Jennifer provided an updated draft and requested some additional clarification on revised sections. They also submitted two revised timelines to the group to choose from (1 and 2). They suggested trying to meet option 1 first and if there are a lot of changes to incorporate that delay the process option 2 could be used. Christy and Jennifer will send a revised timeline with notes to the JTF.

Glen suggested a letter should be sent from Dale and Matt to the State and Regional Directors with staff on the writing team to thank them for the teams' efforts. Christy will draft the letter and also an e-mail from Rowan and Glen expressing thanks to the writing team. It may be possible to also send the writing team members a plaque in recognition of their work.

- **Small working groups** - Time for small working groups to meet (as necessary) on all topics discussed so far.

The Climate Change small group will meet remotely

- **Large group** - Interim reports of small groups to large group and continued work by the small groups; review small group recommendations; make changes; finalize products.
- **Future meetings and challenges of JTF** – Identify a meeting date and location for next meeting(s) – Rowan Gould and Glen Salmon

The next JTF meeting will be in Albuquerque, NM August 12-13

- **Finalization of unfinished business**

Glen asked Christina to get some images for the Strategic Plan to Christy and also send a request to state Directors requesting photos.

Rowan mentioned that two JTF representatives are sent to regional meetings to report on issues and progress. He asked if it would be acceptable to send only one representative who can use the Action Items to report what the JTF is doing. Kim will send a reminder of when the regional meetings are and then we can get commitment from a JTF member to attend. The JTF agreed that sending only one JTF member was appropriate.

#### 4:30 PM

- **Meeting adjourned**

#### ACTION ITEMS:

##### All

- Consider resources for the Industry outreach DVD

##### Chris

- Climate Change Small Group will deliver a Q&A handout at the Association's Annual Meeting in September 2008.

##### Christina

- Will get Christy images and send an e-mail to state directors on behalf of Glen requesting photos.
- Check TFC and TWW meeting times at NA

##### Christy

- Will send an e-mail to the JTF listing the members of the writing team.
- Christy along with Jennifer will send a revised timeline with notes to the JTF.
- Christy will draft a thank you letter from Dale and Matt and a thank you e-mail from Glen and Rowan to be sent to writing team members and their directors.

##### Glen

- Will share images from the first Industry Summit presentation with Christy for the Strategic Plan.
- Will report with Steve to TWW Committee at the North American on SWG Program Review
- Will have a discussion with Industry, along with John F, about the role of Lori Bennett (USFWS Industry Liaison) in getting them additional information that will not be included in the Conservation Heritage Measures for OMB.

**John F**

- Will send a draft letter and hunting certification language to the Executive Committee.
- Will have a discussion with Industry, along with Glen, about the role of Lori Bennett (USFWS Industry Liaison) in getting them additional information that will not be included in the Conservation Heritage Measures for OMB.

**Joyce**

- Will distribute a document related to the RBFF outreach effort that highlights examples of what is and is not eligible. She will also work with RBFF to inform states they cannot match RBFF funds with DJ funds.

**Kim**

- Will remind members when and where regional meetings are to arrange to have a JTF member present to report on accomplishments.

**Lisa**

- Will draft the cover letter to accompany the Strategic Plan when it goes to Federal Aid Coordinators for review.

**Steve**

- Will circulate hunting certification language to State Directors at NA conference
- Will send language to John F to forward to the Association's Executive Committee
- Will report with Glen to TWW committee at the North American on SWG Program Review

**Tom**

- Will send the final version of the "Cooperative Farming" language and to Christina to include in the notes.