

February 26, 2024

U.S. Fish and Wildlife Service
5275 Leesburg Pike
Falls Church, VA 22041

The undersigned organizations, which represent millions of America's hunters, anglers, recreational shooters, and wildlife scientists and other professionals, write today to express strong concerns with the recently proposed National Wildlife Refuge System (NWRS) biological integrity, diversity, and environmental health (BIDEH) proposed rule and proposed policy updates (Docket Number: FWS-HQ-NWRS-2022-0106).

At the outset, the undersigned organizations strongly urge the U.S. Fish and Wildlife Service (FWS) to extend the comment period to at least a 90-day period. The policy changes contained in the BIDEH proposal represent significant and consequential changes to how the NWRS has managed and conserved its land and waters for the last century. Recognizing the magnitude of the proposed changes, the undersigned believe that a 30-day comment deprives partners and stakeholders of the time and attention necessary to formulate substantial comments to address the sweeping changes proposed in BIDEH. For example, in June 2023, FWS published the proposed 2023 – 2024 Hunt Fish Rule and provided the public a 90-day period for comments. Comparatively, the BIDEH proposal has the potential to have far greater impacts on fish, wildlife, and their associated habitats as well as the American public than the 2023 – 2024 Hunt Fish Rule. The BIDEH proposal in and of itself is a complex and marked change in direction for the NWRS, and the signatories believe that the BIDEH proposal requires a comment period that is equal to or greater than what was provided for the 2023 – 2024 Hunt Fish Rule.

We are concerned that the intent of the BIDEH proposal is inconsistent with the intent and the plain language of the National Wildlife Improvement Act of 1997 (Improvement Act). For example, BIDEH is only mentioned one time in the entire Improvement Act under Section 5, Administration of the System – and yet it's singularly selected out of a list of 14 items to create this proposed policy to “ensure that the biological integrity, diversity, and the environmental health of the System are maintained for the benefit of present and future generations of Americans”. The plain language of the Improvement Act does not direct the NWRS to establish or propose broad, sweeping changes as identified in the BIDEH proposal.

Additionally, we are concerned that the BIDEH proposal does not prioritize the primary purpose of each individual NWRS unit. The Improvement Act requires that when conflict arises between the NWRS mission and the established refuge purpose, the purpose of the unit itself should take precedence over the NWRS mission. Unfortunately, the BIDEH proposal does not appear to reflect this requirement as the proposal states: “The law states that each refuge must be managed to fulfill both the Refuge System mission and the specific purposes for which that refuge was established”. While this statement is true, it makes a muddle of a clear part of the Improvement Act— that refuge purposes take priority over the mission of the NWRS rather being placed on equal footing. The BIDEH proposal has a single-minded focus on the overall mission of the NWRS and does not fulfill the need to support the purpose of each unique NWRS unit. This threatens to create a top-down approach that will undermine the distinctive purpose for which each individual refuge was established, and it could erode public support for the refuge system

by disenfranchising those who have long fought for the establishment of refuges and sought to see the NWRS adequately funded. Furthermore, the proposal does not consider the distinctive challenges and varied conservation measures that are necessary to fulfil the purpose of each refuge. Establishing a broad, top-down structure such as BIDEH, where widely accepted wildlife habitat management practices, such as cooperative agriculture are first prohibited unless justified, will reduce the necessary flexibility to meet the goals of each unique refuge unit.

In summary, the undersigned organizations do not believe the BIDEH proposal is consistent with the Congressional intent and the plain language of the Improvement Act. We also strongly urge FWS to extend the comment period to a minimum of 90 days. The proposed direction contained in the BIDEH proposal is a significant departure from how the NWRS has traditionally managed its land and water in cooperation and partnership with the American public. With such a significant change in mind, the undersigned request more time to thoroughly examine the consequences and outcomes of the BIDEH proposal.

Finally, we request a meeting with the FWS Director to discuss implementation of the Refuge Improvement Act and the future of the NWRS.

Sincerely,

American Woodcock Society
Archery Trade Association
Association of Fish & Wildlife Agencies
Backcountry Hunters & Anglers
Boone and Crockett Club
California Waterfowl
Campfire Club of America
Congressional Sportsmen's Foundation
Conservation Force
Council to Advance Hunting and the Shooting Sports
Delta Waterfowl
Ducks Unlimited
Houston Safari Club
Izaak Walton League of America
Masters of Foxhounds Association
Mule Deer Foundation
National Bobwhite and Grassland Initiative
National Deer Association
National Rifle Association
National Shooting Sports Foundation
National Wild Turkey Federation
North American Falconers Association
North American Grouse Partnership
Orion: The Hunter's Institute
Pheasants Forever
Pope & Young Club
Professional Outfitters and Guides of America

Quail Forever
Rocky Mountain Elk Foundation
Ruffed Grouse Society
Safari Club International
Sportsmen's Alliance
Theodore Roosevelt Conservation Partnership
Whitetails Unlimited
Wild Sheep Foundation
Wildlife Forever
Wildlife Mississippi