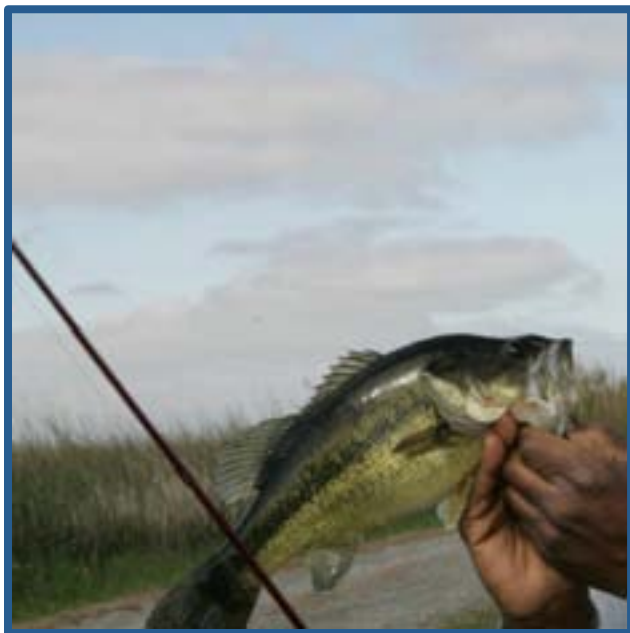


Comment Period: Tuesday, July 2 – Thursday, August 15

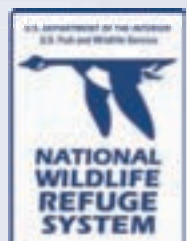
Please [sign-up](#) or [sign-in](#) to the social network to view and comment on this draft product. Learn more about the social network and how it works [here](#).

We encourage members to leave comments, edits, and suggestions in the comment section of the [Hunting, Fishing, & Outdoor Recreation Group](#) within the social network. Members of the implementation teams will monitor comments with the hope of robust conversation that will enhance these draft products.

You may also e-mail your comments to conservingthefuture@fws.gov.



U.S. Fish and Wildlife Service
National Wildlife Refuge System
Draft Hunting & Fishing Strategic Plan



FINAL DRAFT

CONSERVING THE FUTURE: **WILDLIFE REFUGES AND THE NEXT GENERATION**

RECOMMENDATION 17 – HUNTING AND FISHING

INTRODUCTION

In 2011 the U.S. Fish and Wildlife Service (Service), working with partners, developed a vision for the National Wildlife Refuge System (System) that was designed for the System to deliver conservation into the future for a changing America. This vision, complimentary to the Service mission, included 24 recommendations that addressed a diverse set of ideas including public use; planning; strategic growth of the System; science and research; working with partners, friends, and volunteers; leadership; communications; law enforcement; urban refuges; climate change; and work beyond the boundaries.

SERVICE MISSION

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish and wildlife, plants, and their habitats for the continuing benefit of the American people.

Nine teams were formed to implement the new vision *Conserving the Future: Wildlife Refuges and the Next Generation*. The Hunting, Fishing, and Outdoor Recreation implementation team was chartered to lead implementation of Recommendations 17 and 18. This document serves as the team's strategy to address Recommendation 17 and is specific to hunting and fishing within the System.

Recommendation 17 is consistent with established procedures for coordinating and working cooperatively with State fish and wildlife agency representatives on management of units of the System (601 FW 7). Both the Service and State fish and wildlife agencies have authorities and responsibilities for management of fish and wildlife on national wildlife refuges. Development and implementation of an effective strategy for increasing quality hunting and fishing opportunities on refuges will require close coordination and cooperative work with the States. The Service and States are committed to working with other partners to implement the strategy for increasing quality hunting and fishing opportunities on refuges.

RECOMMENDATION 17

***Recommendation 17:** The Service will work closely with state fish and wildlife agencies to conduct a review of its current hunting and fishing opportunities, especially opportunities currently offered for youth and people with disabilities. Based on this review, the Service and states will work cooperatively to prepare a strategy for increasing quality hunting and fishing opportunities on national wildlife refuges.*

HOW WILL THIS COMPREHENSIVE LONG-TERM STRATEGY ACHIEVE SUCCESS?

Recommendation 17 is very specific on what it tasks the Implementation Team to accomplish: Work with the States. Conduct a review of current opportunities, especially opportunities offered for youth and people with disabilities. Work cooperatively with the States to develop this strategy to increase opportunities on refuges. Implementation of this strategy will achieve success of fulfilling the vision captured in Recommendation 17 through the following measures:

- Define our Background and History – Who we are and how we got here
- Review of Current Opportunities for Hunting and Fishing on Refuges - Accomplished
- Better Train Our Managers, Visitor Services Professionals, and our State partners – Give them the knowledge to succeed, Action Item #1
- Reaffirm and Strengthen our Relationship with States – Our partners in conservation. Action Item #2
- Modify Policy Guidance on Fish Stocking – Will help maintain historic uses and allow potential new uses on Refuges, Action Item #3
- Inventory Accessible Facilities – Resolve Deficiencies – What we need to know to fix the problem – Action Item #4
- Welcome and Orient New and Existing Users - Make people feel welcome and wanted, Action Item #5 - 8
- Develop and Expand Outdoor Skills and Mentoring - Build it and they will come, Action Item #9 - 10
- Charting a Course to Improve and Expand Opportunities – Define the future, Action Item #11
- Measure and Award Success – Define how we will measure success, and how we will award it, Action Item #12
- Establish Annual Monitoring –Define how we will monitor the System specifically as it relates to this recommendation, Action Item #13

“The work on this strategy will be on-going. The Service and States will work strategically to continue to adapt efforts to achieve success intended by Recommendation 17.”

BACKGROUND AND HISTORY

The pursuit of hunting and fishing in America has a rich tradition- In the early years following our declared independence, the young nation had few laws that governed the exploitation of fish and wildlife for food and profit. This lack of organized conservation took a heavy toll on the nation’s wild resources as people took fish and wildlife at will while habitat disappeared under plows and roads. Eventually, unlimited hunting caused localized reductions in wildlife populations. Some species, such as the heath hen and the passenger pigeon, were taken to the point of no return and have been lost to future generations; others, such as bison and trumpeter swans, came close to the brink of extinction, but were saved. Public outcry demanded change, and a few prominent sportsmen came together to answer the call. People like Theodore Roosevelt and George Bird Grinnell, and others, who founded the Boone and Crockett Club in 1887, lead the charge for change. They played a key role in the formation of early national parks, national wildlife refuges, and forest reserves and in developing future conservation laws and leaders. It was concerned sportsmen of that day that spawned much of the conservation movement that now exists.

Theodore Roosevelt is quoted as saying, “Wild beasts and birds are by right not the property merely of the people who are alive today, but the property of unknown generations, whose belongings we have no right to squander.” As president, Roosevelt used politics, his power, and personality to make great strides in conservation. He said, “The conservation of natural resources is the fundamental problem. Unless we solve that problem it will avail us little to solve all others.” He wasn’t just a man of words – while president he also created the first national wildlife refuge at Pelican Island in 1903, as well as 50 other refuges as federal bird reservations, 150 national forests, 5 national parks, 18, national monuments, 4 national game preserves, and 24 reclamation areas!

While the tide had turned for conservation in America with the foundation laid by Roosevelt and others, much work remained. Important laws were passed including the protective provisions of the Migratory Bird Treaty Act of 1918, and the revenue generating provisions of the Federal Aid in Wildlife Restoration Act of 1937. Collectively, with the work of state fish and wildlife agencies, federal support in legislation and policies, and the work of countless sportsmen’s groups and non-profit conservation organizations, a model was created that successfully guides management of fish and wildlife in the United States for the use and enjoyment of these resources today and for future generations. This model has come to be known generally as the North American Model of Wildlife Conservation and is stated in different ways, but is always based on seven tenets that speak to wildlife as part of the public trust, science, ethics, fairness, and sustainability.

THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION

1. **WILDLIFE IS HELD IN PUBLIC TRUST** - Natural resources on public lands are managed by government agencies to ensure that current and future generations always have wildlife and wild places to enjoy.
2. **PROHIBITION ON COMMERCE OF WILDLIFE** – Commercial hunting and the sale of wildlife is prohibited to ensure sustainability of wildlife populations.
3. **DEMOCRATIC RULE OF LAW** – Hunting and fishing laws are created through public process where everyone has the opportunity and responsibility to develop systems of wildlife conservation and use.
4. **OPPORTUNITY FOR ALL** – Every citizen has an opportunity, under the law, to hunt and fish should they choose.
5. **NON-FRIVOLOUS USE** – Wildlife should only be killed for a legitimate purpose. Laws restrict against the casual killing of wildlife merely for antlers, horns, or feathers.
6. **INTERNATIONAL RESOURCE** – Wildlife and fish migrate freely across boundaries between states, provinces and countries. Working together, the United States and Canada jointly coordinate wildlife and habitat strategies. The Migratory Bird Treaty Act of 1918 demonstrates this cooperation between countries to protect wildlife. The Act made it illegal to capture or kill migratory birds, except as allowed by specific hunting regulations.
7. **SCIENTIFIC MANAGEMENT** – Sound science is essential to managing and sustaining North America’s wildlife and habitats and is the proper tool to create and implement all wildlife policy.

Hunters and anglers continue to significantly support conservation through purchase of licenses, tags, and stamps; through excise taxes on firearms, ammunition, bows, arrows, and fishing tackle; taxes on motor boat and small engine fuel and import duties; and through memberships and donations to many non-governmental organizations that contribute to research, habitat acquisition, and other conservation causes. For example, every Federal Duck stamp purchased directly supports wetland conservation efforts across the U.S. Since the passage of the Migratory Bird Hunting and Conservation Stamp Act in 1934, Federal Duck Stamp sales have generated more than \$800 million which has been used to purchase in fee title, or protect through conservation easements over 6 million acres of wetlands and associated upland habitat in the United States managed as part of the System. While not all Americans hunt or fish, those who enjoy open spaces, wildlife, and other environmental services (i.e. clean water) benefit from the contributions of hunters and anglers. While the debate about the ethical take of fish and wildlife for food while recreating may continue in some circles, no one can argue that well managed fish and wildlife populations and habitats are valuable resources for future generations.

Congress again entered the debate about hunting and fishing, specifically for the System, with the passage of National Wildlife Refuge System Improvement Act of 1997 (amending the National Wildlife Refuge System Administration Act of 1966). State fish and wildlife agencies were instrumental in the deliberations leading to the passage of this Act. Addressing the Secretary of the Interior for management of the System, Congress recognized the history and value of the use of wildlife to the American people and designated six wildlife-dependent recreational uses as priority public uses of the System - to be permitted when found to be safe, and compatible with the legal purposes of individual refuges and the System mission. These uses, which have no priority over each other, include hunting, fishing, wildlife observation, photography, environmental education and interpretation and are to be afforded priority over all other public uses of the System.

The House Report that accompanied the National Wildlife Refuge System Improvement Act of 1997 addressed the Congressional intent behind designating six priority public uses: “Because priority uses like hunting, fishing, wildlife observation and environmental education are dependent upon healthy wildlife populations, they are directly related to the mission of the System and the purposes of many refuges. If our refuges and the Refuge System are managed well, then these priority uses will, in turn, prosper in the future. Further, it is the policy of the United States that where a proposed wildlife-dependent use is determined compatible on an individual refuge, the activity should be facilitated.” The compatibility requirement includes a consistency review with the System mission (established by the Refuge Improvement Act) and the individual purposes of each refuge.

SYSTEM MISSION

***National Wildlife Refuge System Mission:** To administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generation of Americans.*

Not all refuges are open to hunting or fishing because of compatibility or safety issues. For example a very small refuge established specifically as a sanctuary for endangered species would be unlikely to be open to most public uses, including priority public uses. Additionally, some areas are unsuitable for hunting and fishing programs. Of the approximately 150 million acres currently within the System, around 1/3 of that is ocean and ocean floor (including areas such as

the Marianas Trench) and offer little practical public use opportunities. On the other hand, over 99% of the System lands in Alaska (accounting for nearly 80 million acres) are open to hunting and fishing and other priority public use opportunities.

CURRENT STATUS OF HUNTING AND FISHING ON REFUGES

Since the passage of the Refuge Improvement Act the Service has increased the number of refuges open to hunting from 271 to 329, and the number open to fishing from 217 to 271. There are currently 561 refuges and 38 Wetland Management Districts in the System. All 38 Wetland Management Districts are open to hunting and fishing. The summary, depicted below, is illustrative, but misleading in terms of total opportunity offered. For example, while refuges newly opened to hunting or fishing was minimal in 2012-13, increased opportunity for hunting and/or fishing was provided in the rulemaking on 16 refuges (examples of this could be a refuge that was already open to deer hunting may be offering a new upland game hunting program, or perhaps initiated a youth waterfowl hunting opportunity).

National Wildlife Refuge Hunting and Fishing Trends – 1997-98 through 2012-13

Season	Newly Opened to Hunting	Total Hunting	Newly Opened to Fishing	Total Fishing
2012-13	2	329	0	271
2011-12	3	327	0	272
2010-11	2	324	0	272
2009-10	3	322	0	272
2008-09	2	319	1	271
2007-08	No Rule Published*			
2006-07	No Rule Published*			
2005-06	7	310	3	268
2004-05	4	306	2	266
2003-04	4	302	4	262
2002-03	9	293	3	259
2001-02	8	285	9	250
2000-01	6	279	8	242
1999-00	4	275	8	234
1998-99	3	272	14	220
1997-98	1	271	3	217

*The Service was involved in a lawsuit with Fund for Animals that spanned 2003-2011 and did not publish refuge-specific hunting and fishing rules for two seasons (2006-07 and 2007-08).

Consistent with Recommendation 17 to evaluate current hunting and fishing opportunities within the System, the Implementation Team used the annual field data call in 2012 – the Refuge Annual Performance Plan (RAPP) - to survey refuge managers specifically about their hunting and fishing programs and related outdoor recreation activities and support facilities. The reporting rate to the supplemental data call was 96% and gives good insight into current existing programs. Methods to improve data collection will be better defined to ensure accuracy in information in subsequent years. Action Item 13 in this document proposes to continue to use RAPP, with modifications as necessary, in order to track progress in the overall Recommendation 17 strategy.

Here is a snapshot of the summary information gathered from the 2012 RAPP data call for the System.

Refuge Visitation: 2012	
Number of hunting visits	2,525,261
Number of fishing visits	7,104,701
Number of wildlife observation visits	30,013,247
Number of pedestrian/foot trail/hiking visits	21,018,452
Number of auto tour route visits	10,606,795
Number of boat launches	2,973,564
Number of bicycle visits	1,032,221
Number of photography visits	7,435,207

Specific to Hunting	
Number of waterfowl hunting visits	894,066
Number of other migratory bird hunting visits	70,567
Number of upland game hunting visits	611,856
Number of big game hunting visits	989,621
Hunt programs self-rated as good	292
Hunt programs self-rated as fair	60
Hunt programs self-rated as poor	10
Number of refuges reporting youth only hunting opportunities	185
Number of youth only hunts	331
Number of youth hunting events with the following number of youth participants	
1-10 participants	51
11-50 participants	78
51-100 participants	24
>100 participants	7
Number of refuges reporting hunts for people with disabilities	71
Number of hunting events with the following number of people with disabilities	
1-10 participants	31
11-50 participants	27
51-100 participants	6
>100 participants	0
Refuges offering other hunting related activities to the public	
Hunter orientation	35
Hunter education	55
Hands on skills classes	32
Dog training	13
Target shooting	6

Specific to Fishing	
Number of fishing programs self-rated as good	221
Number of fishing programs self-rated as fair	81
Number of fishing programs self-rated as poor	31
Number of refuges reporting youth only fishing opportunities	114
Number of youth fishing events with the following number of youth participants	
1-10 participants	3
11-50 participants	15
51-100 participants	23
>100 participants	27
Number of refuges reporting fishing events only for people with disabilities	10
Number of fishing events only for people with disabilities	18
Number of participants	
1-10 participants	2
11-50 participants	5
51-100 participants	2
>100 participants	1
Number of refuges that have stocked native fish	113*
Number of refuges that have stocked non-native fish	69*

**Stocking may not be currently occurring
Reasons for stocking: recreational fishing, youth fishing events, reintroduction and restoration, forage food for wildlife, and to control non-native-invasive species.*

DEFINE THE ACTION ITEMS

The Service is dedicated to working with States to increase quality hunting and fishing opportunities on national wildlife refuges. This will be best supported by a comprehensive long-term strategy.

In defining “quality” we recognize that this is largely a value judgment that can vary from individual to individual. For example, one hunter may seek solitude and only truly enjoy wilderness backpack type outings. Another person may be thankful for almost any opportunity to access public lands and escape the urban environment - whether the site is developed or relatively crowded may matter little to them. Because of this we define “quality” generally and look for the following attributes:

SAFETY – Participants in the activity must be protected by accepted standards for the program being managed and should feel safe while participating.

SUCCESS – Fair chase standards should be incorporated in the programs' design. Participants should have a reasonable chance of successful encounters of the fish or wildlife they are pursuing, but success should never be guaranteed.

ACCESS – Reasonable access should be provided to participants both in terms of equal and accessible opportunity to participate in the program generally, and actual access to the activity on-the-ground specifically.

ENJOYMENT – Programs should be designed for participants to maximize their enjoyment of the activity without unnecessary disturbance from other users and with opportunity to participate in a variety of activities (for which they may choose) when practical.

TRAINING

Training is proposed to address a variety of needs associated with this strategy. Managing hunting and fishing programs effectively, efficiently, and safely requires a high degree of knowledge, skills, and abilities. By providing basic procedural guidelines, examples of problems and solutions and access to helpful resources for managers, a higher level of experience can be obtained earlier in our employee's careers. Training for managing hunting and fishing programs should be considered as important as training to oversee fire, law enforcement, or wilderness management programs. Additionally, other training opportunities can help staff develop outdoor skills capabilities and help friends, volunteers, and other partners support outdoor recreation objectives on refuges.

ACTION ITEM 1. DEVELOP AND IMPLEMENT TRAINING COURSES

- A. Develop and deliver a course for refuge employees who manage, or will manage, hunting and/or fishing programs on refuges, and State fish and wildlife agency employees. The course should be developed for use at NCTC, but consideration should be given to delivering it initially on-the-road to reach as many employees as possible in a cost effective and timely fashion (such as holding the training in each Service region during a project leaders' meeting). The course should emphasize the history of hunting and fishing in America and on refuges; statutory and policy guidance on developing hunting and fishing programs; steps, tips, and resources available when developing new programs; overview of Refuge Improvement Act provisions (including fund raising authorities to support wildlife-dependent recreation); NEPA and ESA compliance; safety considerations and development of safety and buffer zones; development of complimentary outdoor skills programs; special emphasis on development of programs targeted at youth and people with disabilities; and coordination with States throughout the process.
- B. Develop content to include training opportunities in the NCTC internal VS Connect site. Include a very broad coverage of courses that may meet specific needs at specific locations (such as learning the health benefits of nature or learning to speak Spanish). Expand the site to include other resources such as case studies that illustrate good examples of innovative programs and successes.

- C. Develop a course at NCTC for refuge staff, friends, and volunteers that shares best practices for developing and managing outdoor recreation activities on refuges. Include special emphasis on hunting and fishing and other wildlife-dependent recreation activities and related outdoor skills development. Special emphasis also should be on programs for youth and people with disabilities. The course should be designed for participants with little or no experience with these concepts but who have the opportunity to develop new or expand existing programs. Consideration should be given to expanding the concepts delivered currently by the *Conservation Leaders of Tomorrow* course currently hosted by the Wildlife Management Institute at NCTC.
- D. The Refuge System will work with NCTC to provide training to Facilities Management Coordinators, Engineers, Visitor Services Specialists and Wildlife Refuge Specialists on American's with Disabilities Act compliance deficiencies and construction needs as identified from the inventory of all NWRs and WMDs during the next ten years.

COORDINATION AND COOPERATIVE WORK WITH THE STATES

Hunting and fishing programs on refuges are to be managed in coordination with State fish and wildlife agencies and should be consistent to the degree practical with State regulations and management objectives. Good working relationships should be established in advance of establishing programs to ensure that communication and coordination are the rule, and to avoid professional disagreements when possible.

ACTION ITEM 2. POLICY AND PLANNING

- A. The System is to work with States when involved in planning efforts of mutual interest (CCPs, habitat management plans, hunt plans, etc.) according to policy and regulation (601 FW7 – Coordination with States & 43 CFR -24 State/Federal Relationships; See Appendix A-1 and A-2). It is recommended that this policy and regulation be included in training (Action Item 2). The best relationships come from investment of time and energy one-on-one with our partners. Refuge managers and staff should continue to develop opportunities for joint field work and site visits, informal periodic meetings, regular coordination on planning and procedural issues and appropriate celebratory events honouring joints successes.

FISH STOCKING

Increased angling opportunities can often be realized with small investments, including stocking of fish for special events or for larger sustained fishing opportunities. The System should explore opportunities to increase fishing on refuges through evaluation and potential modification of its current policies and developing programs with States and potentially with other partners.

ACTION ITEM 3. PROPOSED NEW GUIDANCE AND EVALUATION OF OPPORTUNITIES

- A. Develop guidance from the Service Director that provides for the continuance of historical fish stocking programs on refuges, and consideration for new stocking programs where desirable, with adequate protection of refuge resources. This would result in permission of stocking programs following a legally required compatibility determination, and new

protective standards (that evaluate each proposal on a case-by-case basis) rather than strict general interpretation of policy that may restrict or pre-empt stocking altogether.

- B. Encourage refuge managers, when updating comprehensive conservation plans, and in consultation with their State fish and wildlife agency, to evaluate whether fish stocking can reasonably be employed to increase angling opportunities on the refuge, especially for youth and people with disabilities.

ACCESSIBLE FACILITIES

Currently the System manages over 1,200 facilities including roads, trails, observation and hunting blinds, boat ramps and docks, or other outdoor facilities. Of these, about a quarter of them have varying degrees of accessibility for people with disabilities, as well as for some younger or aging Americans. The System will work aggressively to inventory and resolve deficiencies.

ACTION ITEM 4. INVENTORY AND INVESTMENT

- A. Complete an inventory to assess public use facilities within the System that comply with Americans with Disabilities Act standards. Determine what solutions are feasible, including an estimated cost and time-frame for upgrades or repairs.
- B. Service leadership will prioritize the list above and will dedicate a proportion of annual deferred maintenance funding to address deficiencies. Evaluation of progress will be completed every two years.

WELCOME AND ORIENT

All refuge visitors should have easy access to information about the refuge and refuge programs, maps, and applicable regulations. The following action items will help accomplish this goal.

ACTION ITEM 5. AS THE REFUGE SYSTEM REDESIGNS ITS CURRENT WEB PRESENCE, EMPHASIS SHOULD BE PLACED ON PROVIDING APPLICATIONS AND MAPS SPECIFIC TO WILDLIFE DEPENDENT RECREATIONAL OPPORTUNITIES.

- A. Incorporate and emphasize the following elements into the NWRS web redesign:
 - 1) Expand content of Universal Hunt, particularly the “Special Hunts” section.
 - 2) Add abundance rating for hunted species.
 - 3) Add abundance rating for fished species.
 - 4) Add Bird finding Guide.
 - 5) Add links recreational use options.
- B. When possible, individual refuge websites should include:
 - 1) Links to State sites where applicable and highlight any restrictions that differ from State programs.
 - 2) Feature state sponsored hunting and fishing events.
 - 3) Include a PDF map of the land available for public use.

ACTION ITEM 6. SIGNAGE

- A. Place informational kiosks at the entrance to hunting and fishing areas and other specific public recreation areas on refuges and place appropriate information to inform users of the opportunities, rules, and other information important to the area and activity. Use QR codes at kiosks where appropriate to provide messages tailored to specific user groups as appropriate.
- B. Transition System boundary signs, as funding, time, and practicality allow, eliminating “Unauthorized Entry Prohibited” language, to be replaced with more welcoming and informative wording.
- C. If areas are closed, provide information as to why on the closure signs (such as “waterfowl resting area”).
- D. Provide bilingual signs where appropriate.
- E. Update sign manual to reflect above changes.

ACTION ITEM 7. SOCIAL MEDIA

- A. Leverage social media by developing a larger presence using Facebook and established online forums.
- B. Leverage partnerships with States and NGOs using links on established websites.
- C. Include outdoor recreation opportunities when developing any System or refuge-specific app.
- D. Service employees should explore opportunities to share information such as Google Sites, Shared Calendars, or existing webpages like VS Connect.
- E. Explore the use of podcasts and Tedtalks on topics related to the big six.
- F. Work with Service communications departments to publicize refuges that have especially important programs or opportunities – encourage refuge visits during bird migration and during peak viewing times.

ACTION ITEM 8. VISITOR SERVICES MANUAL

- A. Incorporate Action Items 4 - 6 into changes or additions into the Visitor Services Manual “Welcome and Orient” section.
- B. Develop and incorporate minimum standards for hunting and fishing programs (this has already been completed for wildlife viewing and photography). Special attention should be given to minimum standards to welcome and orient refuge visitors in regards to accessibility and for any special program (like a youth deer hunt).

OUTDOOR SKILLS AND MENTORING

Recruitment of new participants to outdoor recreational activities comes in a variety of ways, often through a parent, other relative, or friend, but also by introducing potential participants to related skills and opportunities. Enjoyment of the activity, and likelihood of continuing, can also be enhanced by improving the skills associated with the activity, and learning more about it. The System will strive to increase opportunities to develop outdoor skills and mentor new hunters, anglers, and other outdoor recreationists, consistent with its conservation mission.

ACTION ITEM 9. OUTDOOR SKILLS AND OUTDOOR SKILLS CENTERS

- A. Develop examples of existing outdoor skills programs (like Becoming an Outdoors Woman, Hunter Education, Archery in the Schools, or Outdoor without Limits) and outdoor skills centers on refuges (from rustic one-room cabins to facilities included in multi-million dollar visitor centers) that can be used as a resource to managers wanting to develop an outdoor skill center and/or program at their station.
- B. Develop and implement a pilot program to create new outdoor skills centers across the System. Allocate funding to support the program to include one skills center per Service region. Funding should be allocated based on audience base, leveraging of dollars (best bang for the buck), applicable partnerships, and ability of staff or partners to deliver programs.
- C. Evaluate pilot projects at end of years 2, 3, and 4. Report results to System leadership and the Association of Fish and Wildlife Agencies (AFWA) standing committee (see Action Item 12). Make decisions whether to expand, modify, or discontinue the initiative.
- D. Develop a partner's guide to working with refuges to educate and advance outdoor skills development and opportunities. The guide will include, at a minimum, an introduction, description of the System and its operational goals, what are outdoor skills and why they are important, an outline for hosting events in partnership with refuges, discussion on outdoor skills centers, and the role of volunteers and friends groups.
- E. Develop and expand partnerships to capitalize on matching funds, contribution, and donations to facilitate the development of outdoor skills centers on Refuge lands.

ACTION ITEM 10. MENTORING

- A. As requested by States, or at a minimum when updating refuge comprehensive conservation plans, evaluate opportunities to support State sponsored mentored hunting programs on refuges and implement as feasible. Where states do not have a mentored hunting program, refuges should seize the opportunity to develop one.
- B. The goal of the NWRS mentor program, through continued experience, is for mentees to become hunters, anglers, birders, or outdoor enthusiasts utilizing refuge facilities, volunteers, and special considerations.

CHARTING A COURSE

While much progress has been made following the passage of the Refuge Improvement Act in 1997 in offering increased quality opportunities for hunting and fishing and other wildlife-dependent recreational opportunities within the System, there is room to do more. The Service is committed to analyze potential opportunities and, working with State fish and wildlife agencies to continue to increase and improve opportunities where practicable.

ACTION ITEM 11. LOOKING FOR OPPORTUNITIES

- A. System leadership will continue to evaluate existing hunting and fishing opportunities within the System and look for obvious gaps (large acreage areas not currently open, short seasons, limited species, etc.) and develop proposals to address these potential opportunities. The information will be shared with the AFWA standing committee (Action Item 12).
- B. Emphasis will be placed on developing new or improved opportunities whenever refuge comprehensive conservation plans are updated. Additionally, State fish and wildlife agencies may request the Service to entertain any new or modified program at any time. Changes can take considerable time and effort, but the necessary processes should not dissuade meaningful discussions, priority setting, and coordination to help ensure results.
- C. The Service will review, by 2014, the process for opening new refuges to hunting/fishing, or expanding existing hunting and fishing programs, to determine if the process could be streamlined and how.

MEASURING SUCCESS

The strategy requires metrics and periodic monitoring to ensure implementation is being successful, and if not, to help guide any modifications. The current annual RAPP data call is a good start to assess progress, but will likely need some additions to address all the questions we may have. Basic statistics will be easier to collect (such as how many new hunting or fishing programs are offered each year) by tabulating proposed additions or changes to the Service's annual rulemaking for refuge-specific regulations.

ACTION ITEM 12. STRATEGY EVALUATION AND REWARDING SUCCESS

- A. Establishment of a standing committee of the Association of Fish and Wildlife Agencies (AFWA) is proposed, to meet annually and evaluate the progress on this strategy, make recommendations for any potential changes, and to acknowledge successes.
- B. An awards program is recommended to be established whereby the Service will recognize the effective partnership of a State fish and wildlife agency annually, and AFWA will recognize each year an exceptional specific refuge for their hunting or fishing programs and/or partnership and successes with a State.

The Service is committed to working on hunting or fishing issues that are important to State partners. For example, funding will be dedicated to support nationwide monitoring of chronic wasting disease using refuge hunt programs where desirable. This commitment will be extended, as feasible, to other wildlife disease issues (i.e. avian influenza that may be monitored well through waterfowl hunt programs). Ongoing coordination on such emerging issues will be a priority.

ACTION ITEM 13. ESTABLISH ANNUAL MONITORING

- A. Develop questions in association with RAPP as may be required, that will be able to measure changes in refuge hunting and fishing programs over time. At a minimum we will measure the number of hunting and fishing programs offered, type of program, acreage and percent of refuge open to the activity, estimated number of participants (with a subset estimate for youth and people with disabilities), and whether improvements have been made to the program over the previous year (such as adding hunting blinds, improving an access trail to be ADA accessible, development of a new informational map, etc.).

CONCLUSION

Hunting and fishing in America is an important part of its heritage and continues to be both important individual and family-oriented recreation and a significant part of the economy. In 2011 hunters and anglers spent approximately \$90 billion associated with those activities. According to the same survey (the 2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation) there were 33.1 million anglers, 13.7 million hunters, and 71.8 million wildlife watchers who participated in these wildlife-related recreational activities. That equates to 90.1 million U.S. residents who were age 16 or older (38 percent of the population). These activities contribute to the health and wealth of this nation and the System is poised to contribute to, and benefit from, these activities in many ways. With at least one refuge in every State and with a refuge within an hour's drive of most large American cities, refuges can provide the place for many Americans to experience the out-of-doors and wildlife-dependent recreational activities. The Service is committed to growing and improving these opportunities by working with States and other partners. The places are there, the wildlife is there, and the will is there. We will succeed!



CASE STUDIES

There are many examples of successful hunting and fishing programs on refuges today. Many of these have lessons to be shared about developing targeted programs (such as youth fishing areas or events) effectively and efficiently. Yet others have drawn new users to a refuge in distantly related or perhaps unrelated activities (like star gazing or shed antler collecting) that can serve to get people outside, provide a variety of outdoor education and recreational experiences, and can serve as an ambassador program to help recruit new users to other activities. The Service wants to grow a connected conservation constituency to be informed and supportive of its conservation mission. The following case studies are examples of what some managers are doing now – hopefully they will generate new ideas in others.



Refuge Name: ACE Basin NWR – South Carolina

Type of Use: White-tailed deer hunting for those with disabilities

Description: The Ernest F. Hollings ACE Basin National Wildlife Refuge helps protect the largest undeveloped estuary along the Atlantic Coast, with rich bottomland hardwoods and fresh and salt water marsh offering food and cover to a variety of wildlife. The mobility-impaired hunt is available to 12 hunters who are selected by drawing in September -

the 2-day hunt occurs in November. Applicants for the hunt are restricted to persons permanently confined to a wheelchair or persons permanently requiring the use of mechanical aids (crutches, walkers or prosthesis) above the knee to walk.



Refuge Name: Sacramento NWR - California

Type of Use: Duck Hunting Blind for those with Disabilities

Description: Waterfowl hunting on the refuge occurs during mid-October through mid-January, on Wednesdays, Saturdays, and Sundays, on the southern portion of the refuge separate from all other recreational activities. Ducks, geese, pheasant, snipe, coots, and moorhens can be hunted. A refuge

hunting permit must be purchased at the refuge's hunter check station. Based on a public request, refuge staff developed a waterfowl hunt designed to include those with disabilities in mind. After working with disabled hunters in post hunt meetings, the idea to develop permanent waterfowl

blinds strategically placed was hatched. Using crushed granite to create a semi-permanent yet functionally accessible trail to the duck blinds located along the lakes of the area, waterfowl hunting for those with disabilities was established.

APPENDIX A-1



601 FW 7

Coordination and Cooperative Work with State Fish and Wildlife Agencies

Supersedes Director's Order 148, 12/23/02
Date: August 25, 2008
Series: Refuge Management
Part 601: National Wildlife Refuge System
Originating Office: Division of Conservation,
Planning and Policy

[PDF Version](#)

7.1 What is the purpose of this chapter? This chapter establishes procedures for coordinating and working cooperatively with State fish and wildlife agency representatives on management of units of the National Wildlife Refuge System.

7.2 What is the scope of this chapter? This chapter applies to:

- A. The Assistant Director – National Wildlife Refuge System,
- B. Regional Directors,
- C. Regional Refuge Chiefs,
- D. Refuge supervisors, and
- E. Refuge managers within the Fish and Wildlife Service (Service).

7.3 What is the authority for this chapter? The [National Wildlife Refuge System Administration Act of 1966](#), as amended by the National Wildlife Refuge System Improvement Act of 1997, provides that the Secretary of the Interior in administering the System will, among other things:

- A. Ensure timely and effective cooperation with State fish and wildlife agencies during the course of acquiring and managing refuges;
- B. Enter into cooperative agreements with State fish and wildlife agencies for the management of programs on a refuge;
- C. Consult with adjoining State landowners and State fish and wildlife agencies in the preparation of comprehensive conservation plans (CCP) and coordinate the development of these plans or their revisions with relevant State plans for fish and wildlife and their habitats;
- D. Include a summary of State comments in a final CCP; and

E. Ensure regulations allowing hunting or fishing of fish and wildlife within the System are, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans.

7.4 What is the Service's policy on coordination with the States?

A. Effective conservation of fish, wildlife, plants and their habitats depends on the professional relationship between managers at the State and Federal level. We acknowledge the unique expertise and role of State fish and wildlife agencies in the management of fish and wildlife.

B. Both the Service and the State fish and wildlife agencies have authorities and responsibilities for management of fish and wildlife on national wildlife refuges, as described in [43 CFR 24](#). Consistent with the National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act:

(1) The Director will:

(a) Interact, coordinate, cooperate, and collaborate with the State fish and wildlife agencies in a timely and effective manner on the acquisition and management of national wildlife refuges; and

(b) Ensure that National Wildlife Refuge System regulations and management plans are, to the extent practicable, consistent with State laws, regulations, and management plans.

(2) Refuge managers, as the designated representatives of the Director at the local level, will also carry out these directives.

(3) We will provide State fish and wildlife agencies timely and meaningful opportunities to participate in the development and implementation of programs conducted under this policy. This opportunity will most commonly occur through State fish and wildlife agency representation on the CCP planning team; however, we will provide other opportunities for the State fish and wildlife agencies to participate in the development and implementation of program changes that would be made outside of the CCP process. We will continue to provide State fish and wildlife agencies opportunities to discuss and, if necessary, elevate decisions within our hierarchy.

7.5 What is the role of the Association of Fish and Wildlife Agencies? To further the congressional directive to develop effective procedures for State fish and wildlife agencies to provide meaningful participation, State representatives include Association of Fish and Wildlife Agencies (AFWA) staff who have been specifically appointed by a public officer of a State fish and wildlife agency to act on its behalf for such proceedings.

7.6 How will the Service coordinate with State representatives on the development of policy?

A. When the Service initiates national policy development to address a legislative requirement or to address a broad-scale refuge management concern, need, or issue, we:

(1) Will inform the States in order to obtain scoping or other preliminary information from them;

(2) Will meet with State representatives to discuss issues relative to the development of national policy affecting resource management on and near units of the System;

(3) Will invite interested State representatives to participate on working groups to develop policies that affect Federal and State interests;

(4) May also use intergovernmental personnel agreements to employ State representatives to assist in the development of policy.

B. When the Service has published proposed refuge management policies seeking public comment and input under the procedures set by the Administrative Procedure Act, we will continue to meet with State representatives.

(1) These discussions provide State representatives with a better understanding of the proposals and the rationale behind them. They will also provide us with a better understanding of State representative concerns and suggestions that will be incorporated, when appropriate, in products.

(2) We will include in the rulemaking record a summary of any such meetings, including any significant information, recommendations, and rationale presented that is not already part of the record.

(3) If these discussions result in new information or suggestions that result in a significant shift in our approach that is not otherwise supported by the record developed during the public comment period, we will reopen the comment period identifying for the public the new information we plan to rely on or the new regulation or policy we are proposing.

7.7 How will State representatives participate in the development of comprehensive conservation plans?

A. We will invite State representatives to participate on CCP planning teams.

B. When we make final decisions, we will communicate our decisions and rationale to the States and include a summary of State comments in the final CCP.

C. Consistent with the provisions of the National Wildlife Refuge System Administration Act, we will consult and work cooperatively with adjoining State landowners and State fish and wildlife agencies to develop and implement CCPs and coordinate the development of these plans or their revisions with State plans for fish and wildlife and their habitats.

D. We will provide the States meaningful opportunities to participate in the review and revision (if necessary) of completed CCPs.

7.8 What are the Regional Directors' responsibilities for coordination with States?

Regional Directors will meet with the directors of State fish and wildlife agencies within their Region at least annually, either collectively or individually. The purpose of the meetings is to exchange information and expertise and discuss outstanding issues such as the status of CCPs for each refuge within the Region and guidance for appropriate staff. Regional Directors and State directors should identify appropriate staff and mechanisms for further consultation including the development of memorandums of understanding (MOUs) or other instruments to guide cooperative development of plans and programs.

7.9 What are the procedures for resolving disagreements with the Service? We will try to resolve issues at the refuge manager level. In those rare instances where we cannot resolve issues at the refuge manager level, a State fish and wildlife agency may ask the Regional Director or, if necessary, the Director to resolve concerns.

For information on the specific content of this chapter, contact the Division of Conservation, Planning and Policy. For information about this Web site, contact Krista Holloway in the Division of Policy and Directives Management, at Krista.Holloway@fws.gov.

Visit the [Division of Policy and Directives Management Home Page](#)
Visit the [U.S. Fish and Wildlife Service Home Page](#)

APPENDIX A-2

§ 24.1

Introduction.

(a) In 1970, the Secretary of the Interior developed a policy statement on intergovernmental cooperation in the preservation, use and management of fish and wildlife resources. The purpose of the policy (36 FR 21034, Nov. 3, 1971) was to strengthen and support the missions of the several States and the Department of the Interior respecting fish and wildlife. Since development of the policy, a number of Congressional enactments and court decisions have addressed State and Federal responsibilities for fish and wildlife with the general effect of expanding Federal jurisdiction over certain species and uses of fish and wildlife traditionally managed by the States. In some cases, this expansion of jurisdiction has established overlapping authorities, clouded agency jurisdictions and, due to differing agency interpretations and accountabilities, has contributed to confusion and delays in the implementation of management programs. Nevertheless, Federal authority exists for specified purposes while State authority regarding fish and resident wildlife remains the comprehensive backdrop applicable in the absence of specific, overriding Federal law.

(b) The Secretary of the Interior reaffirms that fish and wildlife must be maintained for their ecological, cultural, educational, historical, aesthetic, scientific, recreational, economic, and social values to the people of the United States, and that these resources are held in public trust by the Federal and State governments for the benefit of present and future generations of Americans. Because fish and wildlife are fundamentally dependent upon habitats on private and public lands managed or subject to administration by many Federal and State agencies, and because provisions for the protection, maintenance and enhancement of fish and wildlife and the regulation for their use are established in many laws and regulations involving a multitude of Federal and State administrative structures, the effective stewardship of fish and wildlife requires the cooperation of the several States and the Federal Government.

(c) It is the intent of the Secretary to strengthen and support, to the maximum legal extent possible, the missions of the States and the Department of the Interior to conserve and manage effectively the nation's fish and wildlife. It is, therefore, important that a Department of the Interior Fish and Wildlife Policy be implemented to coordinate and facilitate the efforts of Federal and State agencies in the attainment of this objective.

Footnote(s): 1“States” refers to all of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, the Commonwealth of Northern Mariana Islands and other territorial possessions, and the constituent units of government upon which these entities may have conferred authorities related to fish and wildlife matters.

§ 24.2

Purpose.

(a) The purpose of the Department of the Interior Fish and Wildlife Policy is to clarify and support the broad authorities and responsibilities of Federal and State agencies responsible for the management of the nation's fish and wildlife and to identify and promote cooperative agency management relationships which advance scientifically-based resource management programs. This policy is intended to reaffirm the basic role of the States in fish and resident wildlife management, especially where States have primary authority and responsibility, and to foster improved conservation of fish and wildlife.

Footnote(s): 2 Hereinafter, the Bureau of Reclamation, Bureau of Land Management, Fish and Wildlife Service, and National Park Service will be referred to collectively as "Federal agencies."

(b) In developing and implementing this policy, this Department will be furthering the manifest Congressional policy of Federal-State cooperation that pervades statutory enactments in the area of fish and wildlife conservation. Moreover, in recognition of the scope of its activities in managing hundreds of millions of acres of land within the several States, the Department of the Interior will continue to seek new opportunities to foster a "good neighbor" policy with the States.

§ 24.3

General jurisdictional principles.

(a) In general the States possess broad trustee and police powers over fish and wildlife within their borders, including fish and wildlife found on Federal lands within a State. Under the Property Clause of the Constitution, Congress is given the power to "make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." In the exercise of power under the Property Clause, Congress may choose to preempt State management of fish and wildlife on Federal lands and, in circumstances where the exercise of power under the Commerce Clause is available, Congress may choose to establish restrictions on the taking of fish and wildlife whether or not the activity occurs on Federal lands, as well as to establish restrictions on possessing, transporting, importing, or exporting fish and wildlife. Finally, a third source of Federal constitutional authority for the management of fish and wildlife is the treaty making power. This authority was first recognized in the negotiation of a migratory bird treaty with Great Britain on behalf of Canada in 1916.

(b) The exercise of Congressional power through the enactment of Federal fish and wildlife conservation statutes has generally been associated with the establishment of regulations more restrictive than those of State law. The power of Congress respecting the taking of fish and wildlife has been exercised as a restrictive regulatory power, except in those situations where the taking of these resources is necessary to protect Federal property. With these exceptions, and despite the existence of constitutional power respecting fish and wildlife on Federally owned lands, Congress has, in fact, reaffirmed the basic responsibility and authority of the States to manage fish and resident wildlife on Federal lands.

(c) Congress has charged the Secretary of the Interior with responsibilities for the management of certain fish and wildlife resources, e.g., endangered and threatened species, migratory birds, certain marine mammals, and certain aspects of the management of some anadromous fish. However, even in these specific instances, with the limited exception of marine mammals, State jurisdiction remains concurrent with Federal authority.

§ 24.4

Resource management and public activities on Federal lands.

(a) The four major systems of Federal lands administered by the Department of the Interior are lands administered by the Bureau of Reclamation, Bureau of Land Management, units of the National Wildlife Refuge System and national fish hatcheries, and units of the National Park System.

(b) The Bureau of Reclamation withdraws public lands and acquires non-Federal lands for construction and operation of water resource development projects within the 17 Western States. Recreation and conservation or enhancement of fish and wildlife resources are often designated project purposes. General authority for Reclamation to modify project structures, develop facilities, and acquire lands to accommodate fish and wildlife resources is given to the Fish and Wildlife Coordination Act of 1946, as amended ([16 U.S.C. 661-667e](#)). That act further provides that the lands, waters and facilities designated for fish and wildlife management purposes, in most instances, should be made available by cooperative agreement to the agency exercising the administration of these resources of the particular State involved. The Federal Water Project Recreation Act of 1965, as amended, also directs Reclamation to encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement. Reclamation withdrawal, however, does not enlarge the power of the United States with respect to management of fish and resident wildlife and, except for activities specified in Section III.3 above, basic authority and responsibility for management of fish and resident wildlife on such lands remains with the State.

(c) BLM-administered lands comprise in excess of 300 million acres that support significant and diverse populations of fish and wildlife. Congress in the Federal Land Policy and Management Act of 1976 ([43 U.S.C. 1701 et seq.](#)) directed that non-wilderness BLM lands be managed by the Secretary under principles of multiple use and sustained yield, and for both wilderness and non-wilderness lands explicitly recognized and reaffirmed the primary authority and responsibility of the States for management of fish and resident wildlife on such lands. Concomitantly, the Secretary of the Interior is charged with the responsibility to manage non-wilderness BLM lands for multiple uses, including fish and wildlife conservation. However, this authority to manage lands for fish and wildlife values is not a preemption of State jurisdiction over fish and wildlife. In exercising this responsibility the Secretary is empowered to close areas to hunting, fishing or trapping for specified reasons viz., public safety, administration, or compliance with provisions of applicable law. The closure authority of the Secretary is thus a power to close areas to particular activities for particular reasons and does not in and of itself constitute a grant of authority to the Secretary to manage wildlife or require or authorize the issuance of hunting and/or fishing permits or licenses.

(d) While the several States therefore possess primary authority and responsibility for management of fish and resident wildlife on Bureau of Land Management lands, the Secretary, through the Bureau of Land Management, has custody of the land itself and the habitat upon which fish and resident wildlife are dependent. Management of the habitat is a responsibility of the Federal Government. Nevertheless, Congress in the Sikes Act has directed the Secretary of the Interior to cooperate with the States in developing programs on certain public lands, including those administered by BLM and the Department of Defense, for the conservation and rehabilitation of fish and wildlife including specific habitat improvement projects.

(e) Units of the National Wildlife Refuge System occur in nearly every State and constitute Federally owned or controlled areas set aside primarily as conservation areas for migratory waterfowl and other species of fish or wildlife. Units of the system also provide outdoor enjoyment for millions of visitors annually for the purpose of hunting, fishing and wildlife-associated recreation. In 1962 and 1966, Congress authorized the use of National Wildlife Refuges for outdoor recreation provided that it is compatible with the primary purposes for which the particular refuge was established. In contrast to multiple use public lands, the conservation, enhancement and perpetuation of fish and wildlife is almost invariably the principal reason for the establishment of a unit of the National Wildlife Refuge System. In consequence, Federal activity respecting management of migratory waterfowl and other wildlife residing on units of the National Wildlife Refuge System involves a Federal function specifically authorized by Congress. It is therefore for the Secretary to determine whether units of the System shall be open to public uses, such as hunting and fishing, and on what terms such access shall be granted. However, in recognition of the existing jurisdictional relationship between the States and the Federal Government, Congress, in the National Wildlife Refuge System Administration Act of 1966 ([16 U.S.C. 668dd](#)), has explicitly stated that nothing therein shall be construed as affecting the authority of the several States to manage fish and resident wildlife found on units of the system. Thus, Congress has directed that, to the maximum extent practicable, such public uses shall be consistent with State laws and regulations. Units of the National Wildlife Refuge System, therefore, shall be managed, to the extent practicable and compatible with the purposes for which they were established, in accordance with State laws and regulations, comprehensive plans for fish and wildlife developed by the States, and Regional Resource Plans developed by the Fish and Wildlife Service in cooperation with the States.

(f) Units of the National Park System contain natural, recreation, historic, and cultural values of national significance as designated by Executive and Congressional action. Specific enabling legislation has authorized limited hunting, trapping or fishing activity within certain areas of the system. As a general rule, consumptive resource utilization is prohibited. Those areas which do legislatively allow hunting, trapping, or fishing, do so in conformance with applicable Federal and State laws. The Superintendent may, in consultation with the appropriate State agency, fix times and locations where such activities will be prohibited. Areas of the National Park System which permit fishing generally will do so in accordance with applicable State and Federal Laws.

(g) In areas of exclusive Federal jurisdiction, State laws are not applicable. However, every attempt shall be made to consult with the appropriate States to minimize conflicting and confusing regulations which may cause undue hardship.

(h) The management of habitat for species of wildlife, populations of wildlife, or individual members of a population shall be in accordance with a Park Service approved Resource Management Plan. The appropriate States shall be consulted prior to the approval of management actions, and memoranda of understanding shall be executed as appropriate to ensure the conduct of programs which meet mutual objectives.

(i) Federal agencies of the Department of the Interior shall:

(1) Prepare fish and wildlife management plans in cooperation with State fish and wildlife agencies and other Federal (non-Interior) agencies where appropriate. Where such plans are prepared for Federal lands adjoining State or private lands, the agencies shall consult with the State or private landowners to coordinate management objectives;

(2) Within their statutory authority and subject to the management priorities and strategies of such agencies, institute fish and wildlife habitat management practices in cooperation with the States to assist the States in accomplishing their fish and wildlife resource plans;

(3) Provide for public use of Federal lands in accordance with State and Federal laws, and permit public hunting, fishing and trapping within statutory and budgetary limitations and in a manner compatible with the primary objectives for which the lands are administered. The hunting, fishing, and trapping, and the possession and disposition of fish, game, and fur animals, shall be conducted in all other respects within the framework of applicable State and Federal laws, including requirements for the possession of appropriate State licenses or permits.

(4) For those Federal lands that are already open for hunting, fishing, or trapping, closure authority shall not be exercised without prior consultation with the affected States, except in emergency situations. The Bureau of Land Management may, after consultation with the States, close all or any portion of public land under its jurisdiction to public hunting, fishing, or trapping for reasons of public safety, administration, or compliance with provisions of applicable law. The National Park Service and Fish and Wildlife Service may, after consultation with the States, close all or any portion of Federal land under their jurisdictions, or impose such other restrictions as are deemed necessary, for reasons required by the Federal laws governing the management of their areas; and

(5) Consult with the States and comply with State permit requirements in connection with the activities listed below, except in instances where the Secretary of the Interior determines that such compliance would prevent him from carrying out his statutory responsibilities:

(i) In carrying out research programs involving the taking or possession of fish and wildlife or programs involving reintroduction of fish and wildlife;

(ii) For the planned and orderly removal of surplus or harmful populations of fish and wildlife except where emergency situations requiring immediate action make such consultation and compliance with State regulatory requirements infeasible; and

(iii) In the disposition of fish and wildlife taken under paragraph (i) (5)(i) or (i) (5)(ii) of this section.

§ 24.5

International agreements.

(a) International conventions have increasingly been utilized to address fish and wildlife issues having dimensions beyond national boundaries. The authority to enter into such agreements is reserved to the President by and with the advice and consent of the Senate. However, while such agreements may be valuable in the case of other nations, in a Federal system such as ours sophisticated fish and wildlife programs already established at the State level may be weakened or not enhanced.

(b) To ensure that effective fish and wildlife programs already established at the State level are not weakened, the policy of the Department of the Interior shall be to recommend that the United States negotiate and accede to only those international agreements that give strong consideration to established State programs designed to ensure the conservation of fish and wildlife populations.

(c) It shall be the policy of the Department to actively solicit the advice of affected State agencies and to recommend to the U.S. Department of State that representatives of such agencies be involved before and during negotiation of any new international conventions concerning fish and wildlife.

§ 24.6

Cooperative agreements.

(a) By reason of the Congressional policy (e.g., Fish and Wildlife Coordination Act of 1956) of State-Federal cooperation and coordination in the area of fish and wildlife conservation, State and Federal agencies have implemented cooperative agreements for a variety of fish and wildlife programs on Federal lands. This practice shall be continued and encouraged. Appropriate topics for such cooperative agreements include but are not limited to:

(1) Protection, maintenance, and development of fish and wildlife habitat;

(2) Fish and wildlife reintroduction and propagation;

(3) Research and other field study programs including those involving the taking or possession of fish and wildlife;

(4) Fish and wildlife resource inventories and data collection;

(5) Law enforcement;

(6) Educational programs;

(7) Toxicity/mortality investigations and monitoring;

(8) Animal damage management;

(9) Endangered and threatened species;

(10) Habitat preservation;

(11) Joint processing of State and Federal permit applications for activities involving fish, wildlife and plants;

(12) Road management activities affecting fish and wildlife and their habitat;

(13) Management activities involving fish and wildlife; and,

(14) Disposition of fish and wildlife taken in conjunction with the activities listed in this paragraph.

(b) The cooperating parties shall periodically review such cooperative agreements and adjust them to reflect changed circumstances.

§ 24.7

Exemptions.

(a) Exempted from this policy are the following:

(1) The control and regulation by the United States, in the area in which an international convention or treaty applies, of the taking of those species and families of fish and wildlife expressly named or otherwise covered under any international treaty or convention to which the United States is a party;

(2) Any species of fish and wildlife, control over which has been ceded or granted to the United States by any State; and

(3) Areas over which the States have ceded exclusive jurisdiction to the United States.

(b) Nothing in this policy shall be construed as affecting in any way the existing authorities of the States to establish annual harvest regulations for fish and resident wildlife on Federal lands where public hunting, fishing or trapping is permitted.

43 CFR -24 Courtesy of Cornell University Law School - <http://www.law.cornell.edu/cfr/text/43/24>