

# Your Lands, Your Wildlife

## America's Wildlife Heritage Act - Bill Summary

**The Land** – The United States Forest Service and Bureau of Land Management (BLM) administer 449 million acres of land – almost 20% of the land area of the U.S. – and play an essential role in protecting the nation's fish, wildlife and plant species. When healthy, these lands also provide the American public with unparalleled recreation opportunities, a clean water supply, clean air, and resilience to the uncertain effects of climate change, and energy.

**The Need** – With the threat of global warming, increased use of public lands for energy development and all the other demands on our federal public lands, there is an urgent need to provide the Forest Service and BLM with a 21<sup>st</sup> century fish, wildlife and plant conservation policy.



**The Answer** – **America's Wildlife Heritage Act** provides the BLM and Forest Service with the tools they need to respond to these challenges and balance management for environmental, social and economic objectives. The Act recognizes that healthy fish, wildlife and plant populations on federal lands are a core indicator of overall land health and ensures that they are managed sustainably. Specifically, the Heritage Act provides both the Forest Service and BLM with:

- **Clear Fish and Wildlife Objectives** – The Heritage Act sets clear fish and wildlife objectives for land managers to guide land management planning. The Act also provides those managers with flexibility, recognizing that issues outside of managers' control, such as climate change, may constrain their ability to achieve those objectives.
- **Scientifically Robust and Efficient Monitoring Program** – The Heritage Act reflects the “state of the art” in science-based planning and management. The Act provides managers with an efficient and effective roadmap to achieve fish and wildlife objectives -- a combination of habitat and targeted population monitoring is used to evaluate performance towards objectives.
- **Enhanced Coordination** – The Heritage Act enables Forest Service and BLM land managers to coordinate and cooperate with each other, as well as other federal, state and tribal agencies across jurisdictional boundaries to maintain the sustainability of fish, wildlife and plant populations. Enhanced coordination leads to efficiencies and cost savings in land management planning activities.
- **Clarity and Direction** -- The Heritage Act eliminates the uncertainty created by changing approaches to land management planning under different administrations, providing the agencies with much needed clarity and direction, and removing a barrier that has bogged down planning, projects and decisions.

America's Wildlife Heritage Act affirms the multiple use missions and stewardship duties of the Forest Service and the BLM by providing strong, efficient and flexible fish and wildlife management objectives to guide land management planning.

## America's Wildlife Heritage Act - Section by Section Summary

**Sec. 1 - Short Title:** Section 1 sets forth the short title of the legislation as “America’s Wildlife Heritage Act”.

**Sec. 2 – Congressional Findings:** This section sets forth the findings for the legislation.

**Sec. 3 – Definitions:** Section 3 defines important terms referenced in the legislation, including, but not limited to:

- Desired non-native species – species not indigenous to a planning area but valued for their contribution to species diversity or their social, cultural or economic value
- Focal Species - species selected for monitoring because their population status and trends provide useful information regarding the effects of management activities or other factors on unmeasured species and insights to the integrity of the ecological systems to which they belong
- Native species – plants and animals indigenous to the planning area
- Species-of-concern – species listed, or proposed or candidates for listing, under the ESA; certain species ranked by State natural heritage programs; species of greatest conservation need identified by State comprehensive wildlife strategies; and other species identified by the BLM and Forest Service for which scientific evidence raises a concern regarding species’ sustainability
- Sustainable population - species for which there is a high likelihood, based on the best available science, of persistence well distributed throughout its range for a period of at least 50 years into the future considering abundance, distribution, habitat quality and reproduction and survival rates

**Sec. 4 – Sustainable Populations:** Subsection (1) mandates the Forest Service and BLM to maintain sustainable populations of native and desired non-native species when planning for and managing lands under their jurisdictions, with the caveat that the management of desired non-native species cannot interfere with the management of sustainable populations of native species. Subsection (2) requires that land managers coordinate across planning areas and, where appropriate, jurisdictions, when a species’ population is not restricted to one planning area in order to maintain the sustainability of that population. Subsection (3) directs that where, based upon the best available science and after opportunity for notice and public comment, the agency makes a determination that issues outside of its control constrain its ability to manage for sustainable populations, lands must be managed to contribute to the survival and health of the population, and activities authorized, funded or carried out shall not increase in the likelihood of extirpation of the population. Subsection (4) requires that all land management plans, activities authorized under or implementing those plans, and other activities under the Forest Service’s or BLM’s jurisdiction comply with Section 4.

**Sec. 5 – Monitoring and Evaluation of the Sustainability of Species Populations:** Subsection (a) directs that land managers adopt and implement strategically targeted monitoring programs to determine the status and trends of species’ populations. These programs must provide for monitoring of the habitats supporting designated focal species and species-of-concern. Population surveys of focal species must be conducted to ensure that habitat monitoring is providing accurate information. Population surveys must also be conducted of certain species-of-concern whose populations are not adequately assessed using habitat monitoring or focal species monitoring and for which there is a substantial concern for potential reductions in distribution or abundance within the planning area(s). Subsection (b) requires that land managers develop and implement the monitoring program in cooperation with State fish and wildlife agencies, and in coordination with other State natural resource agencies, and that land managers utilize monitoring information maintained by other Federal and state agencies, tribes, as well as other entities.

**Sec. 6 – Coordination:** Subsection (a) requires that the Forest Service and BLM coordinate with the U.S. Fish and Wildlife Service, National Park Service, other Federal agencies, State fish and wildlife agencies, other State natural resource agencies, tribes, local governments, and non-governmental organizations engaged in fish and wildlife conservation. Subsection (b) further requires that land managers, when making land management planning decisions to maintain sustainable fish, wildlife and plant populations, offer opportunities for participation to adjacent private and public landowners, as well State fish, wildlife and natural resource agencies and coordinate such planning with relevant conservation strategies and plans.

**Sec. 7 – Implementing Regulations:** This section requires the Secretaries to each issue implementing regulations within one year of enactment of the Act.

**Sec. 8 – Construction:** Section 8 directs that nothing in the legislation shall be construed as affecting the authority or jurisdiction of the States to manage, control, or regulate fish and wildlife under state laws and regulations, or to authorize the Secretary to control or regulate fishing or hunting of fish and wildlife within the state except as authorized to do so under existing laws and regulations.