

Wildlife and Hunting Heritage Conservation Council

December 7, 2011

The Honorable Tom Vilsack
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington D.C. 20250

Dear Secretary Vilsack,

As you know, partnerships are the cornerstone of effective conservation delivery in the 21st century. Governmental partnerships between state, federal, and tribal agencies are one very important construct for protecting America's fish and wildlife resources.

Recently, the Association of Fish and Wildlife Agencies sent a letter (attached) to the Wildlife and Hunting Heritage Conservation Council (Council). It requests the Council's assistance to "develop or foster a positive, collaborative relationship that recognizes the respective authorities and roles of state and federal agencies in the conservation of fish and wildlife." This letter is predicated on the observation that there are increasing state-federal tensions across the country regarding Endangered Species Act policy and science, federal land management planning, and other issues. The Association letter suggests a new training initiative, for state and federal line managers, about the historic, principled underpinnings of state-federal authority and jurisdiction for managing fish and wildlife in the United States.

The Council takes this letter seriously and after much deliberation submits it for your attention. I hasten to add that state representatives participating in the Council meeting made it clear there is much to commend many state-federal partnerships at a local, regional, or national policy scale. However, foundational legal and policy presumptions should be better understood or clarified to ensure a successful government partnership is made stronger for the future.

The Council is in a unique position to facilitate these discussions. Indeed, the "Facilitation of Hunting Heritage and Wildlife Conservation" plan – a plan the Council is charged to implement – identified the need to address state, federal, and tribal relations. The Council intends to establish a working group to review the plan's recommendations and to consider additional ideas or options for your consideration. Our intent is to provide meaningful recommendations that could offer direction for ensuring the best possible government-to-government relationships. It would not be the Council's intent to manage or implement such recommendations. Instead, recommendations would focus on practical options for your consideration about how to gain more clarity on state-federal jurisdictional issues and how to apply these understandings more widely in decision-making processes at all appropriate levels in the respective agencies. These might include, for example, establishing federal-state team(s) to address jurisdictional issues that are currently causing strife, address other

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select coordination issues, or to develop a training initiative. The Council is requesting that you consider assigning a senior staff member to participate on the working group. This staff person could be an existing ex-officio member of the Council or another individual you feel is most appropriate for this effort.

Thank you in advance for your consideration of this letter. State and federal leaders share the need to communicate the importance of the conservation partnership and the historic foundations upon which the relationship exists. This Council hopes to make a positive contribution to that end.

Sincerely,

A handwritten signature in black ink that reads "John Tomke". The signature is written in a cursive, flowing style.

John Tomke, Chair
Wildlife and Hunting Heritage Conservation Council

Cc:
Secretary Ken Salazar, DOI
Robert Bonnie, Senior Advisor to Secretary Vilsack
Bruce Nelson, Administrator, Farm Service Agency
Dave White, Chief, Natural Resources Conservation Service
Tom Tidwell, Chief, U.S. Forest Service

Attachment



ASSOCIATION *of*
FISH & WILDLIFE
AGENCIES

The voice of fish and wildlife agencies

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October 5, 2011

John Tomke, Chair
Wildlife and Hunting Heritage Conservation Council
c/o Joshua Winchell, Coordinator
Division of Program and Partnership Support
U.S. Fish and Wildlife Service
4501 N. Fairfax Drive
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Dear Chairman Tomke:

The Association of Fish and Wildlife Agencies (AFWA) gathered recently in Omaha, Nebraska, for its 101st annual meeting. AFWA represents North America's fish and wildlife agencies and advocates sound management and conservation. In particular, our mission is to protect and support state, provincial and territorial authority for fish and wildlife conservation.

During our meeting, we recognized that tensions are growing between the state and federal government over jurisdiction or authority to manage wildlife on federal property. This letter is an appeal to the Wildlife and Hunting Heritage Conservation Council (Council) to help us develop or foster a positive, collaborative relationship that recognizes the respective authorities and roles of state and federal agencies in the conservation of fish and wildlife.

We are recommending that the Council advise the Secretaries of Interior and Agriculture to encourage strong partnerships between the state and federal governments through the development of jointly shared training for state and federal line managers (i.e., the Fish and Wildlife Service, the National Park Service, the Bureau of Land Management, and the Forest Service). The Council would be the perfect entity to bring together these various state and federal agencies to develop model training. The training, focused on the foundational doctrine behind our respective authorities, including case studies of successful collaborative efforts and including a consistent process to resolution, when conflicts or tensions occur, consistent with the critical role of the states in the conservation of America's wildlife resources, would be a powerful tool in furthering a common understanding of the roles of state and federal agencies and will help build a new generation of conservation leaders.

We believe that the collaborative development of this training will prove useful in developing common understanding of our mutual roles and authorities. Toward that end, we are requesting the Council to advise the Secretaries of Interior and Agriculture to bring representatives of their appropriate agencies together with representatives of the states under the auspices of a Council subcommittee or workgroup to develop a jointly shared training module that will strengthen understanding and build an ethic of shared federal-state responsibility for fish and wildlife management, by fully communicating the foundations and authorities for conservation in America. We suggest that the facilities and resources of the U.S. Fish and Wildlife Service (USFWS), including the National Conservation Training Center, would be ideal for both the development and delivery of training. As the nation's lead entity for wildlife conservation at the federal level, we believe the USFWS is uniquely equipped to facilitate this effort.

This course of action would ensure that the spirit, body and doctrine of law relating to the state and federal relationship for wildlife conservation is followed so that our activities and policies work toward the collective good for hunting and wildlife. AFWA looks forward to your response and is eager to start working with the federal land managing agencies.

Sincerely,



Dr. Jonathan Gassett, President
Association of Fish & Wildlife Agencies
and Commissioner, Kentucky Department
of Fish & Wildlife Resources