ASSOCIATION OF MIDWEST FISH AND WILDLIFE AGENCIES

59th Annual Meeting

June 28-30, 1992

Green Bay, Wisconsin
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AGENDA

Sunday, June 28
1:00-5:00 p.m. Registration
5:00-10:00 p.m. President’s Reception

Monday, June 29
8:00 a.m. Registration
8:30 a.m. Call to Order - Steve Miller, President, Association of Midwest Fish and Wildlife Agencies
          Welcome - C. D. "Buzz" Besadny, Secretary, Wisconsin Department of Natural Resources
9:00 a.m. Inland Clamming Issues in the Midwest - Presentation and Discussion - Kurt Welke, Mike Talbot and Lee Kernen
10:15 a.m. Game Farms, Game Ranching and Exotic Wildlife Laws in the Midwest - Issues and Policy. A panel presentation and group discussion of common problems and potential solutions - Tom Hauge, Moderator

"Overview of How Midwest States Regulate Game Farms, Game Ranching and Captive Wildlife" - Ray Evans, Missouri
"Bringing Policy and Regulations Into the 21st Century, One State’s Experience" - Dr. Sarah Hurley, Wisconsin
"Big Game Ranching" - Rick Kahn, Colorado
"The Law Enforcement Perspective" - Tom Solin, Wisconsin

Monday, June 29 (continued)
1:00 p.m. The Biodiversity Issue - Viewpoints on the Implications for Land and Species Management Policies - Jim Addis, Moderator
          "Overview - The Biodiversity Issue and Its Potential Implications" - Dr. Tom Crow, USFS, Wisconsin
          "Environmental Organizations’ Viewpoints: New Expectations for Public Resources Management Agencies" - Walter Kuhlman, Attorney, Wisconsin
          "The State Agency Administrator’s View: Putting Biodiversity Into Public Policy and Agency Operations" - Roger Holmes, Minnesota
          "A Cautionary Note; Is There Really Anything New Here?" - Dr. Don Rusch, Wisconsin Cooperative Wildlife Unit
2:30 p.m. Fish and Wildlife Agency Management Effectiveness Study - Steve McMullin, VPI
3:30 p.m. Proactive Strategies - Progress Report - George LaPointe, IAFWA

Tuesday, June 30
8:00 a.m. Business Meeting (Separate Agenda)
10:15 a.m. Business Meeting (continued)
1:00 p.m. New Business
2:00 p.m. Adjourn (approx.)
BUSINESS MEETING AGENDA

I. Call to Order and Roll Call

II. President’s Remarks

III. Approval of Minutes from 1991 Meeting

IV. Treasurer’s Report

V. Committee Reports

   Executive
   Audit
   Legislative
   Resolutions
   Nominations
   Awards

VI. Report of IAFWA Activities - Gary Taylor, IAFWA

VII. FWS Region 3 Report - Marvin Moriarty

VIII. Old Business

   a. Withdrawal of Arkansas from AMFWA

   b. Formation of Midwest Legal Committee/Report of Midwest Attorneys’ Meeting

   c. Operations of the Midwest Association/Review of Rapid City Discussion

IX. New Business

   a. Proceedings of North American Fisheries Leadership Workshop

   b. Report on FWS Region 3 and Midwest States Meeting on Private FWS Partners for Wildlife Initiative

X. Passing of the Gavel

XI. Adjourn
BUSINESS MEETING

PRESIDENT STEVE MILLER: I will call the meeting to order.

This is the annual business meeting for the 59th Annual Meeting of the Association of Midwest Fish and Wildlife Agencies. Again, I would like to welcome you all to Wisconsin and welcome you to this meeting. The first item we will have is the roll call of the states to see if we have a quorum. Tom Hauge will call the states and ask who is here to represent them.

TOM HAUGE: Okay, I will identify the state and if you could speak loudly and identify who is representing the state, we will have it for the record.

Colorado - Bruce McCloskey
Iowa - Al Farris
Illinois - absent
Indiana - Wayne Bivans
Kansas - Joe Kramer
Kentucky - Tom Young
Michigan - Dick Elden
Minnesota - Roger Holmes
Missouri - Ken Babcock
Nebraska - Rex Amack
North Dakota - Ron Stromstad
Ohio - Dick Pierce
South Dakota - Doug Hansen
Wisconsin - Steve Miller

I don’t believe we have any of the provinces represented.

STEVE MILLER: Thank you. I believe that is adequate for a quorum for conducting business today.

The next item is the president’s remarks. I think I will save most of my remarks for the Executive Committee Report which will be coming up a little later. Let me just say that I have enjoyed serving as President this year. We were not extremely active as an organization as you well know. That is one of the things I would like to address during the Executive Committee Report.

With that we do have the minutes from the 58th annual meeting. Did everyone receive a copy of the business meeting minutes yesterday? I believe they were passed out. If you concur with the minutes, I would entertain a motion to approve the minutes.

Dick Pierce moved approval of the minutes, seconded by Al Farris. All were in favor. Motion carried.

Next is the Treasurer’s Report.
As many of you know, John Urbain is not here today, and he won’t be with the organization in the future. We will be taking action to replace him in his role later in the agenda. Dick Elden from Michigan is going to give the Treasurer’s Report.


STEVE MILLER: There’s your Treasurer’s Report. Are there any questions or comments?

I would entertain a motion for approval.

Roger Holmes moved approval of the Treasurer’s Report, seconded by Doug Hansen. All were in favor. Motion carried.

We held an Executive Committee meeting in conjunction with the North American Conference in Charlotte on March 5, 1992. Present were Bill Bailey, Doug Hansen and myself. We discussed the formation of the proposed legal committee of the Midwest Association, and the Executive Committee supported its formation as long as it served under the direction of the Midwest Association directors. We felt that guidance to the legal committee should come from the Association. We noted that a number of states do not have legal counsel directly within their agency, or that if they do they have a relatively small legal staff consisting of sometimes only one full-time attorney. It is only the larger agencies in the Midwest that have a significant number of attorneys. We also felt that this situation makes it imperative that representatives of the legal committee stay in close contact with the Association representative from each state. I think this is quite important, especially where the legal counsel is in the Department of Justice or Attorney General’s office in the various states.

We also spent a considerable amount of time discussing the mission and operation of the Midwest as follow-up to the discussions that we had in Rapid City. We discussed the differences in organization between the Midwest and the other three regional associations and Bill Bailey reviewed for Doug and I the discussion on this topic that occurred at the Vail, Colorado, meeting back in 1986. I subsequently read the minutes of that discussion and found that the directors at that time accepted an ad hoc committee report to keep the Midwest meeting as it is. At that time the feeling was that this meeting should be geared toward administrators and the meeting presentation should be on current topics dealing with managing fish and wildlife agencies and especially the policy and biopolitical aspects of our work. Comments about structuring the meeting to allow for considerable discussion both during the meeting and when socializing where supported.

I think you will remember that in Rapid City last year, Doug Hansen presented a list of issues and opportunities common to all Midwest states. The point in doing this was to help identify common
interests and to help plan agendas for future meetings. The list was broken up into two main sections as follows: the first was administrative and social issues, including topics such as private landowner relationships, member state relationships, legislative relationships, the animal rights/antimanagement movement, personnel management, leadership in the public sector, education, and the use of policy manuals and policy guidance within agencies. The second category was resource oriented activities such as captive wildlife regulations, hunting and fishing tournaments, predator control, wildlife damage, nuisance plants and weed control, and the migratory bird harvest information program. I am sure you know that we could add other topics such as the biodiversity issue that we discussed yesterday, customer satisfaction and marketing, commercial harvest which we discussed yesterday and funding. Well, the Executive Committee felt that this list, when it was presented and discussed in Rapid City, was well received. At that time I remember we made some comments about perhaps trying to prioritize that list and work with it in the future.

For this year’s meeting in Wisconsin, we tried to work from that list and from the theme that came out of the Rapid City discussion in focusing yesterday’s program. At this point the Executive Committee and I are prepared to recommend to you at this meeting that we continue with the Midwest mission and operations basically as in the past. The primary change would be to place emphasis on focusing in some depth on several key issues at the annual meeting that will help us as administrators formulate policy and programs in our respective states. Obviously, there are many issues and at the annual meeting we can only deal with a few at a time. One suggestion we have is that the Executive Committee be charged with maintaining a list of high priority issues and use this in helping the host state plan the annual meeting program.

In a related area, and one that we did not really fully resolve in our meeting but one that we may want to have some discussion on later, is how as a midwest organization do we want to deal with forthcoming major legislation. The farm bill activities will be going again in a year or maybe less; the endangered species act, the clean water act; and then of course there are other things that come up from time to time. We felt that if we wanted to be more active and develop a Midwest position, we would need to as a group to be in a position to think ahead probably at least a year and organize our respective staffs, assign someone from our state to work on various committees, review their suggestions and then have this group take a position on a particular program analysis, and then forward those onward to the International. I guess I have some further thoughts about that in Wisconsin. I was going to bring this up later but maybe it is appropriate now. We are going to be putting together a group to look at developing a Wisconsin position on the endangered species act. We did this with the farm bill issue, as you know, and many of your states did too. We will work through the International of course, but also want to determine how we might do this throughout the Midwest for more of a midwest view on some of these issues. That is my report and since Doug is here and Bill isn’t, I might ask Doug, as a member of the Executive Committee, if he has anything he wants to add at this point.

DOUG HANSEN: I can’t think of anything else.

STEVE MILLER: I would then move for acceptance of the Executive Committee report and enter into any discussion that you might want to have on it.

Joe Kramer moved acceptance of the Executive Committee report, seconded by Ken Babcock. All were in favor. Motion carried.
STEVE MILLER: The next report will be from the Audit Committee. Rex Amack, would you like to make your report?

REX AMACK: The Audit Committee had the same material presented by the Secretary-Treasurer, on behalf of Dick Elden from Michigan, and found everything to be perfect.

STEVE MILLER: Just what we like to hear.

Very good. You have heard the Audit Committee report. Do I have a motion to accept?

Motion by Joe Kramer to accept the Audit Committee report, seconded by Roger Holmes. All were in favor. Motion carried.

Legislative committee.

STEVE MILLER: Joe Kramer will present the Legislative Committee report at this time.

JOE KRAMER: I don’t have a lot to report on the Legislative Committee. I did call Gary Taylor. You feel a little uncomfortable coming to these meetings knowing that the International...you don’t feel uncomfortable, you feel good, especially if you haven’t done anything on the committee and Gary, I’m sure, will do a real good job because that is what he was hired to do. But, I guess, following up on some of the things that Steve talked about with some of the legislative action that the states do, which ones are successful, which ones aren’t, or what’s working with the International on legislative action. We know in our state we spend a lot of time on wetland activities and we work with the International real closely there, primarily because of Eric Schenck who works for Kansas now and some of those things are...I think what Steve is trying to do is get the Midwest Association off of maybe some of the history here recently that we really haven’t been active. I know Ken Babcock, 2 years ago, raised holy cane with everybody about it and I think that we don’t want to forget that that happened and we don’t want to forget that there is a need to do some of these things. I guess one of the questions I might ask Gary of the International is which states are doing the right thing as far as legislative action. You always hear good things about the Southeast Association. What are they doing that we are not doing? Those are some of the things that I think that is going to be hard for any one state to try to convince everyone here that maybe we need to be more active and how we do that. I guess I would ask Gary and George what they think. Which states are doing the right thing as far as legislative action? What is it that’s working in those states?

GARY TAYLOR: Well, I guess it is hard to characterize which states are doing the right thing and which aren’t, Joe, because so many of these issues are unique depending on the chairmen of the different committees and the sponsors of the legislation that when we call the state director and need help by calling a senator or congressional delegation, the states in large part have responded and have been successful in contacting their offices. I guess the thought I have on this is to make sure you have agency representatives on the key association committees. If you are interested in endangered species, make sure you are on Jerry Conley’s committee relative to that. And the other issues likewise. It seems one of the successes...or one of the reasons for the success of the Southeast Association, for example, is their ability to think collectively or think from a regional perspective, particularly if there are issues that you all can look at from a common perspective and derive some regional thinking. The support is much greater when it is
magnified by more than just one state into a regional perspective. Obviously, Great Lakes issues are one thing that we call regional thinking. I guess another thought is if any of the states are in a position, when there is an opportunity, to send somebody as Michigan did, to Washington to work on some of these bigger key issues, it would be a good chance, you know, to have some influence at the Washington level that the state can contribute significantly to on endangered species or some of the other issues. So, those are just my thoughts on it.

JOE KRAMER: It is obvious it works in some states because some states got into the wetland reserve voluntary program, like Minnesota, Iowa and Missouri. It wasn’t anybody in the central flyway that got into the wetland reserve program for various reasons. I know that there are some states that are actively working in those arenas. Evidently, it is beneficial. You know, I would have thought that perhaps maybe one of the central flyway states would have gotten into the wetland reserve program, but they didn’t. Those are some of the things, I guess, that are very proactive type situations and there are states that are very successful at that. I guess I would volunteer to find out what some of the other associations are doing and report to the association if you would like. In our state, if we don’t assign somebody to do the work, it is not going to get done. There are a lot of people in here who go to the International. About every face in here you see usually in those committees, Gary, so I don’t know how active they really are. There are one or two key people who are usually active in those committees. I guess I am struggling a little bit myself here trying to figure out what, from the legislative standpoint, the Midwest should be doing. At least the 2 years I have been involved it is more of a, well, you know, we will just wait and see what Max has to say at the meeting rather than what the legislative committee should be doing, with the Association.

GARY TAYLOR: Well you know, one other suggestion seems that the states that are successful with Washington do maintain consistent contact with their congressional delegations and senators at least if not directly in Washington then with their district offices. That’s one thing that we were particularly sensitive to during the appropriations process last year when the house committee imposed a cap on spending the Wallop-Breaux apportionment. We were successful in getting that lifted so there was no cap. The states need to be sensitive to insuring that their delegations and their senators are aware in particular of where and how they spend the grant-in-aid monies on the ground in their states because that’s something that has constituent implications. Their states are taking advantage of the money that the member has helped make available. So anytime states have dedications of projects where you built boat ramps, for example, with Wallop-Breaux money, or you’re dedicating a facility built with grant-in-aid funds or land and water conservation funds or anything like that, it’s important you contact at least the district office of your members and invite them to the dedication. Pump them up a little bit and give them a chance to do some PR at home. Even if the member doesn’t show up he’ll send the district staff out and they’ll shoot a report back to Washington. We know from working on the hill that a local interest and constituency does count and especially when it comes from or through the director of a state agency. So you do have a standing and strength in Washington. You just need to take advantage of that and develop a mind set that when you go through the list of invitees you’re going to have at these dedications, that besides having your local legislators and someone from the Governor’s office and sportsmen’s groups that you also get the your key congressional members out there also.

KEN BABCOCK: Steve, this is applicable certainly to legislation but it may be applicable to some other aspects of the operations of the Midwest Association. Joe made reference to the
Southeastern Association and one of the things, and I hesitate to even bring this up with some of travel restrictions that we all deal with these days, but one of the key points I think in the Southeastern that ultimately leads to what Gary characterized as the regional approach to things is that the Southeastern has a series of fairly active technical committees that advises the southeastern directors at each one of their meetings if you would look at the agendas. Each of these committees presents a report. Very rarely do those committees meet with the association. They either meet at the southeastern conference in October or they occasionally will have separate meetings. I know there’s a southeastern forest wildlife technical committee, an upland wildlife technical committee, a southeastern dove technical committee and there’s several others, and each of these groups report to the directors at the southeastern meeting with maybe resolutions or recommendations for action on particular legislation that might have an impact on the southeastern region. Certainly there has been talk of having technical committees in the Midwest. I know Al Farris for a lot of years served as the Chairman of the Midwest Pheasant Council which was an affiliate of this association that ultimately became the Habitat Committee. I don’t know what level of activity that technical committee may have today. But maybe one of the things that ultimately will lead to an association or a regional view on legislation and other activities would be the formation of key technical committees to give these assignments to and maybe that’s something that should be discussed more under new business but certainly it is appropriate as a follow-up to some of the comments that Joe made.

AL FARRIS: Yes, just a little history. Ken referred to the Midwest Pheasant Council. I can recall being a technician and reporting to this body. It seemed like every year we had to fight to keep the thing alive because this body wanted to kill it and get rid of it because they saw it as unneeded out of state travel. Not to disparage anybody but particularly Russ Stewart from North Dakota was a hard ass about that. It seemed like you always had to fight Russ Stewart to keep the Midwest Pheasant Council alive. But I think that’s a good idea and one that we should consider because we have some of those technical committees already in place. They’re just not associated with the Midwest. There’s a midwest deer and turkey working group that meets informally. There’s a furbearer working group that meets informally. I don’t know some of the northern ones but I know there’s a ruffed grouse group or a forest grouse or a forest game group. There’s a prairie grouse technical committee or at least there used to be. I think some of those groups are still out there. There’s the private lands work group now that is sort of the old pheasant council reconstituted and maybe given a broader view and I think that’s something we should seriously consider because they’re already meeting. I don’t think it would probably involve any extra travel. The only extra travel I can see would be getting the people who are serving as chairmen of those committees to this meeting to make reports to this body and to make recommendations to this body. That might be the most effective way for us to use those committees and get some broader benefits from them than what we’re getting now. We seem to have a separation between administrators and technical committees in the midwest.

RAY EVANS: I think there’s a good reason for that too. Your first example of what happened to the Midwest Pheasant Council is a good example. Standing committees are concerned that if they would become associated with midwest directors then they’d get killed. I lived through that same period of the pheasant council and I see us going in two directions here. As an executive committee you have recommended the idea that we can continue with the unconfederated and simplest way of operating as was done in the past and yet you’re talking about becoming active in the technical committees. Those two are incongruent and unless the directors form some kind of
leadership role as an agency I don’t think you could have these committees reporting. I don’t think it would work.

STEVE MILLER: I think that’s a good observation, Ray, and the more I think about this the more I’m more personally leaning towards pulling these working groups under our umbrella because today we’re going to take action on the legal committee. We have the resolution for the midwest private lands group following the model of the deer and turkey and other groups. And I know in the legal committee discussion we had in Rapid City we were very concerned they not become like a midwest law enforcement association which is independent of us. I guess I see us now with the two groups we’re going to work on today moving back toward the technical committee aspect. I’m wondering if we shouldn’t have seriously considered a proposal to more formally reorganize this whole thing. It may still be that when we meet on our program agenda that we discuss the issues raised in the Rapid City meeting by Doug. I think we need to do that. I think we need to talk about some of the bigger issues like biodiversity. On the other hand there’s a lot of things going on with legislation. There’s little question that we’re going to be more effective if we work together rather than individual states commenting on individual kinds of legislation. If we can sway our congressional leaders to work as a body of midwest senators and congressmen we’re going to have more effect on some things than if we do it state by state. What I propose we do is allow all of us to think about this a little bit yet today. We do have it under old business under item C. I think at this point, Joe, if it will be alright with you, to defer this discussion until then and let you all think about it. We’re going to have a break at about 10 o’clock but we’ll take this up when we get to item C under old business. Maybe some of you will have the opportunity to consider a motion or something and give some direction to the next executive committee on what we hope to do.

KEN BABCOCK: Can I make just one final comment to maybe stimulate thinking? In some of the discussions about separatism of these groups and the desire not to become affiliated, I think it’s important to remember that the participation in these groups are basically approved or not approved by the folks that are sitting in this room. I wouldn’t want to see anything or any action on our part to undermine the effectiveness of some of those groups that have become very effective and very helpful for our agency. But at the same time I think to basically make that optional may be a little bit presumptuous on the parts of those groups.

STEVE MILLER: Okay, Joe, thank you for getting this discussion going and we’ll defer further action on this until Item C under old business.

The Resolutions Committee. Dick Pierce.

DICK PIERCE: I think we previously passed out about four resolutions and, Mr. Chairman, with your permission, hopefully we can get through this as easily as the last couple of agenda items.

We’d like to start out with the Resolution “Support of Midwest Private Lands Wildlife Management Group”.

WHEREAS, the Midwest Private Lands Wildlife Management Group was formally developed on August 8, 1991 in Lake Shelbyville, Illinois, in recognition of the emerging discipline of private lands wildlife management; and
WHEREAS, the Midwest Private Lands Wildlife Management Group unanimously voted to seek formal recognition as a part of the Association of Midwest Fish and Wildlife Agencies; and

WHEREAS, the Midwest Private Lands Wildlife Management Working Group consists of representatives from member states, provinces and federal agencies who, as wildlife biologists, are directly responsible for administering and implementing private lands wildlife management programs. Member states are Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. The provinces of Manitoba and Ontario are invited to join. Federal agencies invited to join the group are the U. S. Fish and Wildlife Service, the Soil Conservation Service and the Canadian Wildlife Service; and

WHEREAS, Midwest Private Lands Wildlife Management Working Group charged itself with:

1. Providing a forum for discussion of organizational structure, policy, delivery systems, and effectiveness of private land management programs.

2. Providing an opportunity to define common problems and opportunities and formulate priorities for solving problems and strategies to address opportunities, to minimize duplication of efforts among members.

3. Stimulating an exchange of ideas among members on legislation and related administrative rules, program implementation, education, funding, and research projects.

4. Ensuring maximum coordination among state and federal agencies in dealing with land use programs that affect wildlife habitat; and

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies, assembled at its 59th annual meeting, this 30th day of June, 1992, formally recognizes the Midwest Private Lands Wildlife Management Working Group as a part of the Association of Midwest Fish and Wildlife Agencies.

Submitted by Todd Peterson, Chair
Midwest Private Lands Wildlife Management Group
10 June 1992

DICK ELDEN: Mr. Chairman, I move to adopt.

STEVE MILLER: We have a motion to adopt by Dick Elden of Michigan. Do we have a second? Joe Kramer. Any discussion?

BRUCE MCCLOSKEY: I notice Colorado is missing on there and we’re not even invited to join. Is there any message?

TODD PETE RSON: I forgot about Colorado.

AL FARRIS: We have the same problem with Kentucky and Saskatchewan.
TODD PETERSON: Well, what I did last year was just, from my memory, try to recall all the states and provinces that were in the Midwest Association. I don’t know if this organization that’s assembled here today -- is this a line exactly with the midwest we have in December?

AL FARRIS: No.

TODD PETERSON: That’s what I used, Al.

AL FARRIS: Well, that’s different.

TODD PETERSON: Therefore, Colorado, Saskatchewan and Kentucky weren’t on there.

AL FARRIS: That’s not an association or an organization of any kind. That’s your permanent, ad hoc, floating wildlife conference.

TODD PETERSON: That was my guidance.

AL FARRIS: I would suggest Bruce has a valid point that in some way we change this to indicate that Kentucky, Colorado and Saskatchewan are at least invited along with Manitoba and Ontario to join since they are members of the Midwest Association.

STEVE MILLER: How do we want to do that? Do we want to entertain a motion to the resolution or do we use an amendment?

RAY EVANS: I suggest we add them by common consent if nobody else disagrees. We’ll just add those states and provinces back on by consent unless you disagree.

TODD PETERSON: What I’d like to do is afford this group the opportunity to vote on that. I’m sure they will unanimously at our meeting this August here in Wisconsin. But I’ll carry a recommendation from the Association here that we make those additions.

RAY EVANS: I’m not sure that your association has any option.

TODD PETERSON: We’re going to include them anyway.

RAY EVANS: That’s part of the problem in our past business practices -- that people do not understand the relationship of this association to all the other things that are going on. This is not an unusual problem.

DOUG HANSEN: I move that we amend the resolution to include those states and provinces that were omitted. That makes it official.

ROGER HOLMES: Second.

KEN BABCOCK: Are you including the states then as members and then Saskatchewan to be invited to join? Just so it’s clear in my mind.
DICK PIERCE: Mr. Chairman, maybe we could change it to read that all member states and provinces of the Association be invited to join. That might be a better way of wording it. That way we wouldn't have to mention individual states and provinces. We wouldn't forget Kentucky or Colorado.

STEVE MILLER: How do we do that? We had a motion and a second.

AL FARRIS: I'll withdraw my second to the motion.

STEVE MILLER: Dick, do you want to amend your motion in line with Dick's suggestion? Is that accurate with your intention?

DICK ELDEN: Maybe we should ask Todd to explain it. It lists the states and then it invites the Canadian provinces. If he wanted to stay with that format I would add Kentucky and Colorado and then invite Saskatchewan.

TODD PETERSON: The reason I proceeded that way is that I talked to the provinces and CWS and they indicated they had a real difficult time getting down here for meetings, as you know. Witness their absence here today. And in addition, we felt that many of the issues that this group was going to cover over the years would be specific to the United States and more specific to the midwest. I expect us, for example, to be active on the 1995 farm bill in a year from now. And the Canadians, while we would like to have them participate, have just been sort of lukewarm about the idea. So we just leave the invitation open to them. That's why it reads the way it does.

DICK ELDEN: In keeping with the identity of the Association, I'd like to follow Dick's suggestion and say that it would read "member states are as listed" and add Kentucky and Colorado and then say "member provinces are Manitoba, Ontario and Saskatchewan".

ROGER HOLMES: Second.

STEVE MILLER: Would you present that in the form of a motion?

DICK ELDEN: Yes.

STEVE MILLER: Okay. Second by Roger Holmes. Any discussion? Do you all understand the amendment?

DICK ELDEN: We'll be adding Kentucky, Colorado and the member provinces of Manitoba, Ontario and Saskatchewan.

STEVE MILLER: How will that read exactly?

DICK ELDEN: Member provinces are Manitoba, Saskatchewan and Ontario.

STEVE MILLER: Okay, we have a motion that's been seconded and had more discussion. If there's no more discussion, all those in favor say aye for the resolution as amended. All were in favor.
KEN BABCOCK: If I could make just a comment, Mr. Chairman. Missouri has been involved in the formation of this group and I think we’ve already seen dividends and anticipate that a more formalization of this group and its attachment with the midwest is a real plus and I really would urge the approval of this motion.

STEVE MILLER: This motion has been amended. Any more discussion? If there’s no more discussion, all in favor of the motion as amended say aye. All were in favor. Motion carried.

DICK PIERCE: The next resolution that we have -- we have two of them dealing with the same subject. So, Mr. Chairman, with your permission, we’ll deal with these together.

As part of the background, this document was passed out yesterday with a copy of Federal Register 43 CRF part 24 and I hope all of you had a chance to review that and make that some of the driving reasons behind the next two resolution. One of these was submitted by Ohio and the other was submitted by Wisconsin and if I could I’d like to give you just a little bit of support for why I submitted Ohio’s and then in the end we can withdraw one of them so we don’t have to do two of the same ones but rather the one submitted by Wisconsin.

We in Ohio see a serious communication problem between us as a state and the U.S. Fish and Wildlife Service. We’ve had some meetings to try to deal with two issues coming up (the private lands issue and the Great Lakes issue) but we must say we are very concerned when the Fish and Wildlife Service comes to Ohio and comes into meetings to discuss private lands management and we sat at a table with them as an equal partner with other outside organizations that the very next day come around and file an injunction against U. S. Fish and Wildlife Service for clearcutting a national forest in our state. And we don’t feel they should have an equal say or should we treat them on the same level as the people of our state. As long as we have these kinds of problems, as long as we have these types of people there are going to be conflicts. We just think that it is necessary that we communicate something to the Fish and Wildlife Service so they realize that we are not a partner on the same level as the Sierra Club and other groups in our state, that our authority is broader than that and that we are the resident fish and wildlife service and that they treat us a just a little bit differently when we deal with fish and wildlife issues in our state. So with that said as some background for our submitting our resolution, it is withdrawn.

We’ll deal with Resolution number 2. Does everyone have a copy of that? Mr. Chairman, with your permission, I won’t move to adopt this at the end because there may be some changes offered and we won’t adopt until we agree to a correct form.

STEVE MILLER: It’s acceptable to me. Also I think that after you go through this I would like to modify the agenda a little bit and have Todd Peterson give his report on a meeting that we had with the Fish and Wildlife Service in Madison. Ohio and Michigan were represented at that meeting. I also would ask Marv Moriarty of Region 3 to give us a little summary of where we’re at.

DICK PIERCE: Is that agreeable with the Association?

Whereas, the State Fish and Wildlife Agencies are the stewards of the resident fish and wildlife species within their borders; and
Whereas, the U. S. Fish and Wildlife Service has begun projects such as Partners for Wildlife and the Great Lakes Initiative that are vaguely defined and have the appearance of usurping State authority regarding resident fish and wildlife and their management, protection and conservation thereof; and

Whereas, the U. S. Fish and Wildlife Service has located positions and new offices in the states without consultation with the states and without clear delineation of duties and responsibilities of those positions; and

Whereas, the U. S. Department of Agriculture, USDA, has not established state technical committees as required in the 1990 Farm Bill regulating the state fish and wildlife agencies and the U. S. Fish and Wildlife Service to a minor role in any broad array of conservation issues; and

Whereas, U. S. Fish and Wildlife Service programs appear to have been established in violation of the U. S. Fish and Wildlife Service policy established in 43 CRF part 24; and

Whereas, the management of the fish and wildlife resources depend on continued and consistent cooperation between state and federal agencies.

Now, therefore, be it resolved, that the Association of the Midwest Fish and Wildlife Agencies demands the United States Department of Agriculture and USDA leading the establishment to state technical committees as required and set title G of the 1990 Farm Bill with the purpose of implementing the conservation provisions of that bill, and

Be it further resolved, that the Association of Midwest Fish and Wildlife Agencies request the U. S. Fish and Wildlife Service for

1. written confirmation of their intent to fully comply with the policy and procedures established in 43 CRF part 24 respecting state and the federal relationships and cooperation, and

2. a written protocol respecting consultation and cooperation with the states on the management of fish and wildlife species and habitat, ensuring recognition of states jurisdiction and compliance with the aforesaid federal policy respecting federal and state cooperation,

3. written commitment of their support and request for USDA establishment of State Technical Committees required under the 1990 Farm Bill.

Be it further resolved, that upon failure of the U. S. Fish and Wildlife Service to comply with the aforesaid request, that the Association of Midwest Fish and Wildlife Agencies with the International Association of Fish and Wildlife Agencies actively pursue executive congressional relief to ensure that a protocol furthering protection of state jurisdiction over resident fish and wildlife species is established. Be it further resolved, that upon failure of the USDA to establish and convene State Technical Committees as required by the 1990 Farm Bill, the Midwest Fish and Wildlife Agencies and the International Association of the Fish and Wildlife Agencies actively pursue executive and congressional relief to ensure the establishment and continuing state technical committees.
STEVE MILLER: This provides the background. Todd, will you come up and give your report.

TODD PETERSON: I've talked to pretty much all the states in the region and there seems to be ubiquitous concern in phrase that we are concerned that the Service is initiating and implementing a program without consulting the states adequately, and without establishing, as in our case, Wisconsin as a full partner. Buzz directed me to ask the other states how they felt about it and we felt we needed to take a leadership role here to represent the states in the midwest and I felt that way as the chairman of this midwest private lands working group.

We had a meeting in Madison on June 18 and you all have the agenda for that that I passed out this morning. I just wanted to call your attention to that. It's entitled, State/U.S. Fish and Wildlife Service Private Lands Meeting, Madison, Wisconsin, June 18, 1992. This is the agenda that Rick Schultz from Region 3 and I put together a couple of weeks in advance of the session that we had. The meeting was attended by Dick Elden of Michigan, Dave Risley of Ohio and Marv Moriarty with the delegation from Region 3.

We had a very productive meeting. It was candid. People were very, very open and the two weeks that lapsed from the time I put this agenda together and the time of the meeting, I remind you the Fish and Wildlife Service used those two weeks very, very wisely. The Service was very well prepared and one of the things they prepared in the interim was this document that I've asked Marv to bring along today. Essentially, what this does is walk you through the Department's Wildlife Program. Marv will be passing those out to each of the members today and the questions that the states raised are the first half of this agenda and I think they were by and large adequately answered by the Service. When the Service did not have an answer, the Service said: "we don't know yet, we haven't decided that".

I think the states came to this meeting feeling some skepticism and in a way even threatened, and I think we left the meeting feeling reassured the Service was going to work with the states. There are some issues that remain. Speaking for Wisconsin, the delivery system I think remains an issue and I think we have yet to really put pencil to paper to figure out how we are going resolve all these difference. We will be meeting with the Service, our State will, on July 9. We will follow that meeting likely with others and we will ultimately come to agreement and record that with a MOU on the Partners for Wildlife Program. We likely will do the same thing, I believe, for the Great Lakes in the coming months. The Service will prepare a draft MOU that will be available for our Midwest Private Lands working group meeting, August 9, and we'll have an administrators' workshop at that meeting, where we will walk through that MOU. We should address the commonalities among the states and that my recommendation to the member states is that we take that home and make the specific changes you want. Missouri, I believe, will have a markedly different MOU than say Indiana. So those differences need to be addressed. I think an MOU is essential here in Wisconsin.

I'd like to just close with a couple of thoughts. First, my real sincere thanks to Region 3 for coming down to the meeting we had in Madison. Again, I think the Service was very conciliatory and understanding and listened very well. And the last thing I'd like to do is call on Dick Elden before we turn it over to Marv to see if you have anything you'd like to add, Dick.
DICK ELDEN: No, I concur with just about everything you’ve said. The Service representatives from the Region were very cordial and I think grasped what our concerns are. I’m still not convinced that the same feeling prevails in Washington, however.

TODD PETERSON: Marv, do you want to take over?

MARVIN MORIARTY: Yes. Mr. Chairman, thank you very much for allowing us to take this opportunity to make some comments. I’d first like to appreciate your sharing this resolution with us when we first got here. I think that shows the spirit of cooperation that we are all trying to use to get across and that’s basically why we’re here.

I’d like to first of all say that these are Region 3’s comments. I chose not to start on the facts formed across the country or Washington or the other regions on this issue quite yet. Primarily, because I’ve been trying to hold the Washington office at arms length until Region 3 has had a chance to work this problem through with the states we deal with and we are still in the process of doing that in my mind. Therefore, I’m giving you Region 3’s comments and that’s the way it’s going to be. I believe also that after all these months of discussion and hearing reports about concerns that the point really has finally been driven home to the Fish and Wildlife Service and that we are committed to the necessary fixes to resolve this problem.

I think Jim Addis yesterday hit the problem squarely on the head in his remarks and I want to go over those remarks once again because they really came home to me. He said that with the growth of federal programs the feds are becoming more active and partnership and jurisdiction issues need to be worked out. We can’t have a dysfunctional marriage, we need to communicate. Our goal should be send a letter to John Turner asking for a clarification of roles, not to stop good programs but to get the communication going to have strong programs. I completely agree with that. Now in his comments and in the comments that I’ve received from many of you yesterday and also at the June 18 meeting, I found some very common themes. Three of them to be precise. The first one relates to the growth of federal programs and responsibilities and I think we can all agree that is certainly occurring. Endangered species, natural resources damage assessment, habitat conservation plans and the like coming in the door with newer things all the time. New folks not familiar with the past battles that shaped state and federal relationships are also in the system. We, the Service, is much larger than it used to be back in the 70s and 60s when some of those battles were occurred.

Secondly, partnership and jurisdictional issues need to be worked out. I can quickly find examples outside the partnership problems that we’ve had in the recent past and they include for instance, the natural resource damage assessment program, where the Service has been given trust responsibilities and the states also. I find that there are going to be instances where we are going to be dealing with the same thing. That only points out that we need to have a protocol for communication in order to avoid problems. And I think we can do that.

And third, and most emphatically, the theme is that we need to communicate, not just in a traditional way that we have in the past but in a manner of more nontraditional matter we’ve got to educate ourselves. No longer can we rest easy having solely contacted the wildlife or fisheries biologist in the DNR or DOC. There are other folks who will need to be discussed with and two very shining examples of this in my mind are in Missouri where we are, in fact paying half the salary of a coordinator down there in the wildlife division, and we were talking with that
coordinator and for all intents and purposes Ray Evans might as well have been on Mars. And yet he is one of the most important people that we needed to be talking to. Lesson learned.

Another one is just in Wisconsin in understanding more, we need to work with you and understand how the program management system is being applied in the State of Wisconsin. We did agree to share information on how our organizations are structured so that there are no surprises and when you get somebody walking in the door from the Fish and Wildlife Service and they say they are from the enhancement program but they are dealing with you on the very same things somebody from the wildlife program may be doing. We need to do that. We're going to step up that effort to do so. We're having organizational charts prepared that will clearly identify how this is going to occur.

Having said all that, I personally don't believe from the Region 3 standpoint that we need the resolution, that is, if you believe the sincerity of our resolve to fix the problem. However, I do recognize that a larger issue has been articulated. That being one of recognition by the director and requires a statement or more appropriately a restatement of the Service's commitment to the state and federal relationship principles contained in 43 CFR. On that case, I have some specific comments to make on the resolution.

On the second Whereas, projects are vaguely defined and we would much prefer to see that dropped out. We believe it is fairly well articulated, however, we would concur with your assessment but it appears to usurp state authority regarding resident fish and wildlife management and that's an issue we need to deal with. Also on the second Whereas, I would add the term on the end of the first line. There I would add the word without "adequate" consultation with the states. We believe that we have consulted with the states. We would agree after many numerous discussions here that quite possibly that consultation has not been happening and like I said before we need to expand our communication roles.

Skip the next Whereas and go to the one that says "Whereas recent U. S. Fish and Wildlife Service programs". We would like to put a positive spin on that and we would prefer that it say, "Should be established in accordance with U. S. Fish and Wildlife also". And that if possible, you could work that into the wording there and to maybe site some specific examples like the Partners for Wildlife Program in Region 3. That's all we have on that section. Down to the "Be it further resolved..." parts, written confirmation, written protocols, etc. While that may be one thing that can be done we have marked these literally in flexibility of the director and to a number of other things. Our suggestion is on number one for instance, strike a written confirmation of their intent to fully and just say full compliance with policy and procedures established in 43 CFR. I think that would then trigger a number of events on the part of the director including written guidance to the field on the matter, written advice to the states on the matter, discussions of the International.

Under number two, instead of saying, "A written protocol", just say protocols respecting consultation and cooperation with the states.

And on number three, instead of "written commitment" just firm commitment of their support and let that commitment come as it may.
Those are my specific comments on the resolution. I think that it is a better resolution than the original one that we saw in that it tends to be more positive and tends to give us a road map where we can get out the problems that we have now. Yes, it states that there are problems and that need we to articulate those to the director and it also gives us a road map on how to back out of that problem.

With regard to 43 CFR, I just want to make this suggestion because it struck me yesterday as I was reading this thing for about the tenth time, like how getting back to the time that I was in Washington, D.C., at the time Bob Jantzen was dealing with this issue. I remember the issue being primarily one of state rights and the ability to regulate hunting arms privileges on Service lands and that was the issue they were addressing at the time. It was no less than important than the issue we're dealing with now but it occurred primarily on Fish and Wildlife Service refuge lands. That being the case the thought struck me as it quite possibly may be necessary that we expand 43 CFR to include a discussion relative to activity on private lands. I just wanted to throw that out as a suggestion as it may have a bearing on the resolution. I have not talked to our Washington office about this. Again this hit me yesterday morning as I was reading it again.

I really want to thank all of you for taking the time to discuss your concerns with me. I know in many cases it's for the umpteenth time that you've articulated these concerns. We apologize for being so dense but we think that we're on the right track and hopefully we can report back to you next year on some serious progress made in this regard.

STEVE MILLER: Thank you, Marvin.

DICK PIERCE: Thank you. Mr. Chairman, I'd like to ask the membership there pleasure in any changes we could make in the resolution before we move for adoption.

ROGER HOLMES: Yes, thank you. I think there's a basic flaw or serious problem with the entire resolution and that in my opinion takes two different subjects. It deals with the failure of the U.S. Department of Agriculture to establish the state technical committees which I think is an atrocious situation that has gone on way too long. It's really a violation of federal law and we have that subject as interwoven through what is a topic dealing with private lands program in the U.S. Fish and Wildlife Service which is just merely a breach of protocol and a violation of there own policy. I don't think it's appropriate to have these two subjects in the same resolution. First of all, we would want to add particularly with that portion on USDA's failure regarding the technical committees. I think we'd want to send that resolution to our congressional delegation and do a lot of things with that. But I don't think it would be appropriate to have all this information on the U.S. Fish and Wildlife Service in that resolution and spread that all over the map. So I feel pretty strongly that we should separate these.

KEN BABCOCK: I agree with Roger's concern.

RON STROMSTAD: I might explain that you have a letter in front of you that says draft letter and it's to John Turner. North Dakota originally prepared this in response as an alternative to the first resolution you received in the mail about a week and a half ago. You were quite concerned about a potentially negative and destructive message that would go to Washington where we know there are people within the Fish and Wildlife Service that would love nothing better to do than to kill our Fish and Wildlife type programs. I developed the Service's first
operational private lands program, got it running and jumped ship and went to the state. But we did a good job of coordinating with the state and they're an excellent partner with us. We were concerned that the message sent might be fuel to the fire to cause harm in areas where it's working very well. Obviously, the Service has made some mistakes in some areas that they need to fix and we offer the letter up as an alternative to a resolution. If a resolution does need to be sent, if this group feels that a resolution needs to be sent to the Service, North Dakota concurs with Roger that we need to separate out the USDA section from problems with the state/federal relationship.

DICK ELDEN: I still feel, however, that the Service has some responsibility in influencing USDA and I think in the federal process it's their role to make sure that they were the watch dog on behalf of the fish and wildlife interests to make it clear to the Department of Agriculture. I'm not sure that was done. It was important for the fish and wildlife resource that the technical committee be established.

RAY EVANS: We still have a problem with the Department of Agriculture but in this case they do deserve some defense in that they had intention of implementing that particular program and Representative Witten from Mississippi with verified appropriations. He said you aren't going to do it because I didn't appropriate any money for you too. And that's what happened. There's been ill intent as far as I can get hold of for anybody in the USDA. (INAUDIBLE) But without his insistence it would have been implemented. (INAUDIBLE) He's less on the scene today as he was. Isn't that true?


RAY EVANS: He's not dead is he?

DICK ELDEN: From our perspective that's in fact where the hangup appears to be although we don't agree with the chairman. He insists that is a defensible position.

DICK PIERCE: Any other comments?

JOE KRAMER: I guess I'm kind of curious to know where Region 6 is at with some of this because the regional director is changing like Region 3. There's a little turmoil there I think as far as where they're headed. I know personally our state has had some fairly good working relationship with Region 6 but I've noticed that the funding they used for their private lands programs comes out of different pots which really was interesting to me as compared to Region 2 in Albuquerque. The feds were using environmental service funding and some were using refuge funding. And I was kind of curious to know how that happened. So I guess maybe some of the other states, Bruce, that have been working with Region 6, you know they're not here and it's kind of hard for us to make decisions if we don't have representation here at the Midwest from Region 6. I agreed with the fact that I think you have two totally different issues in this resolution - the USDA issue and Fish and Wildlife Service issue. So I guess I've got some real mixed feelings about the resolution right now and the fact that Region 6 of the Fish and Wildlife Service isn't here.

BRUCE MCCLOSKEY: I share some of Joe's concerns that I don't want to pour gasoline on a fire that we don't have and if the Association proceeded with the resolution or two separate ones
I hope you would be a little more specific about your concern with Region 3 because I can’t agree with your concerns here as far as Region 6 is concerned. We don’t have that problem.

AL FARRIS: Not to beat a dead horse but I obviously am not going to vote for a resolution that’s got two different topics in it. And once we get them split apart, I’ve got to be honest with you, I don’t have a problem with the Fish and Wildlife Service on private lands management or what they’re attempting to do because quite frankly I don’t know what they’re trying to do. We’ve not yet had a coordination meeting with them. It’s scheduled for July 14 and unless you folks that have a problem with them can be a lot more specific and tell me exactly what that problem is, I’m not going to vote for your resolution. It’s like a handful of smoke. It’s been going on since March and I haven’t got hold of it yet. And I still, quite honestly, don’t understand what the problem is.

DICK ELDEN: Al, that might be part of the problem. We get the distinct impression that the Service was going ahead full bore. They had meetings with other people in Michigan and we still didn’t understand what their program was but it was fairly clear that they were going ahead regardless of what we had to say or what our concerns were.

AL FARRIS: Well so far we’ve been cooperating with them for over 3 years now on wetland restorations and wetland acquisition and we don’t have a problem with them. We’ve been cooperating very successfully and so I guess we don’t have a problem right now.

WAYNE BIVANS: I’m curious to know if other states are just getting involved with things such as Indiana. In Indiana, the Fish and Wildlife Service has scheduled their second meeting with all these constituent leaders. Has this occurred in other states? Are they all in their second meeting with this private lands initiative? They are in Indiana.

AL FARRIS: Little or no consultation with the constituency of the state.

ROGER HOLMES: Well, they are proceeding in Minnesota. We’ve had consultations. I think one thing occurred that probably caused some consternation last year when the Fish and Wildlife Service put a request into our state legislature for $800,000 to restore wetlands on private lands. I supported that. I felt great, if they can get the money, fine, and they have the people to do it and they did it. The program is working. And I have to agree with what Al said but maybe for some different reasons. It’s working fine in Minnesota. We haven’t had any problems at all and I’m really opposed to the idea of sending any resolution off to anybody or passing a resolution that opposes the appropriations of dollars for wildlife management work on private lands. I think we ought to address this some other way and I would very much favor writing a letter to Director Turner rather than passing a resolution. If we’re going to pass a resolution, I think it’s got to be reworded. Anytime you pass a resolution it’s because maybe you’re upset about something and I’d rather deal with it through the mail in the form of a letter.

WAYNE BIVANS: As near as I can tell in Indiana we have had a wetland restoration effort for the past several years. They announced in our state to the state chapter of the Wildlife Society that they wanted to turn that program over to the state, which surprised me, so they could concentrate more fully on the private lands initiative. We can’t get a handle on just exactly what it is in the private lands initiative. (INAUDIBLE) And so we sent supervisory type people to the meeting and they came back very alarmed, very concerned and reported there’s some things
happening out there that I should know about. That's what's been happening that you should know about in Indiana.

GARY TAYLOR: Mr. Chairman, let me share with you what we're hearing from a more national perspective. I think it's true that this problem is neither universal across the country nor is it unique or restricted to Region 3. And you've heard that even in Region 3 it is not consistently a problem in all the states, but we've also heard the State of Arizona, the State of Texas, the State of Alabama are having similar problems there. So at least while not universal, there are problems outside of Region 3 and we perceive it. While I appreciate Marvin's recommitment to communication, we do perceive it as more than a communication problem. It is a policy issue where the staff in the field need to be reappraised of the status and the relationship of the state and federal agencies with respect to the fish and resident wildlife. And we feel that's an issue that should be dealt with at the Washington office level and through a policy reaffirmation out of the Director's office. I think most of you are aware, Max has met on at least two occasions with Director Turner over this as you wanted at the North American in Charlotte and then also with Dick Smith there and once again back in Washington. We have met also with Bob Misso and also some of his staff. I think the guidance from the Director on the habitat restoration projects at our suggestion reflects the need to advance these programs on private lands in cooperation with coequal partnerships with the states. This is an issue we will continue to pursue at the Washington office level. We have also, as you're probably aware, on several occasions already shared the policy raised by 43 CFR with members of the hill. So we're going to continue to raise the awareness of this issue in the Washington office. We do feel it needs a resolution from a national perspective. But it is not, as you have heard, a universal problem and I would echo Jim and Marvin's sentiments that I don't think we need to go to divorce court over this yet although it is a serious concern that needs to be resolved.

ROGER HOLMES: This reminds me very much of what occurred with the initial establishment of the acquisition program of the Fish and Wildlife Service in North and South Dakota and Minnesota in 1961 when the Fish and Wildlife Service came and said we're going to acquire land. There wasn't really enough coordination with the states and I can recall a Service employee coming into my office and saying I'm here to acquire wetlands and laying out to me what wetlands they were going to acquire. And some of those I'd already made contacts on with the landowners. And I said no you aren't. So we had a little discussion and one thing led to another and we worked it out and we ended up going into the regional office and all the way to Washington but that was not the time to do the coordination after he was ready to go and contact landowners. He was, being a good federal employee, going to pursue that. But he needed my signature on the forms and I wouldn't sign them. So we went back up to the regional office. We had some meetings. Our director refused to concur with the Fish and Wildlife Service acquisition program in Minnesota until they coordinated with us. If you think back on that, I mean that could have been a real serious confrontation but we managed to coordinate it and work it out. That was another example of the Fish and Wildlife Service being a little bit arrogant and going and deciding they were going to do the program in the State of Minnesota and doing it their way. It was a good lesson to me to see how you have to coordinate things ahead of time and in that program if we had had a big fight about it we might have lost the whole federal acquisition program which would have been a disaster. I think we're seeing the same thing here where there just was not enough coordination. I think the problem is in Washington and the problem that time was in Washington. We've seen some other things happen. I could name two or three
other examples where somebody out there is deciding they’re going to do it their way and I would give check to that. We have to see to it that we work through this but not with a resolution.

KEN BABCOCK: I don’t think I’m going to be in favor of any resolution relating to the Fish and Wildlife Service aspect of this thing. Maybe if we pull the USDA part out and discuss that. I’m not even sure I’m in favor of a letter because of the difference in situations that exist here. As a followup to some of the comments Gary made, an approach to this might well be that our newly affiliated private lands group, that I think was scheduled to meet in August, could certainly take this as an agenda item from the Association and be asked to prepare a report back to the members of the Association prior to the International meeting which will be the first part of September. We have the chairman of the committee that would deal with that kind of an issue and Al Farris is sitting here who could bring a national perspective to it. We have agreement here that it is bigger than that. At the same time, I would encourage the states that say they really don’t know what’s going on in their states with regard to private lands to find out, because many of the states are expressing some concerns, and one of those of course is Missouri. I’m not in favor of diverting any dollars from habitat programs on private lands or activities on private lands but equally I’m not in favor of having somebody come in to the State of Missouri that our people can stumble over or they can stumble over us or we can end up with conflicting messages or programs that are sometimes not well coordinated. And that’s the approach and reason for our concern.

One other point that I would make here and one of the things that has led to Missouri’s concern about this is that we think that as we look at the private land programs as they relate to forestry activities in the State of Missouri that the Forest Service has a pretty good approach to delivering private land forestry work throughout the United States and certainly in our state. That’s through funneling U.S. money through established infrastructures, established programs or in fact actually making these dollars available to implement and bring on line state programs that are carried out in sinc with existing efforts. I think the Fish and Wildlife Service is probably far ahead to take a look at that kind of approach and in fact they do. And I think Marvin mentioned that they’re helping support a private land wetland program in Missouri and they are and we appreciate that and there are other ways that that kind of thing can be accomplished. So with those comments I would say that at least at this point in time I’m not in favor of the part of the resolution dealing with the Fish and Wildlife Service primarily based on what I think is a good faith commitment on the part of Region 3 to deal with this. I’m really not sure at this point in time that a letter to the Director of the Service is necessarily or in order. If it is, we can make that judgement at the International meeting in September.

DICK PIERCE: I would comment beyond Ken’s comments, that in Ohio, at least from our perspective, it’s not just a private lands issue that has us concerned. It’s also the Great Lakes initiative and their establishment of an office in Ohio with only one consultation with our agency and a very vague description of what they’re going to accomplish in that office, personnel, staffing, etc. So I would just remind you it goes beyond the private lands initiative that we’re concerned with. That’s Ohio’s reason for submitting the resolution.

ROGER HOLMES: I can’t resist this because of what Ken said. I think there’s a good lesson here for all of us because he commented on the Forest Service program and in working on private lands. We had an interesting situation in Minnesota where they were in fact working with us very closely in developing trout habitat on private lands except they, of course, did what they
always do and they contacted our division of forestry. And our division of forestry, being somewhat asleep at the switch, went ahead with the program and the next thing our fisheries people found out that our division of forestry was working with the Forest Service to improve trout habitat on private lands and our fisheries people didn’t know anything about it. That reminds me of one of our department norms that says “involve those who should be involved” and maybe that’s what’s happened here. Some of you states should go back and check to see if maybe they’ve contacted you. The Fish and Wildlife Service has a nasty habit in Minnesota of writing to our commissioner and they don’t even copy me. I get the stuff a month later. I told Gritman finally “you send it to me or we’re not doing anything”. We’ve got some real communications problems and it’s partly because of the way all of our states are structured. We’re all different and they have a terrible time trying to know who to communicate with. I relate that story of the Forest Service to show what can happen.

RAY EVANS: In our state the forestry division is a part of our same organization so we don’t have that separation.

DICK PIERCE: We suffer with the same thing, Roger. We get things coming into the department in our division on fish and wildlife issues and we never see them. We don’t even know where they get them. We don’t even get to comment under our legislative responsibility to the state. There is a very serious communication problem from the Service to the states.

GARY TAYLOR: One other comment, Mr. Chairman. I think the conclusion that Region 3 and the states came to about formalizing the arrangement in a programmatic MOU is an excellent one. And I think at a minimum that all the states should insist that in their relationship with the Service on the private lands initiative in particular that there be that type of an arrangement. I know, I worked in Region 5 for the State of Maryland. And, in Region 5, to the best of my knowledge, the Service didn’t advance the private lands initiative without a written MOA or MOU with the state. I think that’s good common sense but maybe missing in some cases a solution to some of these issues.

TOM YOUNG: I had a meeting with Region 4 out of Atlanta and we aren’t experiencing any problems with them. All they were doing was fine tuning everything. I don’t believe I’m in favor of this resolution.

KEN BACCOCK: I make a motion that we table all aspects of resolution #2 with the exception of the fourth “whereas” and “now therefore be it resolved” in the last paragraph. That part deals with USDA.

ROGER HOLMES: Second.

AL FARRIS: Are we open for discussion on that? I have a little bit of concern here about the statement with the International Association of Fish and Wildlife Agencies. I’m not sure it’s within our capabilities to draw the International in and in essence establish a position for the International unless that position has already been established. In both “now therefore be it resolved” and “be it further resolved” sort of indicates that the Midwest and the International are taking the same position and if we are and we’re on record that’s fine. If we’re not, I think we’re going to have to leave the statement about the International out. Gary, can you help me out there?
GARY TAYLOR: The International will certainly represent your position as a resolution of the Midwest Association if and when you pass this or another resolution. But Allen is correct. Unless the full body of the Association had passed an identical or comparable resolution I think you need to be careful about how that is worded in there.

REX AMACK: Mr. Chairman, I might just offer for discussion that the 1990 Farm Bill is past tense. It is a done deal. This body, I would think, might want to consider looking forward to the new farm bill and injecting their energies there. I don't think a demand that the U.S. Department of Agriculture back to the 1990 Farm Bill and rework it is going to be very workable or acceptable to Washington, DC. It's incongruent to want Washington to love you on one hand and send them letters and resolutions at this time. Those are not congruent concepts. I do think that the Fish and Wildlife Service is being a little bit misaligned here from the standpoint of their failure to involve in the 1990 Farm Bill. It certainly wasn't like all people were standing around with their hands in their pockets during that time. I have to think that Max Peterson and Gary, if you were on board then, Lonnie Williamson, the Wildlife Society, International, everyone was involved in the 1990 Farm Bill and what became was legislation. That's the way this democracy works. I don't think you can back up to 1990 very successfully. I think it would be better to direct your resolutions and energies toward the next farm bill. That's what's going to happen. The 1990 Farm Bill already happened. And just for the record, I would say that the Fish and Wildlife Service and 5 states here from Region 6, I'd have to join with Al and say we're extraordinarily happy with the Fish and Wildlife Service involvement in Nebraska. I've had some excellent conversations with Bill Bailey on this and I told him I might just proffer an amendment to say all Fish and Wildlife Service efforts stay in Nebraska and not make any of the other Midwest Fish and Wildlife Agencies upset.

ROGER HOLMES: Mr. Chairman, I guess the point here is that whoever wrote it wasn't suggesting that the 1990 Farm Bill be changed. It's just that it be adhered to as far as the USDA. I still think it's important to point out by resolution that the USDA did not comply with that provision of the law. And by doing so you can then get a better bargaining position to see to it that that is done if it's so authorized by the 1995 Farm Bill. I agree. I think we all have to work toward that but there was a serious error of omission here and I don't think we can let that pass.

KEN BABCOCK: A point of order, the motion is to table all of the other aspects of the resolution except for those that we're not discussing.

DICK PIERCE: Any other discussion? Mr. Chairman, we have a motion to table all the aspects of the resolution except, let me see if I'm correct here, the fourth paragraph "Whereas, the U.S. Department of Agriculture has not established State Technical Committees as required by the 1990 Farm Bill relegating the state fish and wildlife agencies and the U.S. Fish and Wildlife Service to a minor role, if any, in a broad array of conservation issues" and I would assume strike "and" and then add "Be it further resolved, that the Association of Midwest Fish and Wildlife Agencies request from the U.S. Fish and Wildlife Service written commitment of their support and request USDA establishment of State Technical Committees required under the 1990 Farm Bill" and "Be it further resolved that upon failure of the U.S. Fish and Wildlife Service to comply with the aforesaid request, that the Association of Midwest Fish and Wildlife Agencies and the original motion and second was "with the International Association of Fish and Wildlife Agencies actively pursue executive and congressional relief to ensure that a protocol further protecting state jurisdiction over resident fish and wildlife species be established" and "Be it further resolved
that upon failure of the USDA to establish and convene State Technical Committees as required by the 1990 Farm Bill.

AL FARRIS: No.

DICK PIERCE: The original motion was ... the discussion was to take it out so we can amend the original motion and delete the International.

KEN BABCOCK: The motion that's on the floor is to table all aspects of this resolution except those that deal with USDA.

STEVE MILLER: I'd like to identify those paragraphs of the motion. As I understand it, it's the fourth whereas and then it would be the paragraph that begins "Now therefore be it resolved" with the reference to the International deleted. Is that correct?

KEN BABCOCK: With the discussion we've had I have no problem with that.

STEVE MILLER: And then the next beginning paragraph would, "Be it further resolved" and item 3 only. And then on the second page it's the second "Be it further resolved".

Excuse me, Ken, with the reference to the International again deleted in that second "Be it further resolved". Now is everyone clear on what to motion is?

STEVE MILLER: Okay. We have a motion that would take the original resolution that you have and delete all references to the Fish and Wildlife Service and concentrate only on those dealing with the U. S. Department of Agriculture establishing state technical committees. All in favor.

DICK ELDEN: Clarification on it. That was to table as well as to delete, is that right?

STEVE MILLER: We're going to table action on the Fish and Wildlife Service part and deal only with the USDA part.

All in favor of the motion say aye. All were in favor. Motion carried.

Do we need to do anymore with this subject now?

KEN BABCOCK: There's still no action with regard to the USDA part of this. I would leave that for somebody else to make a motion on. That part of the resolution is still before us for any action.

STEVE MILLER: What do we have now? We've got the resolution only to the USDA related. Now what are you suggesting, Ken?

KEN BABCOCK: I would offer a suggestion that at the break maybe Ray Evans, Todd Peterson and Gary Taylor could take a look at this and bring some cleaner wording with regard to this particular topic. Given some of the discussion we've had I guess I would prefer to hear some of
these folks think about this to determine first of all whether a resolution as opposed to a letter is the best approach and they could give us a recommendation for wording.

STEVE MILLER: Now this is with the Fish and Wildlife Service portion of it?

KEN BABCOCK: No, that's just with the USDA. We already taken the other part out.

ROGER HOLMES: So far, Mr. Chairman, we've taken no action on the resolution with regard to USDA. We haven't done anything, so somebody has to make a motion to bring it on the floor and like Ken said, and I would support that it should be rewritten. One of the things that Doug and I were talking about here is where it says "Now therefore be it resolved", it says we're demanding and I don't think we're in a position to demand anything. I really object to the use of that word.

STEVE MILLER: Well, Dick, I guess I would bounce that back to you as Chairman of the Committee, that we'd like you to go back and rework this resolution and bring it back for action under new business later today.

DICK PIERCE: Mr. Chairman, we have one final resolution that was submitted and that's your Resolution #3.

Whereas, the State of Wisconsin graciously volunteered to host the 59th meeting of the Association of Midwest Fish and Wildlife Agencies in Green Bay, Wisconsin, on June 28-30, 1992, and

Whereas, the staff of the Wisconsin Department of Natural Resources has prepared an excellent program and provided warm hospitality to the members of the Association.

Now, therefore, be it resolved, that the Association of Midwest Fish and Wildlife Agencies commend and thank C. D. "Buzz" Besadny, Steve Miller and all their colleagues in the Wisconsin Department of Natural Resources for an enjoyable and professional 59th Annual Meeting of the Association of Midwest Fish and Wildlife Agencies in Green Bay, Wisconsin.

STEVE MILLER: Moved by Al Farris, seconded by Rex Amack. Any discussion? All in favor say aye. All were in favor. Motion carried.

Thank you very much. We appreciate that.

Well we're due for a break in a few minutes. Let's move on to the Nominations Committee report and I will be presenting that. Jeff Ver Steeg was the Chairman of the Nominations Committee. He is unable to be with us as is anyone from Illinois. They're under severe travel restrictions, apparently a total prohibition on out-of-state travel and a severe reduction on in-state travel as I understand.

One of the main activities that Jeff was involved in was looking for a replacement for John Urbain who has served as Secretary-Treasurer for many years to this Association. He is nominating Joe Kramer from Kansas as our new Secretary-Treasurer of the Association and Joe has accepted that nomination.
Therefore, unless any other nominations would come forward at this time, I would ask for your action on this nomination.

Moved by Rex Amack, seconded by Bruce McCloskey. All were in favor.

Joe, congratulations.

JOE KRAMER: Thank you, very much.

STEVE MILLER: The other action that Jeff was involved in was nomination for the Vice-President of the Association and he requested Bruce McCloskey from Colorado be nominated. Bruce has accepted that nomination for Vice-President and therefore I would offer you the name of Bruce McCloskey as our Vice-President of the Association.

Moved by Roger Holmes, seconded by Ken Babcock. All were in favor.

Bruce, thank you very much and we'll look forward to being in Colorado two years from now.

KEN BABCOCK: Maybe you'll have a Great Lake out there by then.

STEVE MILLER: There's one other piece of business I'd like to take care of before we go to the Awards Committee. I received a request from then President Steve Lewis of the International regarding the Ad Hoc Aquaculture Committee that the International has formed already. They were looking for a Midwest representative. That committee, I believe, had its first meeting at the International in March and we do have a number of states and individuals on that committee. Doug Hansen is on that committee, Jim Addis from Wisconsin is on it as is Dave Ives from Wisconsin. However, they were also looking for someone to officially represent our Midwest Association. Jim Fry from Missouri is on that committee and I called him and asked if he would serve as our official Midwest representative on that committee and provide us with whatever feedback he felt necessary from time to time. I took that action to appoint Jim to that assignment and I feel that he will serve adequately and we do have quite a number of midwest members on that committee.

With that, Roger, why don't we have you present the Awards Committee report and then when Roger has concluded we will have a break.

ROGER HOLMES: Thank you Mr. Chairman. We have two awards to present today and I would first of all like to call Dick Elden up here. The award is for John Urbain for his outstanding service to the Midwest Association spanning the years 1986-1992. He worked very hard at this. I recall it was one or two years he even attended the meeting on his own expenses and he could not be here at this meeting but we present the award to you Dick on John's behalf and extend our congratulations to him.

DICK ELDEN: I will. Thank you.

ROGER HOLMES: We have here a big surprise. A presentation to our outgoing president, Steve Miller, who we feel has done an outstanding job of serving as President of the Association
of Midwest Fish and Wildlife Agencies, and on behalf of the entire Association, we present this to Steve Miller as President, 1992.

STEVE MILLER: It's not over yet so you can reconsider it a little bit later.

Thank you very much. Thank you, Roger.

We have a break indicated on our schedule until 10:15. When we come back we will start with the report on the International activities from Gary Taylor and in the meantime I would appreciate it if Ray, Todd and Dick begin working on the resolution.

BREAK

STEVE MILLER: The meeting is called back to business.

The next item of business is to hear a report from Gary Taylor from the International on International activities. Gary.

GARY TAYLOR: Thank you, Mr. President. I appreciate the opportunity to be with you here during your meeting to share in your discussions and also to have a chance to update you on the status of some of the projects and the legislation that the International Association's actively involved in. The Washington office works with you on a regular basis and as you are aware, the strength of the International Association lies in your involvement with it. Our successes in working with Congress and the Executive Branch have been because of your willingness to get involved with these activities and your timely responsiveness in contacting members of your congressional delegations and senators on key issues we have brought to your attention. As you're also aware, the strength and credibility of our organization in Washington as brokers of factual information to the hill and to the Executive Branch is because of the strength and support of the 50 state fish and wildlife agencies that comprise the International Association. I just want to share with you that the Washington office staff sincerely appreciates your enthusiastic support of the activities of your International Association of Fish and Wildlife Agencies.

So let me turn to some updates on some of the activities that the Association is currently involved in.

On the appropriations front, the House Subcommittee for Interior and Related Agencies marked up a bill last week in the full appropriations committee reported the bill yesterday which reflects the constrained nature of the current economy. Many of the items which the Association has advocated enhanced budgets for and our position statements our federal budget committee put together and that we advanced to the hill did not survive the subcommittee markup. While we don't have a copy of the bill yet, we are aware of some of the highlights of the specific items that are in the bill. As we do get copies of the bill, we'll make those available to you.

It appears that the markup in the subcommittee followed quickly on the heels of the house vote which defeated the balanced budget amendment and it appears that the democrats wanted to demonstrate their abilities to move toward balancing the federal budget in the absence of the constitutional amendment so there were, we understand, working on their marks at least 2% lower than last years and also they were working under instructions that indicated that there were
to be no new program starts this year. The consequences of that are reflected in some of the items that we have, some information as follows and while the senate has not marked up appropriations bill yet and it may not until late July because of the July 4th recess and then you have the democratic convention in mid-July. We will be working closely with the senate to try and restore some of the items that the house did not find at levels that we had advocated for.

Some of the good news out of the markup is that it appears that there is no house imposed cap on spending authorities for the state apportionment of either Wallop-Breaux or Pittman-Robertson. If you recall, out of last year’s house markup the house imposed a spending cap on Wallop-Breaux, spending of Wallop-Breaux apportionment to the states from the Sport Fish Restoration account, we worked closely with all of the state directors to have that cap removed and successfully sustained through conference in the final appropriations bill. That does not appear in the house appropriations bill that came out of committee this year.

Also, if you remember from last year, the house zeroed out the annual appropriation for the North American Wetlands Conservation Act which is the principal funding source for the North American Waterfowl Management Plan. Remember, there’s a firm appropriation for the North American Act which consists of the interest derived from Pittman-Robertson monies and also some of the penalties and fines levied under Migratory Bird Treaty Act and some of the import taxes on imported firearms. But then there’s also an annual appropriation which requires action by the congress. Last year, the annual appropriation was zeroed out. This year, house appropriation subcommittee identified a funding level for the annual appropriation of the act at $7.5 million. So it appears that we’re in a little better position this year from which to advocate for increasing funding for the North American Wetlands Conservation Act than we were last year. Remember the consequence of last year’s action was that the senate ended up restoring and it survived and improved the process and was signed by the President at a level of $15 million for the annual appropriation of the Act which is derived largely from the fines levied under the Migratory Bird Treaty Act in the Exxon Valdez Settlement. So, we’re going to be needing to call on the state directors to get involved with their respective committee members in the senate and consequently in both houses as the senate moves an appropriations bill forward and then conference actually takes place probably not until early September although we don’t have a calendar on that yet.

Also, you should be aware that the House Agriculture Subcommittee once again, as they did last year, zeroed out the item for the Wetlands Reserve Program. Remember that that is one of the commitments that the administration made in their revised wetlands policy last August that was deceitful funding for the wetlands reserve program that was in the President’s budget at a level of $160 million with the house ag subcommittee zeroed that out as they did last year. So we’re going to have our work cut out for us working on that item.

Some of the other items that we had advocated increased funding for in the appropriations didn’t fair quite as well as the North American Act. Section 6 funds under the Endangered Species Act are funded we understand at approximately the same level as last year or about $6.6 million nationwide which is a modest increase I think with the $900,000 over last year. There’s no additional money as we can ascertain for research, for research fish therapeutics, for hatchery operations. We, as you remember, made that one of the major points that we advocated for in our budget recommendations this year. We understand refuge operation and maintenance funds are funded at $162 million which is about an $8 million increase over last year but there’s
language in committee report that directs that no funds from operation maintenance be used for private lands work.

Speaking of the private lands initiative we understand that there were $200,000 cut from the Service's request for private lands initiative. We don't know of any states that advocated for any reduction in appropriations there so in relationship to our discussion this morning I think it's proved that we were sensitive to the impatience to some of the recommendations that may have been advanced in that resolution.

The fish and wildlife programs for the Bureau of Land Management we understand remain seriously underfunded. They have been historically advocated for significant increases in funding for that program but the house appropriations bill does not reflect its request and the U. S. Forest Service fish and wildlife programs for wildlife, endangered species, freshwater fish, anadromous fish received modest increases collectively of about $6-$7 million over last year.

One of the items that we had some hopes for in getting at least some level of funding in this year's appropriation action was funding for the 1980 Fish and Wildlife Conservation Act (the federal so-called Nongame Act). We have had several discussions with subcommittee staff in both the majority and minority who appear responsive and receptive to funding that legislation at some level but unfortunately that did not survive the subcommittee markup and while staff in the house subcommittee indicate that they could still be willing to consider such funding if it came across any bills in the senate they also pointed out that we need to identify where the money would be taken from in order to fund that particular program. If you remember, we had hoped to get somewhere up to $5 million appropriated for the 1980 Fish and Wildlife Conservation Act. That's the level of funding in the current authorization for that legislation. We have talked to staff of the senate, members of the senate appropriations subcommittee who are interior related agencies and Max and Naomi Edelson who is our fish and wildlife diversity coordinator are going to be meeting with some of those individuals this week to see if we can't identify support for and maybe identify a champion in the senate for funding this particular proposal. It appears that perhaps Senator Leahy from Vermont, Senator Reed from Nevada and maybe Senator Dean Sini from Arizona have a receptive ear to advancing an item funding the 1980 Fish and Wildlife Conservation Act.

So as we get a copy of the bill and identify where positional attention and action is necessary and can be useful to the state directors, we'll get that out to all the states.

On the wetlands farm, while the controversy continues over the regulatory protection of wetlands under Section 404 of the Clean Water Act, that two house subcommittees that much agree with fisheries met a couple of weeks ago to deliberate and discuss the issues of taking compensation for private landowners particularly as it relates to the leading proposal in the house, HR 1330 from Congressman Hays, it appears more likely to us, at least, that congress is simply going to run out of time this session and not reauthorize the Clean Water Act. There's no movement in the senate on the reauthorization bill although one has been drafted (Senate Bill 1081). There is yet a provision in there relating to Section 404 and wetlands protection. Primary authorizing committee in the house, the house public works and transportation committee, has not yet drafted a reauthorization proposal although we understand from talking to some staff that they're anywhere in the process from seriously thinking about it to committing thoughts to paper to actually working on the computer. So we don't have a real substantive indication of if and when
the reauthorization proposal will come out of that committee. It appears to us that congress is simply going to run out of time this session to reauthorize the Clean Water Act.

A couple other germane actions, I think, in that house authorizing committee particularly, you’re probably aware that the chairman of that committee, Congressman Rowe from New Jersey, has retired. He will not be running for reelection. And just last week, the chairman of the water resources subcommittee of that house committee, Congressman Nowak of New York, announced that he also is not coming back. He’s going to retire. To me that indicates that it’s even more unlikely that that bill will report out of the reauthorization of the Clean Water Act but then the others in Washington suggest that perhaps the chairman and co-chairman would like a reauthorization bill to be their legacy. It’s still up in the air.

A couple of the other reasons that it appears unlikely to us that congress will be able to move a reauthorization bill is that public works and transportation is not the only committee that has jurisdiction over the Clean Water Act. At minimum, Richard Green of fisheries and agriculture science and technology committees will probably get referral and then depending upon what provisions would be in the bill regarding taking and compensation to private landowners, government operations in the house ways and means committee you can also have a joint referral on jurisdiction so potentially you have 3, 5 or maybe up to as many as 6 committees looking at reauthorization of the Clean Water Act and once again it looks to us like they’re not going to have enough time to do that.

I think that a reauthorization bill could move if you scalped out the section that related to takings and compensation to private landowners but the politics are such that Congressman Hays and his 170+ cosponsors that his legislation I think would be unlikely to let such a bill move out of the house. Even if it did, there is some support in the senate for those concerns of private landowners and the takings provision would probably get added on in the senate if nowhere else on the floor or they don’t have a germane role it’s a lot easier to tag. And in fact this is a germane section or provision but in fact it probably would get added on in the senate. So our conclusion on that is that there is unlikely to be legislative action reauthorizing the Clean Water Act this year.

What we may see again, though, if you remember last year there was a rider on the Corps of Engineers appropriation bill that said in essence that the Corps could not use the 1990 federal manual for delineating, identifying and delineating jurisdiction of wetlands and their permit review activities will probably be back again last year in the Corps’ appropriation bill and we may see other legislative direction considered at least referring the issue of the delineation manual to the National Academy of Sciences. They’re trying to modify or amend some of the definitions and delineations of wetlands, for example, but that’s likely to be the extent of the action on the wetlands issue, at least from our perspectives at this point time in congress.

On the issue of the delineation manual, just quickly, it appears that there are still significant deliberations ongoing within the administration at the level of the White House, over the fate of the 91 proposed revisions to the manual and what to do with those. It appears likely to us this year at least with the presidential election that there is unlikely to be any further action of the administration on the proposed revisions to 91 at least not until after the election and then of course depending on what administration occupies the White House at that time. So we don’t look for any further action on the manual from the administration. You’re all aware that EPA
received over 75,000 comments on the proposed revisions and to the best of my knowledge they're still in the process of sorting and assimilating and analyzing those particular comments. A fairly awesome task.

As most of you are aware, also on the legislative front, there has been a flurry of activity by the conservation community surrounding the "draft proposal" being considered by the U. S. Department of Agriculture regarding the wetland conservation or swampbuster provisions of the 1985 and 1990 Farm Bills. The changes being discussed center around the application of the characterization of terms prior converted wetlands, farm wetlands and the application of the minimal effects determination as provided for in the farm bill by congress. The Association which is part of this informal working group that we characterize as a natural resources working group in Washington is a collection or coalition of conservation organizations that the Association put together during the deliberations over the 1990 Farm Bill and we have kind of kept that group of people together to look at continuing issues on the farm bill and also on the wetlands front. We invited Chief Bill Richards of the Soil Conservation Service and his staff to meet with this group a couple of weeks ago to discuss the tentative proposal and what some of the issues his concerns were in the Department of Agriculture that led them at least at some level to draft a proposal that in our reading of it would significantly weaken the swampbuster provisions of the 1990 Farm Bill.

Chief Richards expressed his agency's concerns about the extensive misidentification that his terms of prior converted wetlands as being farm wetlands and suggested a cropping history be used as a surrogate for the hydrology criteria in making the swampbuster delineations and determinations by the Soil Conservation Service. In response to what we felt was a good frank and open discussion with the chief and his staff in the Soil Conservation Service the working group expressed concerns about the changes proposed to the swampbuster provisions whether the proposed rule was necessary in fact and nobody from SCS even admitted that a proposed rule was being considered. This was a discussion that had been put together at some level in the department but it did not receive the concurrence of the chief as far as we understand. We expressed concerns about the unilateral process that the proposal apparently was taking and suggested that a small contingent or subcommittee of the working group visit some of the field sites with observers from SCS and the Fish and Wildlife Service to see what the nature of the problems at least as SCS perceived in applying the delineations were and whether or not there were remedies necessary in amending some of the application of the provisions through a proposed rule or regulation.

The person who worked for the Association on the passage of the 1990 Farm Bill, Roman Gettys, who was representing the national association of conservation districts and Don McKenzie from the Wildlife Management Institute with observers from the Soil Conservation Service and the Fish and Wildlife Service about 10 days ago visited sites in north central Iowa and south central Minnesota to get at least in those areas some idea of what was going on on the ground. There were several state fish and wildlife agency personnel and district conservation officers and local Fish and Wildlife Service biologists who also made the site visits with this team from the working group (Ray Evans was one of them and he can share with you some of the farm points in particular). The team came to the following major conclusions which we presented to the Soil Conservation Service last Thursday in a meeting with deputy chief Galen Bridge.
Number one, the team observed there was no reason for statutory or regulatory changes to the swambuster provisions at this time. The team felt that in its observations of the application of the swambuster provisions that the field team largely had sufficient guidance to appropriately apply the provisions as indicated in the farm bill. Therefore, they saw no need for additional regulatory or statutory changes. And while there may have been some utility to guidance to district conservationists, for example, from the Soil Conservation Service they were fairly adamantly unconvinced of the need for any legislative or regulatory changes.

The team recommends that U. S. Department of Agriculture should aggressively act to establish the state technical committees which are mandated by the act. And this fits right into our discussions that we had this morning that resulted in the proposed resolution. We feel that the state technical committees were established for the very purpose of helping provide the guidance on the application of these provisions in swambuster that may be necessary for the individuals making the determinations and delineations to use in the field and we have and will continue to encourage the Department of Agriculture to jump start technical committees. We are also aware of Chairman Witten's contention that it requires a separate appropriation item that as I said we're not convinced that that will continue to work to resolve that particular problem.

The team recommended that both the agricultural and conservation community work diligently to address misperceptions and misinformation available that are circulating in the farming community. We all are aware of some of the "horror stories" that surround both swambuster and 404. I think a lot of those are where problems and misperceptions have been the application or have kind of waded over into swambuster. I think we all need to be extremely sensitive to getting correct information out to the regulative community on section 404, for example, and also the farming community as it relates to the swambuster provisions. That's a responsibility that both the ag and conservation communities need to share and embrace.

The team did suggest that a greater use of crop history, wetland signatures, and field observations should be made during scope and effect determinations in analyzing the effect of prior drainage activities. The team frequently found that determinations largely the scope definition where existing drainage features, engineering, drainage activities was often considered to the exclusion of the manifestation of those activities on the ground. They in some cases found functioning wetlands with characteristics that would seem to contradict the determination that had been made probably in the office of a prior converted wetland. So the team encouraged SCS to employ scope and effect characteristics when making those delineations.

The team also found that there has been little use of the minimal effects characterization which congress provided for in the swambuster provisions. They suggested that the Soil Conservation Service and Fish and Wildlife Service need to agree on further use of this tool in applying the swambuster provisions and in fact the Association agreed to host an additional meeting with SCS, Fish and Wildlife Service and the conservation community to further explore the need for and the application of the term minimal effects.

As I indicated, the team's recommendations will be formally submitted to SCS to further their review of any proposed or draft rule that they might be considering. At the meeting last Thursday with Deputy Chief Galen Bridge, he indicated that he was not aware of where the "proposed rule" was within the department but promised to take the recommendations of the team to the chief. Somebody in the group asked Galen what the group could do to help and he
said these are the types of recommendations that we need so we’re going to continue to work with SCS on that particular issue. We do feel at least that we have the confidence of SCS that the association and the organization, the working group, is concerned both about problems that they may have identified but also clearly are concerned that there not be any weakening of the provisions in the swambuster provisions.

We continue to work on another front. We continue to work with the senate commerce subcommittee staff to develop an alternative proposal to Congressman Jones’s Clean Vessel Act which is more popularly known as the pump-out bill which I think most of you are aware of. The status of this, Congressman Jones’s stand alone bill passed the full house and was sent over to the senate. In essence what the bill would be would require coastal states including Great Lakes states to use up to 5% of their apportionment under Wallop-Breaux out of the sport fish restoration account to instruct or revitalize pump-out stations to receive on-board stored sewage from recreational vessels. He also succeeded in tagging that proposal on to a bill that the house passed reauthorizing the activities of the National Oceanic and Atmospheric Administration under the Department of Commerce. Action has not been taken on the year in the senate yet. As I indicated, the senate did have a hearing as I think you’re all aware of, on Congressman Jones’s bill. It was clear from the hearing that Senator Rowe is adamantly opposed to any earmarking or dedication of Wallop-Breaux funds for that purpose. The co-chairman of that committee, Senator Carrie, is equally supportive of some action being taken by the states to address the issue of overboard disposal of sewage by recreational vessels.

So we’re working closely with the senate staff and have worked through about four alternative proposals with the senate subcommittee staff. It’s become pretty clear to us that we’re in the course of time in discussions with the senate that even though we might succeed in hanging out Congressman Jones’s bill as a stand alone in the senate this year, there are enough things that the senate is interested in that Congressman Jones could tag on to a proposal which comes over from the senate that he might still succeed in getting his bill in largely the form that it now stands if we aren’t willing to work to come to some compromise on the proposal.

Even if we were able to succeed in pressing both of those concerns, this proposal, at least, apparently has enough support in the house that it would probably be back in the next congress so it’s something that I think the reality is that we need to address and we need to work with. The latest draft that we have worked with on subcommittee staff we feel was an acceptable alternative to Congressman Jones’s proposal because it does not dedicate or it does not earmark any of the Wallop-Breaux funds for this purpose. It simply provides congressional encouragement to the states to use Wallop-Breaux funds or other funds that are available from both the public and private sector to address the problem of construction of pump-out facilities to receive onboard stored sewage. There has not been anyone step forward in the senate yet to sponsor this alternative proposal although Senator Carrie is the logical individual who would do that. We understand from the subcommittee that the problem won’t mark out the bill until late July or August so we still have some time. One thing that we remain concerned about is trying to insure to the best of our ability that a compromise would survive conference action. We know the Chairman retains the strength reflected from the leadership that the chairman of the house merchant marine of fisheries committee and again to the best of our ability we would like recognition among the senate members in conference that they would not find Congressman Jones’s proposal as he sent it over from the house to be acceptable. Rather they would advocate for a compromise bill that we have worked on with subcommittee staff.
As I think you're aware, the senate and public works subcommittee held a hearing on Senator Graham's bill about 10 days ago that would essentially create a more organic act for the national wildlife refuge system. The bill which is senate bill 1862, unfortunately for Senator Graham, in our opinion the bill was essentially a solution looking for a problem. While many recognize there are some problems with incompatible uses of national wildlife refuges, Senator Graham's bill does not regress those problems. His bill is like two ships passing in the night and we made that fairly clear to him and members of the subcommittee in our testimony. As I indicated, while there are some incompatible and harmful uses occurring on national wildlife refuges, many of those result from activities over which the Fish and Wildlife Service does not currently have jurisdiction or authority: over flights, water application issues, lock and dam activities, barge traffic and different things like that. Senator Graham's bill does not redress those jurisdictional issues. Rather it seeks to establish new standards of processes for compatibility determinations that the Service currently undertakes but in our opinion the state only lumps all uses of refuges in one category for purposes of meeting the standards of compatibility determination. And what that means is that fish and wildlife related recreational activities such as hunting, fishing, trapping, nature observation, enjoyment, educational activities would be considered against the same standard and test that nonfish and wildlife related recreational activities such as water skiing and trail bikes and some of the things that do cause problems that the Service has jurisdiction and authority over and activities that alter or degrade habitat such as rights of way, some of the activities over which the Service does not have jurisdictional authority over, like military overflights and barge traffic, all of those activities would be imposed against the same standard and test for comparability determination and we suggest that its neither necessary nor prudent to establish such a system like that. Our bottom line, however, is that the legislation is simply not necessary. We feel that the Service is making progress in reconciling some of the incompatible uses over which it does have jurisdictional authority. We also feel that the Service has demonstrated that they are making progress in resolving some of the co-jurisdictional issues over which they share authority with the Department of Defense, for example. And, we also feel that the process the Service is engaged in, refuges 2003, is an extremely comprehensive process involving an introspective look at the national wildlife refuge system. It involves extensive public involvement. It will result in a draft EIS compliance with NEPA and we suggest that any legislative remedy, and we aren't convinced that one is necessary, but we could certainly suggest that any legislative remedy be delayed for about 6 months. The best information we have is that it won't be added until after the first of the calendar year. We don't feel that Senator Graham's bill will advance in this congress.

Reauthorization of the Endangered Species Act continues to be unlikely this year. Currently there are no bill hearings on either the house or senate calendars although as you are aware, Congressman Studds has a proposal to reauthorize and strengthen the Act but while we were told in Charlotte that we'll probably be on the June hearing calendar, it is probably being delayed pending resolution of the Pacific Northwest old growth forests, I think to minimize any legislative damage to the Endangered Species Act from congressional deliberations over that controversial issue. And that clearly has not been resolved yet, although the house agriculture and interior subcommittees continue to deliberate over solutions to that particular issue, kind of picking and choosing from the alternatives presented in the interagency scientific committee report. We don't see any immediate resolution to that particular issue. Perhaps not even in this congress. I think you're aware that Max sent out a memo within the last two weeks kind of summarizing the activity of the spotted owl crime from the perspective of the recovery plan and the injunction against the Forest Service and the deliberations of the God Squad Committee and also the release of Secretary Lujan's spotted owl preservation not recovery preservation plan. So you
should be aware of at least the summary of those particular actions. The secretary’s preservation plan requires legislative sanction by congress because it would override the requirements of both the endangered species act and the national forest management act and we understand, and I think Senator Gordon has introduced legislation to implement the spotted owl preservation plan. We have no real prognosis on what the fate of that is at least in this congress.

In the legislative arena there’s a couple of areas that the Association is involved in which seek to provide early warning signs of species decline and apply remedial action to these to prevent species from getting to a point where it’s necessary to impose the endangered species act. I think that’s one thing that people discussing and deliberating the endangered species act in congress and elsewhere agree on, that we need to do a better job of preventive management to preclude the need to propose endangered species act on species to ensure their survival and recovery. You’re aware, of course, of the Fish and Wildlife Diversity Initiative that the Association has which is being shepherded by Herb Doig of New York and staff in Washington, Naomi Edelson. I think all of you have received information from Naomi on the status of that. The ad hoc committee continues to meet to discuss process, draft legislation and a plan to secure funding for state nongame fish and wildlife programs and, as I indicated, Naomi and others in Washington office have worked with house subcommittee staff in interior and related agencies appropriations to try to create a positive environment for funding for the 1980 fish and wildlife conservation act and we will continue to work on that from the senate side.

Another project that you may be aware of that the Association has been involved in is the Great Plains Initiative which has been developed through a cooperative effort by the western governors’ association, the Nature Conservancy, the International Association, the Province of Manitoba and New Mexico border states. I think you’re aware this is an initiative that Governor Hayden, now assistant secretary Hayden, developed and is advancing. It’s a state initiative that is currently being funded on a pilot basis by a two-year, $200,000 grant from the Fish and Wildlife Service and it’s an attempt, on an ecosystem basis, to identify what species are declining and what remedial actions are necessary in the way of species restoration or habitat conservation endeavors to insure the survival of those species before they become threatened or endangered. It’s centered in the central flyway and its intent is to encourage the states to work together voluntarily. It’s not a mandate, but encourages the states to work together to determine the highest priorities for conservation projects and which high priority habitats are identified, or identifying species where remedial actions could stabilize population levels and keep species from becoming candidates for the listing under the endangered species act.

As some of you I think are aware, Max Peterson recently returned from the annual meeting of the Canadian Federal and Conventional Wildlife Directors in Quebec City. He stressed the Association’s interest in working out a solution regarding the proposed amendment to the convention for the protection of migratory birds treaty act, concerning subsistence hunting that is not only equitable to all those involved but is based solidly on conservation of waterfowl species. Max reported there’s general agreement that the present situation where spring subsistence hunting continues to take place in both countries in violation of the treaty is unsatisfactory. Max shared with the directors his concern that the long-term future of the North American Waterfowl Plan and support for funding in both countries could be undermined unless we’re able to arrive at an equitable and acceptable solution that treats both the users for subsistence purposes, all users of the resource and most importantly is based solidly on conservation principles for waterfowl. He urged that the Fish and Wildlife Service and the Canadian Wildlife Service both recommit
themselves to this goal and encourage that they actively pursue working with the Association and other conservation organizations to meet this particular objective in the best long-term interests of the waterfowl resource. I think you should be aware that the Association did provide a statement to the Fish and Wildlife Service in Washington reiterating our position on the proposed amendments to the protocol and also Ross Mellenchuck had circulated in March background briefing papers from all members that laid out the Association’s concerns and basically charted out a calendar of the promulgation of the treaty, the amendments that had been made to it, and what the context of the current discussions were.

Speaking of Ross Mellenchuck, I think most of you know that he’ll be leaving the Association in early September to join Ducks Unlimited in their Memphis, Tennessee, office. I think all of you appreciate the fact that Ross has done a real good job over the approximately 2 years that he has been with the Association in advancing the North American Waterfowl Management Plan and cooperation between the states and Canada. His position was financed largely by the Canadian provinces and the Canadian Wildlife Service and our preference would be to get a Canadian replacement for Ross but we will be sending out a notice of vacancy to both our Canadian and U. S. government members shortly.

Lastly, Naomi Edelson asked me to make you aware of a Partners in Flight conference to be held in Estes Park, Colorado, during the week of September 21-25. The focus of this will be a workshop on the status and management of neotropical migratory birds and she has sent a notice of the meeting out to the states, neotropical bird contacts and encourages you to support staff attendance at this particular conference.

So with that, Mr. President, I conclude my report. Thank you for the opportunity to be here with you.

STEVE MILLER: Thank you, Gary. Are there any questions for Gary?

Next we would like to hear from Marv Moriarty, the Acting Regional Director from Region 3. I would like to point out we did contact Region 6 out of Denver and they felt they were unable to send a representative to the meeting this year due to the changes going on there. Marv.

MARVIN MORIAPTY: Thank you very much, Steve.

I’d like to just continue from the discussion that we had this morning about state and federal relationships for a brief moment because I know in talking to you over the last couple of days, I picked up an undercurrent of concern by you on the future now that Jim Gritman has retired.

First, to the extent that I can, I’d like to assure you that the commitments made by Jim Gritman were commitments made by the Region and me in particular. To give you a little insight, our relationship was one more patterned on that of a chief executive officer and chief operating officer relationship. We always discussed or always tried to discuss decisions that had to be made. However, when he would make a decision in my absence I would uphold that decision. If I made a decision in his absence, he did the same. We would fight occasionally if I made the wrong decision or he made the decision. We’d go in a room and really fight it out but when we came out we spoke with one voice. I think that was very important. I knew what he was thinking and he knew what I was thinking at all times. I think one reason we got along so well in that regard
is that we were both jarheads. He made the unfortunate choice of going with the ground pounders - I was more content to view the world from above in the air. But we did have a good sense for commitments and requirements and I think that worked quite well.

Another reason you may not be that familiar with me is due to the CEO/COO relationship. The roles he basically played were as chief executive officer and Jim did the external things. He did the political things or what I call the fun things. I was back at the office making sure that the budgets were met, ensuring that our folks up at the Agassiz National Wildlife Refuge weren’t running off to Hawaii in December to go to a safe driver course or things like that. That was basically my job. However, it was very important to know that when it came to policy issues, when it came to major issues, Jim and I always discussed those issues and I’m very familiar with the commitments that he made on those issues.

Additionally, both John Christian and John Blankenship who are here know the Region’s positions on issues and this is because the basic management philosophy that Jim and I shared was one of teamwork and full disclosure. That is, as a fully informed team we would achieve more than if we were to each act alone. We held very, very strongly to that. This may sound kind of trite but it’s a very important concept to understand about us because it really gets to the heart of our relationship with the states and with the Washington office, and most importantly with our field troops.

I regret there may have been some problems in the recent past, especially since the period of last October and this July, that correspond to Jim’s leaving. He announced he was going to retire and it was our full intention that we would be able to prevail upon the Fish and Wildlife and the Department to have his replacement on board in time for Jim to spend several months with that person coming around to states, introducing them, showing them the ropes, etc. That did not happen, as you know, and we’re all frustrated that did not happen. That did not happen for a variety of reasons, however, they were uncontrolled by us. Our intentions nevertheless were quite noble. Nevertheless, at this point in time I’d like John Blankenship and John Christian and Sue Hazeltine to stand up for just a moment. You all know John Blankenship and John Christian from passed years. Sue Hazeltine recently replaces John Eadie as Assistant Regional Director for Refuges and Wildlife. She comes to us from her position as the Director of the Jamestown Lab in North Dakota, and in her short time with us she has really impressed us with her ability to catch on with the teamwork concept.

John Blankenship is responsible for the fish and wildlife enhancement program in the region and that includes endangered species, contaminants, ecological services, and the like. Sue Hazeltine has refuges and wildlife as well as the Partners for Wildlife program and John Christian represents the fisheries program, the hatcheries, technical assistance, sea lamprey control, etc. John is responsible primarily for the Great Lakes program.

So among us all, the four of us standing here, we represent some 80 years of Fish and Wildlife Service experience ranging from field office experience to regional office to Washington office. In fact as I looked over our experiences, we all have experience in every region in this country except one and that’s Region 2. That includes research which Sue represents quite well. So, we’re quite confident, and I’m very confident, that this team that you see standing before you is going to be accepted by Sam Marler and utilized by him.
I would like to address Sam just a little bit. Sam used to work for me in Denver, Colorado. I was out there temporarily as an acting deputy regional director for a period of time in 1986 before I went back to Washington and took on the mantle of division chief for endangered species, and I got to know him fairly well and I really do respect this man. He brings to the table a considerable amount of political savvy that frankly we’re going to benefit from. Because he has an antenna that I’ve never seen anybody have before. He can pick up sensitivities, he’s got an extensive amount of experience on the hill in the political arena with the Department of Interior as our director for external affairs, he has a tremendous amount of credibility. He even knows all candidates, Bill Clinton, Ross Perot and George Bush. It’s kind of nice to have that perspective come on board because I think amongst us all of the resource experience that we have here in the region and his ability to make those sensitive calls and understand the need for a strong federal/state partnerships we’re going to provide you with a very, very good team. He’s going to take this region and move it even more forward from the basis that Jim Gritman created.

Sam arrives on the 12th of July and that’s none too soon as far as I’m concerned. I’m here to assure you that he has as one of his top priorities immediately he’s going to bond with his own folks of course but he’s then going to get out on the road and meet with each of the state directors so that he can begin that state/federal relationship which I think is very, very important to us all.

Now besides this, there are a few areas that I’d like to highlight in the state/federal partnership which I think are serving us well in region 3. I point these out because I believe that we need to examine these areas and see exactly what is going right about them and see if we can’t apply them to other areas where we’re having less than successful efforts. First, is the environmental management program which I think many of the folks here would agree that 5, 6 or 7 years ago was a very big mess in terms of the state/federal relationships on the Upper Mississippi River. We had the Corps of Engineers, we had the Fish and Wildlife Service and co-jurisdictional issues which included both navigation and upon which there was overlaid the national wildlife refuge. We also had a number of very, very big state conflicts going on with the federal agencies at that time. I think at this point in time, with the environmental management program in place and now working for about 5 years, we have some excellent working relationships between and among states and federal agencies in this area. We still argue. We have issues. But, the forum that has developed through the environmental management program including embracing the position, for instance, of the UMRCC which Kurt Welke mentioned yesterday is there. We have the institutions in place to be able to quickly deal with problems that come up and it’s amazing to see states and a federal agency band together on issues very quickly and bring them to resolution. I’ve been very, very impressed by that and am very pleased to be a part of all that.

In the federal aid arena I think you all know the Fish and Wildlife Service in Region 3 especially has been leading an attempt to rejuvenate the federal aid process so that we are able to get the state’s dollars to them quickly without a lot of this bureaucracy that we’ve been accustomed in the past. And although we sometimes felt like we were kind of sticking out there in front of everybody else, especially in the views of the Washington office which tended to be very conservative in these matters, I think we’ve made great strides. Every now and then we still make a mistake but it’s pleasing to know that when we make those mistakes the states don’t rip off a letter to the director. They feel comfortable enough now to call us up and give us hell on the phone. We can quickly fix things like that. So I’m very pleased with that effort.
There are a number of things going on in the federal aid arena that I'll call your attention to. One is that we have a number of monthly conference calls to design and improve program coordination. It's been going on for about two years now and the state and federal aid coordinators set the agendas and lead the calls. We have finished working together to provide comments on the draft of the revised federal aid manual and quite frankly my opinion when I first got here five years ago, that manual ought to just be thrown out and we just start over again. I think that many of the regions would agree with that. We have worked very hard with Washington to get some major changes made in this manual so it's not so conservative. There's been a tremendous amount of effort put into consolidating grants and in consolidating grants you can certainly reduce the amount of time and effort that goes into review of grants. And that greatly increases the bureaucracy involved in getting the dollars to you.

The states and our federal aid staff are working together on a wide area network. This is a state/federal computer system that's going to link our offices with those in the states and get information and reduce the amount of paperwork that's going back and forth between us. We're using cooperative agreements to transfer administrative dollars from us to the states to improve the administrative quality of the program and professional expertise. We've got a number of workshops in the administrative area already. So these are some things we see as positive improvements in the federal aid program. One of them I'd call your attention to is that your state staffs and the regional staff have developed what I consider to be a clear set of guidelines for using federal aid dollars on private lands. We've just recently completed the review of those guidelines by all of the states and we're prepared now to send them out.

And of course you know, many, many years ago it got a lot of attention, but over the years because the states, the Fish and Wildlife Service and the Great Lakes Fishery Commission have been so successful in dealing with the lamprey control program. I think we lost a lot of the basic commitment to insure that the funding continues so we could maintain the level of sea lamprey at the levels we desire. Through a number of problems over the years including inflation and the like, the dollars we were receiving was less and less. The states banded together very, very effectively to insure that there were any increases to provide the Service the necessary amount of money to go and do the treatments we needed to do. There are problems on the horizon and we're going to be dealing with them with the states. I think we have tremendous amounts of work to deal with that issue and I think that is also very good.

There are a number of areas I'd like to highlight very quickly only to serve as notice to you that we're going to be communicating with you on these areas. I don't intend at any point in time to think that this is going to be the end, the be-all and end-all of these discussions on these areas. They're going to get interesting before they get over. The first is in the area of habitat conservation plans. Basically, under the Endangered Species Act the Service has the authority to give a permit to harm or kill an endangered species if a plan which results in a net gain to the species is prepared. This plan is called a habitat conservation plan. This is all the rage in California. They do this quite a bit out there. It started with a butterfly in central California and is now being used in a number of areas around California to solve some very sticky problems with the large number of endangered species issues that they have out there.

Our Washington office took a good look at that plan and decided that this was a good thing. They wanted the rest of the regions to embrace this concept as well, so they hauled a number of us off to California where they had this meeting and they said they wanted us to now perfect this
concept. I assure you before we do, we’re going to educate ourselves on the concept and we will also make sure that you are educated on the concept so that when we start to embark on these things it is in the form of a partnership.

On the Great Lakes coordination office, again, apologies. I think there are many to be given, however, our intentions were very good. Our communication was not. I do want to report to you, however, that had our designs been followed and we’d not encountered some roadblocks in the Washington arena, we would have had a Great Lakes coordinator on board and communicating with you which would have been his chief job up to a year ago. That position is still sitting in Washington. There are a number of reorganization issues swirling about in Washington and this is caught up in the problem. However, once this Great Lakes coordinator comes on board, we hope that’s very soon and if it’s not we’re just going to go ahead and do it anyway. We’re going to assume the responsibilities of the regional office and just go and not wait any more. We are going to work with each of the states to develop M.O.U.’s on the conduct of the program in those states and also have meetings with the states to develop and define very specific projects and priorities for the fishery assistance offices that we have in the states. The Great Lakes coordination office has as its primary responsibility information transfer. It is not an operational office. It is intended to make sure that the necessary information is made known to all the Fish and Wildlife Service’s offices in the various states around the Great Lakes and also to make sure that this information is available to every state and international agency that we have.

With regard to exotics. We heard mentioned yesterday about the zebra mussel and this does concern us a great deal. We’re working with the states. We’re working on the nonindigenous species act business. I’d just like to point out that another exotic we’re dealing with and are very concerned about is the river ruffe up in Lake Superior. This river ruffe has the name river ruffe - - it’s not lake ruffe -- and it quite possibly could get into our river systems and really cause some havoc there. If it replaces any or all of the host species for which these mussels are dependent, we’ve got a real problem. I think we need as a community to be looking at our river systems and see if there isn’t some kind of triage that we could emplace through the utilization of old and abandoned hatcheries, for instance, to insure the continued survival of various critical species during the period that we have our problems with the ruffe and zebra mussel on the river. There’s quite possibly a holding action that we can take while the blooms occur and the more steady state starts to come about.

Big rivers -- I think that this has been a confusing area for a number of folks not the least of which is the Fish and Wildlife Service because there are a lot of activities going on out there, and I’d like to briefly describe some of them. First of all, the Fish and Wildlife Service has a big rivers coordination office. It’s located in Columbia, Missouri, to coordinate Fish and Wildlife Service’s big rivers fisheries activities. The staff there is going to be working closely with state fisheries personnel to develop and implement action plans to preserve and manage large river fisheries stocks. The Service will focus primarily on federally listed and endemic species but will assist with the management of other species as requested by the states. The Mississippi River interstate cooperative resource agreement (or MICRA) which involves the entire Mississippi River basin is at the heart of this and it’s at the request of the states we began providing coordinator services for MICRA during FY91. It’s co-located with our big rivers coordination function as well the ecological services and fisheries resources offices in Columbia, Missouri. It’s operated under the direction of a steering committee currently chaired by the State of Nebraska and our coordinator serves as an executive secretary operating at the pleasure of the committee.
This whole MICRA has a very strong focus on state rights. I know that there's been a number of questions like why are you here, and what are you doing. We're trying to meet with each of the states to assure them this is not a really big, new federal program as we see it. This is one that is a partnership program with the states and the federal government to deal with these issues.

The Upper Mississippi River Conservation Committee -- I can't speak too highly about that group of people because they're a very motivated group of biologists on the Mississippi River and it's really refreshing to go to their meetings and to hear resolutions coming out of them that deal with issues on the river for which we have these various institutions like environmental management program in place to act on.

Interjurisdictional River Initiative which is the Missouri and Lower Mississippi Rivers. This is a $2 million proposal in the Fish and Wildlife Service 1994 budget. It's a shared initiative with our Washington, Denver and national research offices. It's an initiative that is to be used to develop a comprehensive action plan to restore and preserve habitats, enhance recreational opportunities and establish a public outreach education program within a multi-jurisdictional framework, for example, MICRA. Our environmental management program, I mentioned a little bit earlier. We have contacts (Jerry Rasmussen is the big rivers coordinator and he's located at Columbia, Missouri).

I've had a number of comments about the migratory bird treaty act. Amendments to that are in process. As you know, the Fish and Wildlife Service is considering amendments that would provide a basis for establishing regulated subsistence harvest of migratory birds in Alaska and Canada during what's presently defined as the closed area between March 10 and September 1. A number of hearings have been held on this and we are gathering together information. I've asked Sue to follow this because a number of states have asked what's going on with this thing, are there any things that we need to be concerned about and have a position on. We're going to have our migratory bird coordinator, Steve Wild, work up a fact sheet and also get with each of the states to make sure that the current information that we have is available to the North American Plan and to see that the North American Plan joint ventures are up and running and going and actively pursuing their goals. This is a very important program to the region, especially since we have so many joint ventures that we participate in. We're glad to see that our coordinators are going to and participating in each of those areas fully. It's also very nice on occasion to go down to some of these dedications and see the result of a lot of the efforts that are being put into restoring wetlands on behalf of the North American Plan and for which we're able to gain the credit for the resource.

Natural resources damage assessments -- this is an area that I need to learn a lot more and will. We are going to be dealing a lot with natural resources damage assessments because this is a major growth area for the Fish and Wildlife Service as I see it and as the department apparently sees it as well. Given that, we need to be coordinating with each of the states to make sure that they're understanding of the process is our understanding as well and we compare notes and that we develop the opportunities to share positions on issues before they get made in concrete and we run into problems like we almost did with Wisconsin here a little while back. We need to do that and I assure you that we are committed to doing that.

That's really all I had to speak on. If it's okay with the chairman, I'd like to open it up for questions and have my staff assist me in answering those questions if that's possible.
STEVE MILLER: Yes, that's possible.

AL FARRIS: What is natural resources damage assessment?

MARVIN MORTIARTY: Let me turn that over to John Blankenship. He'll give you a 5 second course on it.

JOHN BLANKENSHIP: Marv keeps asking for natural resources damage assessment according to 101 and I haven't given it to him yet.

What it is, is regulation the Department of Interior has been given under the Superfund Act to be able to go in basically clean up and get restoration/restitution for sins of the past. It's a whole process you go through -- you identify your problem area, your lost use, your damages to the resource. You identify responsible parties and thereby pursue litigation. We have not run at or we've not run a natural resources damage assessment yet because one of the things nice about this statute is it has the rebuttal of presumption which means we're right unless someone proves us wrong. We've always gotten settlements. We talked to Buzz a little bit about Green Bay and we're going to be meeting with Wayne about Indiana Harbor and going Thursday to Michigan to talk about Saginaw Bay.

We aren't in charge of the process. The states and the feds in partnership as far as timing goes so what it is is the Fish and Wildlife Service has trust resources and is a trusty as is the state. So basically what it is, is you go out after key polluters and clean up and get a settlement. That's the whole of it.

MARVIN MORTIARTY: There's one other thing I forgot to mention. That is in the area of lessons learned. We did learn that we need to do a lot more on the Great Lakes initiative and one thing that John Christian mentioned to me was that he has started some meetings with the fish chiefs from the states and actually the first meeting was a phone conference call several months ago and that they're going to be holding another meeting with the fish chiefs of the states next week. Is that right, John?

JOHN CHRISTIAN: Toward the end of July.

MARVIN MORTIARTY: Rest assured the Great Lakes initiative is going to be a major element in that so that we get that communication going again with the fish chiefs as well.

With that, I thank you very much.

STEVE MILLER: Well that concludes reports on our activities here. We're ready to enter into old business. This first item there is the withdrawal of Arkansas from the Association. If you remember, Arkansas submitted a letter of request to withdraw from the Association. They felt that it would best serve them if they would concentrate their activities in the Southeastern Association rather than try to do double duty here. We didn't take action in Rapid City. We deferred it until this meeting. I've heard nothing further from Arkansas that would indicate that they were going to change their minds so they still would like to formally withdraw. This requires an amendment of our bylaws and this request was circulated in plenty of time to meet the
requirements of our bylaws. I would entertain a motion that we comply with Arkansas’ request if somebody would like to so move.

So moved by Al Farris of Iowa, seconded by Wayne Bivans of Indiana. Any discussion?

KEN BABCOCK: I wonder if we would want to make this action pending reaffirmation on the part of Arkansas that their original request didn’t stand although we’ve not heard anything to the contrary.

STEVE MILLER: That would be fine with me. We could take action and then make that a condition if they have any second thoughts. Is that fine with everyone? Any other further discussion? I will write them a letter asking them if they still wish to withdraw and also thank them for their participation over the years, and wish them well in their new activities. We’ll certainly still be associated with them through the International and many of us through the Flyway Council activities.

If there’s no further discussion, motion was seconded. When put to the question all were in favor. Motion carried.

The next item is the formation of the Midwest Legal Committee. I’m wondering, Jim, how long is your presentation?

JIM CHRISTENSEN: Six minutes. If anybody can believe that.

STEVE MILLER: You’ll remember that at Rapid City I presented a proposal that we consider the formation of a legal committee that would report to the Association directors. Does everyone have the draft of the legal committee responsibilities? That is the charge of the committee that we would act on. Prior to doing that I would like to introduce Jim Christensen who is one of our legal council within the Department of Natural Resources who has worked with Jane Smith of Missouri. I forget the names of the other attorneys in the states that were at the meeting but Jimmy was instrumental in suggesting the formation of this group and he hosted in Wisconsin a meeting of attorneys from midwest states. I would like him to come forward now and give us a report on that meeting and provide us some feedback on how the attorneys see the formation of this committee going.

JIM CHRISTENSEN: Thank you very much, Steve.

It is dangerous before lunch to let an attorney go with two mikes up here in front of everybody but I’ll try to keep it brief.

I believe already you’ve been provided with a copy of a brief report that I prepared based on that legal committee meeting so I’ll try not to be redundant in the rest of my remarks.

Again, at Steve’s request, and under your authority from Rapid City I hosted a meeting of attorneys representing various agencies in the midwest. The meeting was held on June 3-4 in Madison, Wisconsin. We had attendance by 10 attorneys representing Colorado, Kansas, Missouri, Wisconsin and U. S. Forest Service. The meeting had an agenda and we provided quite a bit of information to the attorneys present that’s available to your agency or your attorneys, if
you wish to see that. For instance, one of the items was biodiversity but we heard from the attorneys from the U. S. Forest Service, not Walter, and they provided us with a lot of information and background information. We also provided the attorneys present articles written by Walter, and much of what you heard today was heard by them. We were looking at it from a little bit different approach but by the same token we didn't see any reason whatsoever to hold a meeting in Wisconsin for attorneys for midwest agencies without having some useful information being given and some reasons for attending coming out of it. None of us have time to waste just to go to a meeting.

From my point of view, two exciting things came out of the meeting. First, after spending almost 20 years providing legal counsel to the Wisconsin Department of Natural Resources, I found out I wasn't really the only attorney practicing conservation law which is really advice to the conservation agencies. There are others. And I have worked with Jane Smith for a few years. We've shared a lot of information. But secondly, the attorneys who did attend the meeting were as excited as I am about opportunities to share information and provide assistance to one another. And we have received assistance from the International. Paul Lenzini is on my touchtone phone so I can just push the button.

Other practices of law whether it be trial lawyers or trusts and estates or even the environmental lawyers now have associations both on the local and state level, or regional and national level in some cases. The "environmental attorneys" that we find ourselves in litigation against have formed much networking and again, if you don't think so, talk to the U. S. Forest Service. And, if you look at some of the animal rights actions state by state you'll see that they're all pretty comparable. Sharing of services is going on there. Again, after almost 20 years of service to Wisconsin DNR and Steve and the others, we find today litigation all of a sudden has become more sophisticated. The attorneys on the other side are learning a lot more about what we practice. We used to think most of our law as being statements of secret nobody could find but they are finding them and they're becoming very sophisticated on how they're attacking us. So in terms of how we represent you and your agencies, it's becoming a more mature but it's a little easier when we help each other.

Yesterday you heard at least two speakers talk about coordination and today you heard about partnership. That's really what we're talking about through establishment of the legal committee. What we're talking about is trying to get the names of the people who can help each other and provide better services to you and your agencies. And that's the name of the ballgame. What was unanimous at the meeting, and it's sort of hard to figure that any 10 lawyers in the room could be unanimous on anything but it happened. It was unanimous that number one we ought to continue to work with a legal committee concept and number two that the charge of the legal committee be provided by you and your agencies.

As examples, not only can it continue to work, it has in terms of networking or sharing work in the past. I think a year or two years ago, Steve contacted me and indicated there's concern about bow hunting, and wounding loss and there's the recent California litigation. I contacted the attorney from California representing them on that issue. We now have been provided with all legal briefs and pleadings. They also provided us with all the environmental impact statements they did regarding it. Which means we don't start from day one. We've already got a pretty good sense of information.
One comment that Gary Taylor brought up with legislation to keep an eye on was discussed further. California, in large part, is in trouble because about 10 years ago Defenders of Wildlife amended their law regarding how they manage wildlife and in that amendment they talk about concern of the individual welfare of the animal. We have to be sensitive to what’s going on in the legislative arenas of the state and federal levels. These types of actions are possible and are being created by the groups. The national forest management act is not that old but that’s really the one that a number of groups are using to go after the different agencies.

Bobcat; we have a petition in our agency to place the bobcat on the protected list. We got resource assistance from Minnesota by Bill Berg but we also got assistance from Louisiana whose involved in some of these actions. They supplied us with cases and cases that we could use in our briefs that are currently being considered by the court.

Fishing tournaments, hunting tournaments, Jean Smith from Missouri kindly provided us with information regarding that so again we might know what’s going on in regional cases not just state.

So again, based on my experience about a little bit of what’s going on I feel that there’s a couple of things that shared relationships and shared information between the attorneys not just the agencies and both will continue to help us protect our programs. And the other thing, is that I think we’re going to help each to make sure that your legal counsel can put their best foot forward and represent you be it litigation or just general counsel to the agency.

What’s going to be ultimately most important though in terms of making the committee work is your support and direction. Your support in terms of making sure that we know who the attorneys are through you or you providing us with names of the attorneys so we can provide information in terms of case law or legislation that may come down that we may all be concerned about. We need your assistance in indicating to us what type of concerns you have. Agendas regarding future meetings should we be successful in going forth with the legal committee (you have some in your handouts). Certainly the Lucas case that came down yesterday on takings and how it’s going to affect the regulatory programs throughout the nation is something that has to be addressed. I expect out of that case that there will be other state cases regarding when factors takings and when the factor ought to be compensation. One thing we ought to surely be watching is what’s going on in each state, what kind of cases help us, what kind of cases may hurt us. At least be knowledgeable on that. Updates on official immunity, commercialization of captive wildlife, we have a captive wildlife initiative as you know in this state. I understand Colorado has worked on it. It would be great to find out what each one is doing because there’s always some hints and ideas out there that work to help us all. And in many cases Steve and the others come to legal counsel to help draft legislation so if someone’s got something good it’s great to start from that. Or if we’ve got something good it’s good to share that with somebody else and telephone calls aren’t always very expensive. Sending copies of cases aren’t expensive.

In terms of meetings in the future, there’s no intent to have dues or anything else. We want to share information and make sure that it’s reasonable. We just hope that we get out of the recession and people have travel restrictions lifted so that we can all enjoy getting together to talk about the cases and actions of common concern. We would also, as we did in the past, invite federal agencies we work with. In this case it was the U. S. Forest Service due to the biodiversity issues and the federal grant programs under stewardship and even the new stewardship programs
that are going to affect fish and wildlife management because they're charge for stewardship is so broad and there's not a whole lot of guidelines out there so we're working on guidelines with the Forest Service. In the Fish and Wildlife Service, I work with Marsha Kimball from the Solicitor's Office and some of the others. It certainly does not hurt to get together and talk about issues, concerns and where everybody is going.

With that, Mr. Chairman, I conclude my report and I am available for any questions or concerns that might be raised.

STEVE MILLER: Any questions of Jim at this time?

KEN BABCOCK: Would you also comment as to why in this initial meeting to discuss the need for a legal committee that only 4 of the 15 member states were represented?

JIM CHRISTENSEN: I guess I'd like to chalk that up to the fact that there's a shortage of money floating around to send the attorneys off. The other possible explanation is that not all states have attorneys assigned to the agency either as house counsel like we do in Wisconsin or as assistant attorneys' general. I know that Larry Clair came from Colorado. He's the assistant attorney general but he was assigned to the agency. Jane, of course, is with your agency. Some other don't. I believe Minnesota and Michigan do not have house counsel so it may be a situation where it's pretty hard for a director to say who are we going to send? I suppose it's a possibility for some to say I don't want to send that person there. But my thought right now is either information didn't get out, but I don't think that's the case, or there are some real travel restrictions. A lot of people have really got some problems at home.

KEN BABCOCK: In Missouri we are a member of two existing legal committees, one in the Southeastern Association and the other is the International and as I would look at this list of the International legal committee which historically has not had real good representation at the annual meetings either, I think people were pretty excited when they had 10 or 11 states represented at the International meeting and probably the legal committee of the Southeastern may have been a little more active even than the one at the international level. But I would pose a question did you all discuss what a regional legal committee might do in terms of this list of items here all of which are national in perspective that the International legal committee couldn't accomplish as it exists now if in fact the states could support participation in that.

JIM CHRISTENSEN: Well, I think that from one standpoint we're looking at issues of regional import and they do it on national import. Issues that affect all agencies the International wouldn't get involved in such as official immunity, some personnel issues, these types of things. Interstate waters, captive wildlife situations -- the legal committee, I have to be very honest I've not worked with it very long. I'm on the legal committee now and I'll be, as I understand it, attending my first meeting if money's available. I think in many cases it depends on whether that International legal committee wants to get involved in some issues we want to discuss at the state level.

I'll be honest, I wouldn't know who else is on that International legal committee at this point in time. But the way we were looking at it and the way it was discussed at the meeting was, it's a fairly easy arrangement if you could get some names, some telephone numbers and provide information and give information. We also may have at that point in time had a little bit more
say as a midwest legal committee working with the International legal committee. So it isn’t for instance the Wisconsin attorney sending something to the International legal committee and saying I think this is a issue that we ought to be taking a look at or this may be a case or a controversy that you want to get involved in. It may be a situation where a number of states in the region feel this is a pretty big ticket item and we’d like to get the International involved. The legal committee has a lot to say on what types of things they get involved in in litigation. So part of it is a stepping stone to get the International to get resources back to the region.

STEVE MILLER: Any other comments? Thank you, Jim.

Well, then I would like to vote on the draft of the proposed direction for the legal committee which you have in front of you. Just let me read that so at least we know how it sounds.

Association of Midwest Fish and Wildlife Agencies
Responsibility of Legal Committee
Draft

It is the responsibility of the Legal Committee of the Midwest Association of Fish and Wildlife Agencies to maintain a network of attorneys from Midwest Fish and Wildlife Agencies; to circulate among its members recent court opinions of legislative changes which may be of interest to the member states and agencies in the administration of the respective programs; and to provide counsel to the directors of the association and its officers on legal matters which pertain to the conservation of fish and wildlife resources.

To this end, the legal committee will organize and present a full session each year. Panel discussions will be held on predesignated topics. These topics will be chosen by consensus of the legal committee members on the basis of issues which were particularly problematic during the previous year. In addition, particular topics may be addressed at the request of the Executive Committee of the Association or its officers.

Before we ask for anything, I wonder if there are any comments on the wording of this.

ROGER HOLMES: Mr. Chairman, as is the case of Minnesota, the Department of Natural Resources does not have any attorneys of its own. We’re represented by the Attorney General’s office. So where it says attorneys from the Midwest Fish and Wildlife Agencies -- that wording might exclude representation from our Attorney General’s office because we don’t have our own attorneys so you might want to say a network of attorneys representing Midwest Fish and Wildlife Agencies or something. I don’t know if it’s a problem the way it’s worded.

STEVE MILLER: Any comments from any other director on that? That might just add some clarification to it.

I would indicate that change then that we would change it to a network of attorneys representing Midwest Fish and Wildlife Agencies. Any further comments like that that clarify the charge? If not, I would entertain a motion to adopt this legal committee charge and make this a committee of the Midwest.
DOUG HANSEN: Just a point of clarification. This may seem like a dumb question but I need to clear it in my mind. The bylaws provide for three types of committees and I'm just wondering what type of committee this is -- standing, technical or ad hoc.

STEVE MILLER: That's a good point. I'm glad you brought that up. Let me read that for the benefit of all the members. Under Article 9, Section 1 of our bylaws it says this: "There shall be three kinds of committees: standing, directors' technical and ad hoc which shall serve during the period intervening the annual meetings and at such meetings or until the purpose of each such committee has been accomplished and it has been discharged by the president. All committees shall be appointed by the incoming president within 30 days after assuming office."

I remember reading that too previously and it reads to me that the committee would need to be essentially reappointed every year unless we modify the bylaws and we don't have a proposal to do that at this time. I don't know. What's your pleasure?

KEN BABCOCK: Just a thought, Steve. Maybe it moves into item C under old business. It gets back to some of the discussion we had earlier about some of the technical committees and the affiliation of those committees with the Association. It may well be that if that eventually is to be adequately explored, it may be that some potentially major modification of the bylaws might be necessary to accomplish that. A potential along that line would be forming an ad hoc committee between now and the next meeting of the Midwest to explore this issue to determine what if any changes in the bylaws might be necessary because I know some of the committees that we talked about earlier already have some unwritten bylaws and the chairmanship of those committees and membership of those committees are established without being appointed by the chairman of this association and it may well be that if in fact that's the approach the association ought to take with regard to technical committees then I will probably put this into that category and maybe deferring a final decision on the legal committee and how it would fit into the other aspects of that being formed.

STEVE MILLER: That's a good comment and I believe Joe's going to bring something back to us on that after lunch when we get to that item. I personally would agree with that type of approach. I would still like today to dispense with the forming of the legal committee and then in context of looking at the other working groups or committees that we have also consider the legal committee under a possible change in the bylaws.

DOUG HANSEN: I was going to make that statement as well. I was wondering if we could endorse the formation of the concept and initiation of the legal committee pending further review of the bylaws.

STEVE MILLER: And decide whether it's a standing committee or how it's going to function within our technical committee setup that we're going to consider. Do you want to put that in the form of a motion? I sort of sense that's where we're heading.

DOUG HANSEN: Mr. Chairman, I'll move that the Association adopt the charge as stated of the legal committee and formally endorse their formation with further consideration given to the bylaws changes necessary to establish that committee.

Seconded by Ken Babcock.
Any other discussion?

KEN BABCOCK: Just one more thing. Again, I hate to keep bringing this up but Missouri has been involved in several of these committees and I’ve been very disappointed with regard to participation from other states and I understand the reason for it. I hope that the end of this first year and as we deal with this that if in fact there’s not going to be wide participation and if in fact we’re not going to see specific recommendations coming out of these committees, then I have to admit in my involvement in the Southeastern and even at the International I know that there have been meetings and I know there have been items discussed and I can’t recall anything of real substance that’s come out of these legal committees that has come before either the International or the Southeastern. And I certainly hope that if we take this action, and I’m going to vote for the motion, that other states will try to work either through their attorney general’s office or their in-house legal counsel to try to make this organization work.

STEVE MILLER: Very good. That will be so noted in the minutes. It’s good advice.

If there’s no further discussion then, I would call for a vote on the question. All in favor signify by saying aye.

All were in favor. Motion carried.

Very good. Thank you.

Best story telling nominations - Ricky Lien from Wisconsin, Ray Evans from Missouri, the "Early Morning Fishing Tour" and Roger Holmes from Minnesota. Roger Holmes’ "Pig Story" was the winner.

LUNCH BREAK

STEVE MILLER: The meeting is recalled to order. A follow up item indicates we would have a meeting of this group in conjunction with the meeting in Toledo. Obviously we’re going to have to look at when we can best schedule that and that’s always difficult to schedule but I was thinking that our meeting would not take an hour or two at the very most. Rex, the executive committee will be you as president, myself as past president and Joe as secretary-treasurer and we need two other people that you would like to appoint to that committee. We would do our homework and try to have a precise agenda and bring this issue to a conclusion.

This is what I heard come out of the discussion earlier that we wanted to get a handle on what’s going on out there and then consider how we might pull all these groups together under our direction. I think one item is that these groups will start if they haven’t already met, a lot of them I know meet over the fall when the hunting’s good in parts of the north, and so they will have their meetings. I think one charge we would look at is to make sure they have their meeting before our annual summer meeting so then we could actually consider inviting the chairs of these groups to come to give us a report or at least tell the president they have nothing to report, file a written report or something like that.

AL FARRIS: I think that’s appropriate. We took an action this morning, passed a resolution, making the midwest private lands wildlife management working group "a part of the association".
I don't know what the status is whether they're now a standing committee or what they are but I think we need to address all of it including them.

Another thought I had about representation for a report may be because of travel restrictions. We can get the representative from the Midwest host state to give the report for those organizations rather than having a president from Ohio coming to Nebraska to give a report. Perhaps the Nebraska representative to that work group can give the report for them. I think it would help solve the travel problems. You're talking about potentially a lot of increased travel requests and travel expenses of all those groups come to report.

STEVE MILLER: I think those are good comments. I particularly agree with the latter and I guess I would have assumed under this proposed motion that the midwest private lands group and legal committee would be two of those groups.

RAY EVANS: The wording and the intent of the bylaws were that there was never to be a committee that lasted beyond a year. If you'll look at that it calls for ad hoc committees and standing committees and technical committees it goes back wording. It says those committees shall be appointed each year. So there are no standing committees in that context only ad hoc committees that will last for one year. So you'll need to look also at the bylaws.

STEVE MILLER: Yes, without having too much detail in this motion, I have the understanding that we would look at the bylaws and consider whether we want to amend exactly what you're talking about where we can have standing committees.

BRUCE MCCLOSKEY: If some of us are not able to make your meeting in September would you all agree to send us out something shortly thereafter to appraise all of us on what you're thinking and what the word is so that we can meet with our technical people well ahead of this meeting next year?

STEVE MILLER: Correct. Yes. That was one concern that I had was whether we would have a quorum at that meeting. And if not, the executive committee could still prepare a recommendation and we can do that through the mail. It's a little bit more cumbersome but it can be handled that way. The thing might be to help out Rex here is that if we can come to a conclusion on how we want to do this, he then could put out a letter to existing chairs of these various groups and committees that we identify and then of course with us in our respective states we could notify our respective members of this change on how we want to see them operate. We want them to get a more formal reporting procedure through us as an association. I don't think that's going to be a major change for these groups. It's not going to change how they operate. Further discussion before we ask for a motion on this?

If not I would entertain a motion then. Again, the motion says that the executive committee will analyze the status and activity of the various working groups and committees who would then present a recommendation at a meeting of this body to be held in Toledo in September on how to better coordinate the activities of these various groups under our guidance as midwest directors.

Moved by Joe Kramer of Kansas, seconded by Roger Holmes of Minnesota.
When put to a vote, all were in favor. Motion carried.

That concludes old business as far as I have on the agenda. Maybe before I move on, is anyone aware of any old business? I don't know of any other old business that we need to follow up on. Hearing none from the body, I'll move on to new business.

Item A - Proceedings of the North American Fisheries Leadership Workshop - Joe had some comments he wants to make on that.

JOE KRAMER: I don't know how many of the directors have seen this. But your fisheries chief should have gotten this to you since last year. It's the proceedings of the North American Fisheries Leadership Workshop and I'm serving on a subcommittee of the Fisheries Administrators and Bruce Schmidt is the chairman of that and by the way he hosted the proceedings of the North American Leadership Workshop in Snowbird, Utah, in 1991. The reason why I'm bringing this before the Association is that we, the committee, both Bruce and I, decided that we'd try to find out if the directors have actually seen this document and that if the fisheries chiefs had gotten this information to the directors and if they were being considered in planning processes in the states. This is one step in the format that was determined at the meeting in Utah in 1991. What's going to happen is that in Rapid City, South Dakota, at the annual AFS meeting, there's going to be some more information and there's going to be a need for a workshop basically to discuss the activities that occurred at the leadership workshop and the followup on what's happening. What the AFS administrators' section is asking the directors is to send representation to the AFS meeting in Rapid City to discuss what's happening. Basically, what we're trying to find out is if the directors have handed this document through their fish chief to the planners and are the planners using it in any type of state planning. I'm a wildlife biologist by trade and being a fisheries and wildlife director of a division I'm involved with the fisheries part of it and I was really impressed. There were 40 fish chiefs at this meeting; inland fish chiefs; there were 10 marine fish chiefs; there were 134 participants. The wildlife planners were the facilitators of the meeting and I guess I'd ask right now how many of you have seen this or heard about this? Okay, there's some that have and some that haven't. Probably like me, you see something like this and it gets delegated and that's really what we want. What we want is to have this handed down to your planning section and I suspect that you'd probably surprise your fish chiefs if you went back and said that you saw this and you were familiar with this. I was talking with Lee Kernen and he said that they'd used it quite a bit in Wisconsin.

JOHN CHRISTEN: Just a comment. The Fish and Wildlife Service has used this as one of the primary tools for development of the Fish and Wildlife Service's goals and objectives for fisheries programs. The fisheries document will be redistributed to the states probably within the next 3 or 4 weeks from the director's office. It's largely based on the recommendations of the states and other cooperators that worked on this particular document.

JOE KRAMER: It was really an interesting workshop and I learned a lot and you've got to give Bruce Schmidt credit. Now we're trying to figure out how do you get it into the hands of the people who are really going to use this and it's obvious from a statewide standpoint the only way you're going to do that is through your planning process in the states. Now whether you use it or not, whether you use pieces of it or you don't use it but as much effort that has gone into this and with that type of representation that you have at those type of meetings, this is a pretty significant thing and I guess I'd like to see something like this from a wildlife standpoint. I'm not
sure how it would happen, through the Wildlife Society or what, but I think that they've done a very good job with this, I think that your planners in your states can use pieces of this. In our state we have strategic planning. We've just finished our 5-year strategic plan and we've used quite a bit of this information. All I'm doing is I'm coming here asking the directors to consider sending people to the AFS meeting. Fisheries chiefs normally attend so it's obvious you're going to get quite a bit of representation there anyway. The AFS wants to give this national recognition at Rapid City. Bruce Schmidt is going to take it to the Western Association and this is a way that they can keep this going. The fishery administrators section is responsible for keeping track of what happens with the proceedings and what decisions were made in 1991 and I think that the planners will find this useful. Some directors and secretaries of departments I think have also found this useful.

STEVE MILLER: Thank you, Joe.

The next item of new business will deal with our resolution regarding the Department of Agriculture Technical Committees. Dick Pierce.

DICK PIERCE: Thank you, Mr. Chairman. I don't have a clean copy but I think we can sort out what we've got and what the Association requested. If you'll bear with me I'll go through this as we've got it to this point. I thank Todd and Ray for their help here. If you would follow with your resolution that you have, the one on the Fish and Wildlife Service/State Relationship, Resolution No. 2, I think I can lead you through what we changed it to.

Whereas, the State Fish and Wildlife Agencies are the stewards of the resident fish and wildlife species within their borders; and

Whereas, the U. S. Department of Agriculture (USDA) has not established State Technical Committees as required by the 1990 Farm Bill relegating the state fish and wildlife agencies and the U. S. Fish and Wildlife Service to a minor role, if any, in a broad array of conservation issues.

Now, therefore, be it resolved that the Association of Midwest Fish and Wildlife Agencies request that the United States Department of Agriculture (USDA) immediately establish and convene State Technical Committees, as required in Subtitle G of the 1990 Farm Bill, for the purpose of implementing the conservation provisions of that Bill; and.

Be it further resolved, that the Association of Midwest Fish and Wildlife Agencies request from the U. S. Fish and Wildlife Service written commitment of their support and request for USDA establishment of State Technical Committees required under the 1990 Farm Bill.

Be it further resolved, that the Association of Midwest Fish and Wildlife Agencies forward a copy of this resolution to the Secretary of the U. S. Department of Agriculture and the International Association of Fish and Wildlife Agencies.

I think that, Mr. Chairman, accommodates everyones' request and without any further adjustment, I move to adopt.

Seconded by Ken Babcock.
STEVE MILLER: We have a motion to adopt and a second. Any discussion? All were in favor of the motion and it carried.

Thank you, Dick. Good piece of work.

When we tabled the original resolution we indicated that we were going to discuss it again and that there was going to be a meeting on August 9 here in Wisconsin, with the Midwest Working Group, with the Fish and Wildlife Service. Did we request them to present a report to the executive committee before the September meeting, again before the International meeting, in case we want to take further action on our resolution on the Fish and Wildlife Service?

DICK ELDEN: I don’t think we took any formal action but I would think not only would we want to bring it back before the board of directors for this body but also to take it to the Habitat Committee of the International, whatever our findings are and report to them at their meeting in Toledo.

STEVE MILLER: I think it’s important to clarify that we asked the working group to file a report to all association directors before the September meeting the 11th through 16th. Todd, if you’re going to meet on the 9th could you get something to mail within 10 working days? Could that be in the mail by the 19th-21st of August to the directors?

KEN BABCOCK: I’d like it to be even more specific. I would be very comfortable with the committee taking a look at the elements of that resolution that we tabled this morning and also suggest that they take a look at the draft letter that North Dakota offered as an alternative to that resolution and be prepared in their report to recommend action either on behalf of the Midwest when we convene at the meeting in Toledo or probably more appropriately through the president of the Midwest to the habitat committee of the International for consideration and action. I do think that there’s still some issues that certainly we need to ultimately address. I think that the letter that North Dakota offered would have some elements in there that I’d be pretty comfortable about in terms of fully expressing the concerns the states have and actually this is applicable beyond the boundaries of this association. So if that committee in their deliberations would consider both of those items and make a recommendation for consideration by the Midwest or the International through the habitat committee I would certainly be in favor of that kind of direction.

STEVE MILLER: I’ve got that written down. Do you want to formalize that in a motion?

KEN BABCOCK: I would so move.

STEVE MILLER: We have a motion and a second by Ron Stromstad. Any more discussion? Dick.

DICK PIERCE: I agree totally with what Ken said. INAUDIBLE.

STEVE MILLER: I’ll make sure that that’s so noted, Dick. Any other comments? If there’s no other comments, I’ll take a vote on the motion. All were in favor of the motion. Motion carried.
Are there any other items of new business we need to take care of? Bruce.

BRUCE MCCLOSKEY: Just a quick little update on something that involves all of us and that's the Fair Labor Standards Act. If I could take just a couple of minutes.

Wyoming, a few years ago, and I talked a little bit about this last year but things have happened. Wyoming decided to keep their field people exempt. The Department of Labor took them to court. It was in front of a U.S. District court which made a ruling in October that said Wyoming game wardens are exempt. They meet professional exemptions and they are exempt from FLSA. We are on the coattails of that appeal that DOL has down to appeals court in Denver. Effective tomorrow, we're also making our field officers exempt if they meet the professional exemptions allowed under FLSA. We had an investigation - a DOL investigator in our agency for a couple of months early this year. They said at that point our people were not exempt and they said you're doing the right thing. Keep them nonexempt. But here's the part that you might want to be aware of. They said that all of our field people who are stationed out in the field whether they be wardens, technicians or hatchery people, that we owed their spouses for the past three years minimum wage rate for all the time they spent answering business calls at home for our employes. And the DOL ordered us to figure out how many of those hours those were husband by husband or wife by wife over the last three years day by day, compute the wages and pay them minimum wage. Well we respectfully declined their order and told them we'll see you in court. We haven't heard back from them yet. But our legal counsel, and in fact it's been clear up to our governor, has reviewed the federal court judge's ruling in the Wyoming case. We feel Colorado facts fit the Wyoming facts and both Wyoming and our agency are committed as is DOL to take this clear to the Supreme Court. And no doubt that's where it's headed. The Department of Labor now has a monster on their hands. They've got a federal judge that's ruled game wardens are exempt. All of their administrative rulings have said they're not exempt and now it's headed for a standoff. Our best guess is it will be in the U.S. Supreme Court within 3 to 4 years. The Wyoming attorney that's handling it is a private attorney. He's personally appeared before the U.S. Supreme Court on three other occasions and won every time. I spent a day in Wyoming a few months ago and went all through the cases with their director. They're bound and determined and so's DOL. So I guess the good news is that they'll be a final ruling I think by the U.S. Supreme Court that may well reverse the direction we're all under. That could be good or bad, I guess, depending upon how you look at it. Certainly it wouldn't force you -- just allow you. The downside of it is it's certainly thrown a turmoil at least in the western states all over again.

I just thought I'd reemphasize this item. A couple of years ago I toured upper Missouri for a day and went down to Arizona and out to Utah and we're going to take them on. We're in cahoots with Wyoming on this so we'll see what happens.

STEVE MILLER: Is that a federal appeals judge?

BRUCE MCCLOSKEY: No it's a federal district court in Cheyenne and now it's in the federal appeals court in Denver and they haven't even agreed whether they'll appear this time. The judge in Wyoming is well respected and as I understand it laid out all the arguments and said hey, these guys are college degreed, professionals in every sense of the word. It's about a 35-page decision. If you'd like a copy I'd be glad to send you one. Our staff says let's go, so that's what we're doing.
KEN BABCOCK: Do you anticipate any kind of legal action from the Department of Labor?

BRUCE MCCLOSKEY: Yes. In fact, it's expected tomorrow morning our guys go back to the exempt status and I fully expect to hear from DOL by Friday because one of our employees has already called for an investigation. That's fine. Our appeal to them is going to be, and they're overworked right now, we told them to stuff it on the issue of spouses. We're headed to court on that anyway so let's just go and we'll hope that they'll delay any action. There's no sense having two different suits going on at the same time. In the meantime we're setting aside $2 million a year to pay back wages if we have to.

STEVE MILLER: Thank you. Any other items of new business?

AL FARRIS: Not really new business but something I want to bring to the attention of all the member states. Normally I don't read this trash but one of my staff members came into my office the other day and brought me a copy of the editorial of the July issue of Outdoor Life. And probably, I don't know how many of you know about it or not, but it's the editor in chief of Outdoor Life wrote an editorial about Wallop-Breaux. You should read that and I hope some of you respond to it because he says and I would quote "I believe that something is wrong with how Wallop-Breaux monies are spent. The program will continue to be a waste of time and money unless someone devises a plan, a program or priority spending for these funds." And it goes on from there. It teed me off real bad so I did something I don't normally do. I wrote a letter to the editor and responded to that and told him what we'd done with our Wallop-Breaux funds in Iowa and how wrong I thought he was. I would urge all of you to take a look at that because that's the kind of information we don't need when we're facing Wallop-Breaux reauthorization. It's the kind of thing I don't think we can just let go out there and be there as if it is fact when we face Wallop-Breaux reauthorization. I thought you all ought to know about it.

DICK ELDEN: The July issue?

AL FARRIS: The July issue of Outdoor Life. By the way, the guy's from New Jersey. Vin T. Sporato.

JOHN CHRISTIAN: I had one additional point of information. I hope that this isn't going anywhere but I wrote the fish chiefs a letter in May of 1992 alerting them to a proposed resolution that is being submitted to the resolution committee of the American Fisheries Society that is opposed to the use of federal aid dollars for put and take stocking and for state fish hatchery support. This thing is really off the wall. Mismanagement is the rationale for the resolution. I don't believe it has much support but I wanted to bring it to the attention of the directors because we were just able to give you flexibility by including put and take stocking in our federal aid project and hate to see something like this. I just wanted to bring that to your attention.

STEVE MILLER: I do have one item of business here I forgot about and that deals with the publishing and printing of our proceedings. Doug Hansen and I talked about this a little bit. I guess we'd like to know what you as directors want to see in the printing of the proceedings and the proposal that I have to start off with is that as far as the business meeting goes in Wisconsin we intend to provide a edited verbatim transcript of the meeting. As far as the program yesterday, I had asked the people making their presentations to provide us with a long abstract or
a short summary, whatever you want to call it, of their presentation unless they already have a paper presented that they were talking from and we would include that. But we would not record a verbatim transcript of the presentations.

I my experience I've gone back and referred to the business meeting notes from time to time but I haven't used the program proceedings portion at all other than to see what was talked about. Any comments on that?

DOUG HANSEN: This really came to my mind after last year's meeting. That for various reasons, the nature of the meeting and other reasons, I really had to seriously question whether we wanted to move forward with publishing of the proceedings as they have been done customarily. The minutes of the business meeting I found copy really needed some editing and I finally resorted to making a condensed version of the minutes and to this date haven't proceeded forward with publishing of those proceedings. I guess it brought to my mind to question of whether we want to continue as we have traditionally with the proceedings or if we were just carrying forward as a tradition that wasn't necessarily serving a purpose. I saw a quote the other day in a book that traditions are nothing more than continuation of bad habits. I wondered if that has any implications for our proceedings. It's a question that I needed to resolve in my mind before I go forward with anything more from last year's meeting.

STEVE MILLER: Any comments?

VOICE: Well the bylaws make specific reference to proceedings without too much guidance other than each state's supposed to give five copies.

REX AMACK: It's a question of what these published proceedings are.

AL FARRIS: I guess I would be comfortable with a publication of a not exactly verbatim but close to of the sense of the discussion of the business meeting. I don't think we need every word in there really and as far as the presentations made, abstracts would be sufficient. I think they should be fairly short. I don't think we need really long proceedings or expensively published proceedings.

STEVE MILLER: I did ask a printer from Madison who apparently has printed some of our proceedings in the past. She called me up and gave me a tentative quote of around $900 for the types of proceedings that we have printed in the past. If we cut that cost in half it might be well worth it for each of us or something we might be able to do internally. I know DNR has an internal printing shop and it wouldn't cost the Association anything and would be fairly inexpensive for us.

Hearing no other discussion, I guess I would tend to proceed that we will have a polished up verbatim transcript of this business meeting and we will request the abstracts from the people who have made presentations yesterday and that's the format in which the proceedings will go out. But obviously the business meeting minutes will be accurate enough so we know what we did.

REX AMACK: So moved.
STEVE MILLER: Rex, I'd like to call you forward so I can do one last official duty here. Rex is our new president and I would like to officially pass the gavel. And, also from Wisconsin for you a little condolences present, a book on the Birds of Wisconsin here that was produced by Owen Gromme who is now deceased but was one of our famous artists. I think you'll enjoy this book and the podium is yours.

REX AMACK: Well thank you, Steve. I appreciate that very much and on behalf of the Nebraska Game and Parks Commission and the State of Nebraska it's a privilege and honor for me to welcome each and every one of you to the State of Nebraska next year for the 60th annual meeting of this Association and with that I'd certainly like to entertain a motion to adjourn.

AL FARRIS: So moved.

Meeting was adjourned.
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<thead>
<tr>
<th>Name</th>
<th>Representing</th>
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<tbody>
<tr>
<td>Jim Addis</td>
<td>Wisconsin Department of Natural Resources, Box 7921, Madison 53707</td>
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<tr>
<td>Rex Amack</td>
<td>Nebraska Game &amp; Parks Commission, Box 30370, Lincoln 68503</td>
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<tr>
<td>Ken Babcock</td>
<td>Missouri Department of Conservation, Box 180, Jefferson City 65102-0180</td>
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<tr>
<td>Jon Bergquist</td>
<td>Wisconsin Department of Natural Resources, Box 7921, Madison 53707</td>
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<tr>
<td>Wayne Bivans</td>
<td>Indiana Department of Natural Resources, 607 State Office Bldg., Indianapolis 54604</td>
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<tr>
<td>John Blankenship</td>
<td>U. S. Fish &amp; Wildlife Service, 1 Federal Drive, Fort Snelling, MN 55111</td>
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<tr>
<td>Jim Christenson</td>
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<td>John Christian</td>
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<td>Richard Elden</td>
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<td>Ray Evans</td>
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<td>Iowa Department of Natural Resources, Wallace Bldg., E. 9th and Grand Ave., Des Moines 50319-0034</td>
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<td>Doug Hansen</td>
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<td>Colorado Division of Wildlife, 6060 Broadway, Denver 80216</td>
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<td>Lee Kernen</td>
<td>Wisconsin Department of Natural Resources, Box 7921, Madison 53707</td>
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<tr>
<td>Joe Kramer</td>
<td>Kansas Department of Wildlife &amp; Parks, RR 2, Box 54A, Pratt 67124</td>
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<tr>
<td>George LaPointe</td>
<td>IAFWA, Proactive Strategies Project, c/o Louisiana Department of Wildlife &amp; Fisheries, Box 98000, Baton Rouge 70898</td>
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<tr>
<td>Bruce McCloskey</td>
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<td>Steve Miller</td>
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<td>Marvin Moriarty</td>
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<td>Mike Talbot</td>
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<tr>
<td>Gary Taylor</td>
<td>IAFWA, 444 N. Capitol St., NW, Washington, DC 20001</td>
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Resolution #1.

"Support of Midwest Private Lands Wildlife Management Group".

WHEREAS, the Midwest Private Lands Wildlife Management Group was formally developed on August 8, 1991 in Lake Shelbyville, Illinois, in recognition of the emerging discipline of private lands wildlife management; and

WHEREAS, the Midwest Private Lands Wildlife Management Group unanimously voted to seek formal recognition as a part of the Association of Midwest Fish and Wildlife Agencies; and

WHEREAS, the Midwest Private Lands Wildlife Management Working Group consists of representatives from member states, provinces and federal agencies who, as wildlife biologists, are directly responsible for administering and implementing private lands wildlife management programs. Member states are Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. The provinces of Manitoba and Ontario are invited to join. Federal agencies invited to join the group are the U. S. Fish and Wildlife Service, the Soil Conservation Service and the Canadian Wildlife Service; and

WHEREAS, Midwest Private Lands Wildlife Management Working Group charged itself with:

1. Providing a forum for discussion of organizational structure, policy, delivery systems, and effectiveness of private land management programs.

2. Providing an opportunity to define common problems and opportunities and formulate priorities for solving problems and strategies to address opportunities, to minimize duplication of efforts among members.

3. Stimulating an exchange of ideas among members on legislation and related administrative rules, program implementation, education, funding, and research projects.

4. Ensuring maximum coordination among state and federal agencies in dealing with land use programs that affect wildlife habitat; and

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies, assembled at its 59th annual meeting, this 30th day of June, 1992, formally recognizes the Midwest
Private Lands Wildlife Management Working Group as a part of the Association of Midwest Fish and Wildlife Agencies.

Submitted by Todd Peterson, Chair
Midwest Private Lands Wildlife Management Group
10 June 1992
Resolution #2.

Whereas, the State Fish and Wildlife Agencies are the stewards of the resident fish and wildlife species within their borders; and

Whereas, the U. S. Department of Agriculture (USDA) has not established State Technical Committees as required by the 1990 Farm Bill relegating the state fish and wildlife agencies and the U. S. Fish and Wildlife Service to a minor role, if any, in a broad array of conservation issues.

Now, therefore, be it resolved that the Association of Midwest Fish and Wildlife Agencies request that the United States Department of Agriculture (USDA) immediately establish and convene State Technical Committees, as required in Subtitle G of the 1990 Farm Bill, for the purpose of implementing the conservation provisions of that Bill; and,

Be it further resolved, that the Association of Midwest Fish and Wildlife Agencies request from the U. S. Fish and Wildlife Service written commitment of their support and request for USDA establishment of State Technical Committees required under the 1990 Farm Bill.

Be it further resolved, that the Association of Midwest Fish and Wildlife Agencies forward a copy of this resolution to the Secretary of the U. S. Department of Agriculture and the International Association of Fish and Wildlife Agencies.
Resolution #4.

Association of Midwest Fish and Wildlife Agencies
Responsibility of Legal Committee
Draft

It is the responsibility of the Legal Committee of the Midwest Association of Fish and Wildlife Agencies to maintain a network of attorneys from Midwest Fish and Wildlife Agencies; to circulate among its members recent court opinions of legislative changes which may be of interest to the member states and agencies in the administration of the respective programs; and to provide counsel to the directors of the association and its officers on legal matters which pertain to the conservation of fish and wildlife resources.

To this end, the legal committee will organize and present a full session each year. Panel discussions will be held on predesignated topics. These topics will be chosen by consensus of the legal committee members on the basis of issues which were particularly problematic during the previous year. In addition, particular topics may be addressed at the request of the Executive Committee of the Association or its officers.
Association of Midwest Fish and Wildlife Agencies

REPORT OF THE TREASURER
Green Bay, Wisconsin
July, 1992

Balance of assets brought forward from 1990--$11,848.26

Total receipts for the business year 1991, including dues from 17 members and interest on cash management account--$2,100.00

Total expenditures for the Rapid City, South Dakota, conference--$500.00

Engraving for Association awards--$23.27

Printing of 1990 Proceedings--$690.00

Status of the Association's funds at the close of business for the year of 1991--$12,734.99

Balance of the 1991 checking account forwarded to the 1992 account--$5,255.98

Balance of the 1991 cash management account forwarded to the 1992 account--$7,479.01

The official Association financial ledger showing receipts and expenditures has been made available to the Audit Committee.

John W. Urbain, Treasurer (1991)
Association of Midwest Fish and Wildlife Agencies

TREASURER’S REPORT

1991 Transactions

Total Assets beginning January 1, 1991 ............... $ 11,848.26

Receipts 1991:

Annual dues .................................. $ 1,700.00
Interest on cash management account ......... 400.00  2,100.00

Total Available Assets ........................................ $ 13,948.26

Disbursements 1991:

Association advance to South Dakota. .... $ 500.00
John W. Urbain--1991 Awards Engraving. ... 23.27
Fletcher Printing--1990 Proceedings .... 690.00  $ 1,213.27

Accounting of Assets, December 31, 1991:

Cash in checking account .................. $ 5,255.98
Cash Management Account No. 1212990-4750 .. 7,479.01  12,734.99

Total Assets, December 31, 1991 ................... $ 12,734.99