



The Wildlife Society's Conservation Affairs Network

October 2015, Volume 1, Issue 5

CAC Activities

Mississippi Chapter Opposes Hunting of Deer Over Bait – The Mississippi Chapter signed onto a [letter](#) with 13 other organizations opposing a rewording of state regulations to allow hunting of deer over bait. James Miller testified on behalf of the Chapter at a comment period for the change. The Mississippi Commission on Wildlife, Fisheries, and Parks approved the change despite the protests. TWS published an [article](#) on the efforts of the Chapter. CAC Contact: [Andi Cooper, MS Chapter President](#)

Headquarters GAP staff support DC Wildlife Action Plan – Government Affairs staff provided oral and written [testimony](#) to the Washington, D.C. Council Committee on Transportation and Environment broadly in support of the recently updated DC Wildlife Action Plan. The testimony included support for the District's decision to utilize lethal and sub-lethal methods to manage deer and geese populations as well as the re-evaluation of their Trap-Neuter-Return policies. The testimony also included appreciation and thanks to the wildlife professionals who crafted this plan. CAC Contact: [Caroline Murphy and Zachary Sheldon](#)

Issue Spotlight

Backlash Against Sage-Grouse Land-Use Plans – Two lawsuits have been filed against the Bureau of Land Management's (BLM) and Forest Service's (USFS) sage-grouse land-use plans. These land-use plans were part of a successful attempt to convince the Fish and Wildlife Service that the sage-grouse did not need be listed under the Endangered Species Act. Included in these plans are efforts to reduce habitat loss across 67 million acres of public lands through changes to energy and agriculture land-uses.

Idaho and a coalition of two Nevada counties and two mining companies are both filing separate lawsuits against these land-use plans, but more lawsuits are expected in the near future. The coalition has also filed a motion requesting the courts temporarily block the land-use plans from going into effect in Nevada. This is due to their claim that the 2.8 million acres of federal lands in Nevada proposed to be withdrawn from future mining claims are not all grouse habitat. Check out [TWS' Statement on "Not Warranted" Sage-Grouse Decision](#).

CAC Contact: [Zachary Sheldon](#)

Federal Government Divided on Forest Service Funding Fix – One of the worst fire seasons on record has once again revealed the funding woes faced by USFS. The issue at hand is fire borrowing, and it occurs when the cost for a federal agency to fight wildfires is larger than the wildfire funds allocated. In attempts to stop USFS from needing to siphon funds from other USFS non-wildfire accounts, two bills have been introduced that attempt to solve this issue:

- The first of these bills, titled the Wildfire Disaster Funding Act ([S. 235](#), [H.R.167](#)), would provide the use of natural disaster funds after 70% of the year's wildfire funds have been used. This would allow for the 1-2% of fires that turn catastrophic to be considered natural disasters, as these few fires typically consume 30% of USFS' remaining wildfire budget.
- The second bill, titled the Resilient Federal Forests Act ([H.R. 2647](#)), would allow for natural disaster funds to be utilized only after 100% of USFS' annual budget has been utilized. The bill would also streamline logging projects that aim to reduce wildfire risks by quickening National Environmental Policy Act reviews and by deterring lawsuits on these projects by requiring plaintiffs to post a bond for the government's anticipated legal costs.

In the short term, USFS and other federal agencies have been provided \$700 million in emergency funds to fight western wildfires through the Congress' continuing resolution. However, only changes in policy can prevent fire borrowing and the ever-increasing percentage of USFS appropriated funds that go to fighting wildfires.

Check out our website for more information on how [USFS funding shortfalls impact wildlife programs](#) as well as how [wildfires impact wildlife populations](#). CAC Contact: [Caroline Murphy](#)

On the Horizon

Federal Funding Expiration—Friday, 11 December, 2015 – The deadline to pass a federal budget for Fiscal Year 2016 passed on September 30. Speaker of the House John Boehner's announcement that he will be resigning at the end of October allowed him to push a Continuing Resolution (CR) that will fund the government at FY2015 funding levels until December 11 through the House, despite opposition from members in his party. This sets up battles over the House speakership and another potential government shutdown come December. Staff Contact: [Keith Norris](#)

CAN Meeting at the TWS Annual Conference – Tuesday, 20 October, 2015, 1:10-3:10pm – Winnipeg, Manitoba – The Conservation Affairs Network will have our annual meeting during The Wildlife Society's Annual Conference, October 17-21, 2015. All are welcome to attend. Staff Contact: [Keith Norris](#)

Trends to watch

Judicial Challenges to Federal Wildlife Regulations – Multiple ongoing court cases challenge the authority of federal agencies to enforce regulations under the Endangered Species Act and the Migratory Bird Treaty Act.

A September 9 circuit court [ruling](#) cleared Citgo Petroleum Corp. of violations under the MBTA for the death of 10 ducks that ingested or were coated with oil at the refinery. The court agreed with Citgo's argument that MBTA does not cover unintentional bird kills. The court declared that 'taking' under MBTA is limited to deliberate acts done directly and intentionally to migratory birds.

A federal appeals court is [currently reviewing](#) a circuit court ruling that struck down protections for prairie dogs near Cedar City, Utah under the Endangered Species Act. The court ruled last year that the U.S. Constitution's Commerce Clause does not allow the federal government to regulate animals found on private land in only one state. Many listed animals are only found in one state, giving this case the potential to reduce federal protections for wildlife across the country. 10 states – Alaska, Arizona, Colorado, Idaho, Kansas, Michigan, Montana, South Dakota, Utah, and Wyoming -- have filed motions in support of the original ruling. Staff Contact: [Keith Norris](#)

Send information on wildlife policy issues, successful partnerships, CAC activities, or other items you would like to see included in a future issue of the Conservation Affairs Network Newsletter to: Keith Norris, keith.norris@wildlife.org, 301-897-9770 x309