

Your Lands, Your Wildlife

America's Wildlife Heritage Act - Frequently Asked Questions

Listed below are some of the most frequently asked questions about America's Wildlife Heritage Act.

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1. What is the purpose of America's Wildlife Heritage Act?

America's Wildlife Heritage Act was developed to permanently safeguard the diversity of fish, wildlife and plants that are found on our national forests, national grasslands, and Bureau of Land Management (BLM) lands for current and future generations. At present, the BLM and the U.S. Forest Service have no standards requiring that land management activities sustain fish and wildlife populations.

The legislation is premised on the fact that the condition of fish and wildlife populations is an indication of overall land health, and that only healthy lands can provide sustainable benefits to current and future generations. America's federal public lands provide a host of invaluable benefits, including:

- incredible diversity of fish, wildlife and plant life;
- world class recreation, hunting and fishing opportunities;
- clean water and clean air;
- a national insurance policy against climate change; and
- the sustainable production of timber, minerals and energy, providing critical economic and social benefits.

But right now, after eight years of unbalanced policies that tipped the scales in favor of development, federal land managers have been stripped of their ability to sustain fish, wildlife and other benefits, and are ill-equipped to respond to the emerging challenges of climate change.

2. How does the America's Wildlife Heritage Act differ from past land management planning regulations?

The 1982 national forest planning regulations are inefficient from an implementation perspective, and insufficient to meet the complex management challenges of the 21st century. America's Wildlife Heritage Act creates an effective and efficient science-based planning framework by:

- extending the policy to the BLM, and enabling agencies to better cooperate, communicate and share information in the management of fish and wildlife to respond to conservation challenges such as climate change;
- modernizing the wildlife population viability concept through the application of state-of-the-art conservation planning by allowing managers to make decisions based on a combination of habitat and species-level information, increasing the efficiency of planning, while retaining effective conservation measures;
- reducing the burden on federal land managers where issues outside of managers' control may constrain their ability to manage for viable populations, while maintaining clear fish and wildlife management objectives.

3. How will America's Wildlife Heritage Act be implemented?

The Forest Service and BLM each go through substantive planning processes for national forests and BLM management units according to a predictable schedule, generally every 10-15 years, or as needed as conditions on the land change. These resource management plans guide ongoing management activities, such as logging, energy development and recreation, as well as fish and wildlife conservation. Under the Wildlife Heritage Act, land management plans will be developed considering the relationship between management actions and the viability of fish and wildlife populations. A plan alternative that is unlikely to sustain fish and wildlife populations over time would not be implemented.

Under the Wildlife Heritage Act, overarching plans will identify fish, wildlife and plant populations that are "at-risk" in the planning area, meaning that there is concern over their long-term persistence. Overarching plans will also identify a list of "indicator species" – species selected for ongoing monitoring because their population changes indicate the effects of management activities on other species as well as the larger ecological system to which they belong. As the agency goes about its daily business of planning and implementing individual projects, they will take a closer look at impacts to these select at-risk and indicator species to ensure that the plan is working according to expectations. As long as monitoring is conducted regularly and information continues to feed into decision-making processes, the agencies will be able to move forward with implementation of land management plans.

4. Are the Forest Service and BLM currently managing for sustainable fish and wildlife populations?

The Forest Service, guided by the National Forest Management Act (NFMA), is required to maintain a diversity of plants and animals on their lands. A longstanding regulation previously implementing NFMA required the Forest Service to maintain viable populations of fish and wildlife in order to meet the NFMA requirement, but this requirement was removed by the Bush administration. The current planning regulations do not provide sufficient protection for the fish, wildlife and plant communities found on the National Forest System, as they make the consideration of species diversity completely optional, allowing forest managers to make the assumption that because they have a diversity of habitat types, they will have a diversity of species. Science-based, sustainable natural resource management requires managers to account for diversity at both the ecosystem-level and species-level.

The BLM, on the other hand, has no such requirement. The Federal Land Policy and Management Act of 1976 (FLPMA) requires the BLM to provide habitat for fish and wildlife, and requires the BLM to take any action necessary to prevent unnecessary or undue degradation of its lands. However, the BLM's fish and wildlife management obligations are not delineated further in the rules implementing FLPMA, which has

resulted in fish and wildlife being given lower priority than other resource uses on BLM lands. Requirements for science-based fish and wildlife conservation measures need to be extended to the BLM, as the importance of BLM lands for fish and wildlife habitat is increasingly being recognized, particularly in light of climate change.

The effect of the Wildlife Heritage Act will be to clarify NFMA's directive to the Forest Service to "provide for a diversity of plant and animal communities" and FLPMA's directive to manage public lands in a manner that will conserve ecological values and provide food and habitat for fish and wildlife, resulting in a single consistent standard of wildlife viability across our major public land systems.

5. How does America's Wildlife Heritage Act support climate-smart fish and wildlife conservation?

Climate change puts stress on fish and wildlife populations, altering their habitat and the ecological conditions in which they live. Some fish and wildlife populations will adapt to changing conditions; others will shift their range to suitable habitat with more favorable climatic conditions; and some populations will die out in parts of their former range. It is challenging to predict which species will face which of these ends but it is clear that public land managers are likely to face some combination of all of these scenarios. It is also clear given the amount of development across the country that public lands are likely to be the last havens for many species trying to adapt to climate change.

In response, a greater priority needs to be placed on fish and wildlife and land managers will need the flexibility to coordinate activities across jurisdictional lines. The following provisions in the America's Wildlife Heritage Act will help managers in their efforts:

- **Fish and Wildlife Standards**—The Act establishes clear fish and wildlife management standards for federal managers. Protecting fish and wildlife from habitat loss and disturbance from development will help ensure that fish and wildlife populations have the resiliency they need to adapt to climate change..
- **New Information** – The Act directs federal land managers to monitor and assess the condition of fish and wildlife populations and habitat on their lands on an ongoing basis, providing the data needed to determine how climate changes are affecting fish and wildlife on their lands and to develop management responses.
- **Coordination Across Jurisdictions** — Fish and wildlife populations may move across management units or may span more than one management unit. The Act provides managers the flexibility to work across federal land units to maintain fish and wildlife populations. In addition, the Act directs federal land managers to coordinate their fish and wildlife management plans with other federal, state, tribal and private land managers, with an emphasis on identifying and protecting linkages and migration routes.
- **Responsive management plans** – Federal land management plan development is on 10-20 year cycle. By connecting the fish and wildlife monitoring program to those plans, if new information reveals that a species is showing signs of stress or has lost habitat from climate change, or has left the planning area or come into the planning area, this information will be incorporated into the planning process for federal projects, and integrated into the next revision of the federal land management plan.
- **Flexible Standards** — The Wildlife Heritage Act recognizes that factors outside of a manager's control, like climate change, may make it impossible to maintain a self-sustaining population. In such cases,

the Act requires that the manager must not exacerbate the negative condition of the population through harmful management actions.

Climate change will require a renewed focus and commitment to fish and wildlife and flexibility to adjust to changing circumstances. America's Wildlife Act provides both.

6. How will America's Wildlife Heritage Act affect state authority to manage fish and wildlife?

America's Wildlife Heritage Act will not alter the existing authority of states to manage fish and wildlife. Federal agencies like the Forest Service and BLM cooperate with state fish and wildlife agencies in managing fish and wildlife populations on federal lands. Generally, the states are responsible for managing fish and wildlife populations while the federal agencies have broad responsibility for managing habitat. The Act merely clarifies the responsibilities of the Forest Service and BLM in managing fish and wildlife resources and habitat, and requires that the federal agencies account for fish and wildlife in management and project-level decision making, including ensuring that plans and projects do not impair the viability of species populations. States retain authority to manage fish and wildlife and to issue/authorize hunting and/or fishing permits and licenses.

7. How will America's Wildlife Heritage Act benefit state fish and wildlife agencies?

America's Wildlife Heritage Act directs the BLM and the Forest Service to coordinate the management of fish and wildlife on lands under those agencies' jurisdictions with the management of fish and wildlife by state fish and wildlife agencies in order to achieve and maintain viable populations of species; conduct reintroductions of extirpated species, where appropriate; establish linkages between habitats and discrete populations; address the impacts of climate change on species' habitat, behavior and migration; and to conduct other efforts to support of sustainable fish and wildlife populations across jurisdictional boundaries. In addition, the Act encourages the Forest Service and BLM to coordinate fish and wildlife monitoring with state agencies.

8. What is a viable population?

America's Wildlife Heritage Act uses scientific concepts to ensure objective and balanced management of our federal public lands. The Act asks federal land managers to maintain viable populations of fish and wildlife. Population viability is a scientific term, but its meaning is simple – persistence over time. A viable population of fish, wildlife or plants is one that is likely to survive for at least 100 years. For plants and animals to survive they need to have a sufficient number of individuals to reproduce, as well as the habitat to carry out their life functions – mating or feeding for example. For some animals, survival and long-term persistence requires the ability to migrate long distances in search of food, mates and habitat. The Act helps insure that animals will be able to make these long distance migrations by requiring federal land managers to coordinate fish and wildlife management across jurisdictional boundaries.