

## Wildlife and Hunting Heritage Conservation Council

May 19, 2011

The Honorable Ken Salazar  
U.S. Department of the Interior  
1849 C Street, NW  
Washington DC 20240

### Re: Council Transmittal Memo

Dear Secretary Salazar,

The Wildlife and Hunting Heritage Conservation Council (Council) met in Washington D.C. during February 14-15, 2011. We had strong attendance (22 members present) and great discussion on a variety of important issues (see agenda, attached).

Soon after the February meeting the Council submitted a letter to you expressing great concern about HR 1 – the House Continuing Resolution for the FY 11 budget. In particular, the funding impacts to the State and Tribal Wildlife Grants Program, the Land and Water Conservation Fund, and the North American Wetlands Conservation Act. The Council felt the need to provide timely input to you on HR 1, but also decided to provide you input on a range of other topics covered in letters in this package. Thank you for your consideration of our input found in these letters, copies of which were also submitted to Secretary of Agriculture Tom Vilsack.

### Important Outcomes

- I have appointed three working groups to address: hunter recruitment, retention, and access issues; the 2012 Farm Bill and its conservation provisions; models for enhanced fish and wildlife conservation funding in the future.
- The Council discussed and approved a series of recommendations for your consideration regarding: dedicated LWCF funding for enhanced access to existing federal lands, a meeting with state fish and wildlife agency directors to discuss opportunities for more effective collaboration between your agencies and the states, incorporation of hunting and shooting sports in the Youth in the Great Outdoors initiative, and federal funding support for the new Council to Advance Hunting and the Shooting Sports. **Letter attached.**
- The Council endorses the proposed Dakota Grasslands Conservation Area and commends this initiative to the Administration for support. **Letter attached.**
- The Council recommends that at least 80% of the Clean Water Act penalties paid by BP should be dedicated towards restoring the region that suffered the greatest impacts of the BP oil disaster. **Letter attached.**
- The Council recommends that wildlife, and soil and water health on existing CRP lands are not diminished as a result of any current or future biofuels initiatives or policies. **Letter to Secretary Vilsack attached.**

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- The Council has been monitoring a lawsuit on the Huron-Manistee National Forest in Michigan. The Council is concerned about precedent-setting legal implications for hunting on other National Forests and we request the Forest Service act with diligence in protecting public hunting opportunities on National Forest lands. The Council concurs that the Forest Service should properly determine, document and manage public recreational use of National Forests. The requirement that the Forest Service look to other neighboring public lands to avoid recreational duplication, while seemingly reasonable, is recipe for mischievous litigation by anti-hunting groups ... or ANY group looking to limit a particular nature-based recreational pursuit on Forest Service lands.

The Council is extremely concerned that if there are other national forests that do not have adequate documented rationale to support their decisions, this case could have precedent or be binding in any of the other states that are included in the 6<sup>th</sup> Circuit Court of Appeals. Furthermore, this case can be used in other circuit courts of appeals as persuasive precedent. Thus, all of the nation's national forests could be affected by this 6<sup>th</sup> Circuit Court of Appeals case. **A detailed letter to Secretary Vilsack on this topic will follow under separate cover.**

#### Next Meetings

Our next in-person meeting will be June 15th and 16th, in Washington, D.C. Beginning with this June meeting, we hope to establish a practice at the close of each meeting to discuss meeting outcomes and actions with you or your designees on previous Council recommendations.

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

**Wildlife and Hunting Heritage Conservation Council**  
February 2011 Meeting Agenda  
Secretary's Conference Room (Room 5160)  
Main Interior Building, 1849 C Street NW, Washington, DC

**February 14**

- 7:30-8:00am: Coffee and light refreshments
- 8:00-8:30am: Convene: roll call, review of agenda
  - Chair and Vice Chair
- 8:30-9:30am: Subcommittee Updates/Workplan
  - Recruitment and Retention
  - Funding
  - Farm Bill
- 9:30-10:00am: Grasslands Initiative
  - *Nick Kaczor*, USFWS
- 10:00-10:30am: **Break**
- 10:30-11:00am: Shooting Sports on Federal Lands – Challenges and Opportunities
  - *Susan Recce*, NRA
- 11:00-11:30am: Status of Wolf Management
  - *Michael Bean*, Counselor to the Assistant Secretary for Fish, Wildlife and Parks, DOI
- 11:30-12:00pm: BLM Wild Lands Policy
  - *Robert Towne*, BLM
- 12:00-1:00pm: **Lunch**
- 1:00-1:30pm: National Fish and Wildlife Foundation – Introduction
  - *Jeff Trandahl*, NFWF
- 1:30-2:00pm: Understanding the BP Oil Spill Fine Processes
  - *John Carlucci*, DOI Solicitor's Office
- 2:00-2:30pm: America's Great Outdoors & LWCF update
  - *Will Shafroth*, Assistant Secretary for Fish, Wildlife and Parks (acting), DOI
- 2:30-3:00pm: Public Comment
- 3:00-4:00pm: Council Discussion/Develop Action Items
- 4:00pm: **Adjourn**

**February 15**

- 7:30-8:00am: Coffee and light refreshments
- 8:00-8:15am: Review of Action Items
- 8:15-8:45am: Status of Youth/Minority Recruitment Programs at DOI
  - *Nathaniel Hawley*, Deputy Director, Office of Youth in the Great Outdoors, DOI
- 8:45-10:45am: Discussion of Action Items
- 10:45-11:00am: **Break**
- 11:00-12:30pm: Discussion of Action Items
- 12:30-1:00pm: Wrap Up
- 1:00pm: **Adjourn**

*Wildlife and Hunting Heritage  
Conservation Council*

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May 19, 2011

The Honorable Ken Salazar  
U.S. Department of the Interior  
1849 C Street, NW  
Washington DC 20240

**Re: Hunting and Shooting Sports Recruitment and Retention**

Dear Secretary Salazar:

Access to public lands is vital and integral to the goal of expanding the participation of hunters and other nature-based recreationists across the nation – improving access to existing federal lands should be a priority for the federal government. However, recent studies support the key role that states and tribes play in creating and implementing recruitment and retention programs, and there is great potential for supporting actions by the Department of the Interior and the Department of Agriculture.

More than 400 programs exist at state and tribal levels that seek to expand or retain the number of hunters and recreational shooters. A great deal of attention is being paid to these programs to determine whether they are working, and what more might be accomplished. A recent, nation-wide evaluation of 37 recruitment and retention programs concludes that many of the programs are having a measurable impact on increasing outdoor skills, knowledge of wildlife management, and awareness of the role of state fish and wildlife agencies. Many of the programs have been found to increase funding for wildlife management through program participants' increased purchases of equipment – including firearms, ammunition and archery equipment – taxed under the Wildlife Restoration Program. The program is a critical source of conservation funding, providing more than \$5 billion to states to manage wildlife and habitat.

Another study by the National Shooting Sports Foundation evaluated 70 access programs and found that grant dollars going to states for increased public access have a significant impact on hunter satisfaction. The Wildlife Management Institute has assessed 49 state access programs, including the states' trespass and liability laws, and developed a practical evaluation procedure to improve programs.

Based in part by the findings of these studies, the Wildlife and Hunting Heritage Conservation Council (Council) makes the following recommendations:

*1. Funding Dedicated to Access Projects*

Action Item 5.2b of the America's Great Outdoors report should be implemented through the "Making Public Lands Public" initiative. The Action Item – "Invest a portion of LWCF funds to increase recreation access to federal lands. (DOI and USDA)" – and the "Making Public Lands Public" initiative are a perfect fit. The initiative, supported by the Council in a previous letter to you, would establish dedicated funding within the Land and

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Water Conservation Fund (LWCF) of 1.5% of the total or \$10 million, whichever is greater, for access-enhancement projects. Frequently, smaller parcels that greatly expand access to existing public lands do not score highly on elements such as habitat or riparian values but are available for acquisition or easement. Therefore, a separate category should be established within LWCF to ensure that access parcels are identified and supported.

2. *Careful Review of State and Tribal Programs by USDA and DOI*

The Department of Agriculture and Department of the Interior should review management of hunting and shooting sports on the federal public lands they manage based on current and emerging studies on “best practices”. With over 400 programs at a state and tribal level that relate to retention and recruitment of hunters and recreational shooters – and several different efforts underway to identify or evaluate model programs – it is vital that the agencies support programs and approaches that are measurably successful. Federal land managers should integrate these successful model programs and approaches into management of hunting and other nature-based recreation on their lands.

3. *Direct Dialogue Between Secretaries and State Agencies*

The Secretary of the Interior and the Secretary of Agriculture should meet with the 50 state fish and game directors at the 2012 North American Wildlife and Natural Resources Conference for the purpose of developing partnership strategies to implement effective programs that enhance hunting and recreational shooting recruitment. With more than 400 recruitment and retention programs nationwide, the Council believes that state and tribal agencies should prioritize and implement programs and approaches deemed high-performing through evaluation studies. USDA and DOI can help highlight and provide support for the most successful programs.

4. *Greater Participation of Americans in Outdoor Recreation*

The Council supports DOI’s “Youth in the Great Outdoors” initiative. The Council also recommends that the Secretary incorporate an explicit element designed to attract youth to hunting and shooting sports on federal lands. The initiative – designed to grow and improve youth experiences in the outdoors, from recreational enjoyment to employment – has great promise.

5. *Inclusion of Hunting and Shooting Sports in Education Programs on Federal Lands*

- a) The Secretary of the Interior and Secretary of Agriculture should engage the U.S. Department of Education in developing and distributing K-12 curriculum and materials that outline the historic and ongoing role of recreational hunting in the success of the North American Model of Wildlife Management. Many Americans are not aware of the role the hunting and shooting sports community plays in keeping our nation’s wildlife populations healthy. The continuing health of our wildlife and habitat is dependent on public awareness of the remarkable successes of the North American Model.
- b) The Secretary of the Interior and Secretary of Agriculture should direct their public lands management personnel to collaborate with state, tribal and local governments on hunting and shooting education opportunities for youth and adults. Federal collaboration could include access to federal lands for special events, and sharing expertise in educational offerings located off federal lands. Many youth today are scheduled in sports programs that are organized or run by school systems or county parks and recreation departments – hunting, hunter education and shooting sports programs can and should be included as an option. In addition, we encourage both Secretaries to fully incorporate a respectful/ethical use component to any education or outreach program occurring on public lands.

6. *Funding for the Council to Advance Hunting and the Shooting Sports*

The Council recommends the Council to Advance Hunting and the Shooting Sports be funded in the budget, and associated legislation receives support from the Administration. This recommendation fulfills Action Item 29 of the Recreational Hunting and Wildlife Conservation Plan developed by this Council's prior FACA iteration, the Sporting Conservation Council. The Council to Advance Hunting and the Shooting Sports would utilize its funding to help increase hunting and shooting sports participation, similar to the Recreational Boating and Fishing Foundation's involvement with fishing and recreational boating participation.

7. *Federal Land Regulations*

The Secretary of the Interior and Secretary of Agriculture should instruct their federal land managing agencies to provide – through policy and/or regulatory action – hunting and recreational shooting opportunities on their lands, where federal law does not prohibit such activities.

The hunting and shooting sports community has taken seriously the Action Items outlined in the Recreational Hunting and Wildlife Conservation Plan, and has already implemented several of the actions on recruitment and retention. In addition to establishing the Council to Advance Hunting and the Shooting Sports – a forum to bring together Industry, NGO's, state and federal government to tackle the hard issues related to recruitment and retention – the community has worked with USDA to develop an "Open Fields" walk-in hunting access to private lands as authorized in the 2008 Farm Bill. The program was launched on July 8, 2010 as a voluntary public access and incentive program administered by the Farm Service Agency. Seventeen grants have been awarded to state fish and wildlife agencies for approximately \$11 million dollars to assist in hunter access on private lands.

We strongly believe that DOI and USDA can help accomplish further Action Items independently, as well as through partnerships with individuals and organizations throughout the hunting and shooting sports community.

Sincerely

A handwritten signature in cursive script that reads "John Tomke". The signature is written in black ink and is positioned above the typed name and title.

John Tomke, Chair  
Wildlife and Hunting Heritage Conservation Council

*Wildlife and Hunting Heritage  
Conservation Council*

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May 19, 2011

The Honorable Ken Salazar  
U.S. Department of the Interior  
1849 C Street, NW  
Washington DC 20240

**Re: Dakota Grasslands Conservation Area**

Dear Secretary Salazar,

At its February, 2011 meeting, the Wildlife and Hunting Heritage Conservation Council (Council) affirmed its unanimous support for the U.S. Fish and Wildlife Service's proposed Dakota Grasslands Conservation Area. The Dakota Grassland Conservation Area was developed by the U.S. Fish and Wildlife Service to conserve wetland and grassland habitat by working with private landowners through voluntary conservation easement agreements. The Conservation Area would greatly benefit waterfowl and other wildlife by protecting key wetland and grassland habitat in the Prairie Pothole Region. Many species of grass nesting birds also rely heavily on the grasslands of this region and, unfortunately, there has been a population decline among these species over the past decades.

The Conservation Area will focus on 240,000 acres of wetland habitat and 1.7 million acres of grasslands, relying heavily on voluntary conservation easements across the project area landscape to protect wetland and grassland habitat from being converted to other uses. At the same time, it would allow for the continuation of traditional activities such as farming wetlands – when dry from natural conditions – and livestock grazing and haying in grasslands. The Conservation Area also complements the existing Small Wetlands Acquisition Program (SWAP) – another program promoting profitable farming and ranching practices on private lands that benefit migratory birds by conserving habitats.

The Conservation Area is a small yet significant portion of the Prairie Pothole Region, a region containing the last great intersection of wetlands and grasslands in North America and documented as an internationally valuable resource area for pheasants, migratory waterfowl, and other wetland associated wildlife. More than 800,000 of our nations' sportsmen and sportswomen participate in waterfowl and upland game bird hunting in this region every year, supporting local rural economies with expenditures valued at \$473 million. Lastly, the proposed Dakota Grassland Conservation Area will provide long-term savings to the American public by decreasing the need for compulsory farm programs on lands with easements.

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The Council strongly endorses the U.S. Fish and Wildlife Service initiative in the Dakota Grasslands Conservation Area, and asks assistance from the Administration to make it a reality.

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



## Wildlife and Hunting Heritage Conservation Council

May 19, 2011

The Honorable Ken Salazar  
U.S. Department of the Interior  
1849 C Street, NW  
Washington DC 20240

### Re: Dedication of Clean Water Act penalties towards Gulf Coast restoration

Dear Secretary Salazar:

The Wildlife and Hunting Heritage Conservation Council (Council), urges the Department of Interior to seek the authority to ensure that at least 80% of the Clean Water Act penalties paid by British Petroleum (BP) be dedicated towards restoring the region that suffered the greatest impacts from the BP oil disaster.

The oil spill was an enormous blow to the economy and ecosystem of the Gulf Coast and ongoing action is necessary to protect the Gulf region's remarkable natural resources and its economy. Both Secretary Mabus' report on the Gulf's long-term recovery plan and the bi-partisan National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling recommended that a significant portion of the Clean Water Act penalties should be dedicated to the long-term restoration of the Gulf of Mexico.

Coastal Louisiana – which was particularly impacted by oil – is the largest wetland complex in the United States and is incredibly important to hunters and anglers across the country. Louisiana's coastal wetlands host up to 10 million ducks and geese every winter and support one of the finest fresh and saltwater fisheries anywhere in the world.

Unfortunately this important wildlife habitat was already in crisis before the oil spill. Since the 1930s, more than 2,300 square miles of these valuable wetlands and marshes have been lost to coastal erosion – an area almost the size of the state of Delaware.

The BP oil disaster compounded the pre-existing erosion problems and could not have happened at a worse time of year for many fish species, as vulnerable eggs and larvae were exposed to the toxic effects of oil. Additionally, the effects on the food supplies and habitat of wintering waterfowl remain unknown.

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Restoration of the Gulf Coast and the Mississippi River Delta is critical for preserving America's hunting and fishing heritage and should be a national priority. Clean Water Act penalty funds will be fundamental to the success of these recovery and restoration activities. We look forward to working with the Department of the Interior and Department of Agriculture toward a healthier and more vibrant future for the Gulf of Mexico and its residents.

Sincerely

A handwritten signature in black ink that reads "John Tomke". The signature is written in a cursive style with a large, looping initial "J".

John Tomke, Chair  
Wildlife and Hunting Heritage Conservation Council

*Wildlife and Hunting Heritage  
Conservation Council*

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May 19, 2011

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

**Re: Biofuels Development on CRP Lands**

Dear Secretary Vilsack,

On behalf of the Wildlife and Hunting Heritage Conservation Council federal advisory committee, I am writing to inform you of our concerns regarding potential for biofuels production on Conservation Reserve Program lands (CRP). We understand that the Administration may not have immediate plans to generate biomass from CRP acreage, however the importance of these lands to wildlife, hunting, and soil and water quality is critical and the Council is concerned that these lands may be targeted for biofuels production in the future, perhaps in conjunction with reauthorization of the federal Farm Bill in 2012.

The use of CRP lands for biomass harvest, for a variety of energy production technologies, has important implications for wildlife habitats across a large portion of the U.S. The Council, therefore, recommends that any contemplated CRP biofuels initiative incentivize maintenance of permanent wildlife-benefitting vegetative cover while meeting energy production goals. We believe that achieving this depends on two fundamental conditions: 1) biomass production on CRP lands should be carried out in a manner established in consultation with state technical committees, and state fish and wildlife agencies in particular; and 2) biomass production incentives should ensure that the wildlife, hunting, soil and water quality on existing CRP lands are not diminished.

Thank you for considering these issues. We would be pleased to provide additional detail and discussion as needed.

Sincerely,



John Tomke, Chair  
Wildlife and Hunting Heritage Conservation Council

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