



June 8, 2020

**RE: CALL FOR COMMENTS ON 2020–2021 STATION-SPECIFIC HUNTING AND SPORT FISHING
REGULATION CHANGES; DOCKET NO. FWS-HQ-NWRS-2020-0013**

Dear Secretary David Bernhardt,

Dallas Safari Club (“DSC”) is appreciative of the opportunity to comment in support of the U.S. Fish and Wildlife Service’s (“USFWS”) proposed additions and revisions to station-specific regulations for National Wildlife Refuges (“NWRs”) and National Fish Hatchery System (“NFH”) units and the expansion of hunting and sport fishing opportunities on 2,300,501 acres of public lands for the 2020–21 hunting and sport fishing season.

As sources of statutory authority to issue the proposed rule, the USFWS relies on the National Wildlife Refuge System Administration Act of 1966 (“Administration Act”) as amended by the National Wildlife Refuge System Improvement Act of 1997 (“Improvement Act”) and the Refuge Recreation Act of 1962 (“Recreation Act”). The Administration Act governs the administration and public use of refuges¹, and the Recreation Act governs the administration and public use of refuges and hatcheries.² The Improvement Act serves to ensure that the USFWS effectively manages the Refuge System as a national network of lands, waters, and interests for the protection and conservation of our Nation’s wildlife resources.³ The Improvement Act established six wildlife-dependent uses as priorities for the general public’s use of the Refuge System—hunting, fishing, wildlife observation and photography, and environmental education and interpretation.⁴ Furthermore, the Recreation Act requires that any recreational use of refuge or hatchery lands be compatible with the primary purpose(s) for which the USFWS established the refuge and not inconsistent with the other previously authorized operations.⁵ The Administration Act and the Recreation Act authorize the USFWS to issue regulations to carry out the purposes of the Acts and regulate uses. The USFWS must develop station-specific regulations to ensure the compatibility of the programs with the purpose(s) for which the NWR or NFH was established.⁶

¹ 16 U.S.C. §§ 668dd-668ee, as amended by the National Wildlife Refuge System Improvement Act of 1997 (“Administration Act”).

² 16 U.S.C §§ 460k-460k-4 (“Recreation Act”).

³ 16 U.S.C. §§ 668dd-668ee, as amended by the National Wildlife Refuge System Improvement Act of 1997 (“Improvement Act”).

⁴ Improvement Act.

⁵ Recreation Act.

⁶ Recreation Act.

Under this statutory authority, the USFWS proposes to⁷:

- open, for the first time, eight NWRs that are currently closed to hunting and sport fishing;
- open or expand hunting and sport fishing at 89 other NWRs;
- add pertinent station-specific regulations for other NWRs that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2020–2021 season;
- open hunting or sport fishing on nine units of the NFHs;
- add pertinent station-specific regulations for NFHs that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2020–2021 season;
- open 41 limited-interest easement NWRs in North Dakota for upland hunting, big game hunting, and sport fishing;
- make regulatory changes to existing station-specific regulations in order to reduce the regulatory burden on the public, increase access for hunters and anglers on Service lands and waters, and comply with a Presidential mandate for plain language standards; and
- prohibit domestic sheep, goat, and camelid pack animals on the Arctic National Wildlife Refuge.

The USFWS proposed the 2020–2021 Station-Specific Hunting and Sport Fishing Regulations on April 9, 2020 and will accept comments on the proposed rule that are received or postmarked on or before June 8, 2020.

DSC supports the USFWS proposed additions and revisions to station-specific regulations for NWRs and NFHs, including the expansion of hunting and sport fishing opportunities within the Refuge System. Our support is bolstered by three fundamental concepts for successful wildlife conservation in the United States. First, expanding access to an additional 2,300,501 acres of public land to be used for hunting and sport fishing would promote the North American Model of Wildlife Conservation. Second, the proposed rule promotes the sustainable use of migratory birds and resident wildlife, while maintaining minimal impacts to non-hunted migratory birds and resident wildlife, threatened and endangered species, as well as plant and habitat resources. Third, hunting and sport fishing generate billions of dollars each year for state fish and wildlife agencies, as well as millions of dollars in direct revenue for regional economies and local businesses.

⁷ 2020–2021 Station-Specific Hunting and Sport Fishing Regulation, 85 Fed. Reg. 20030 (proposed April 9, 2020) (to be codified at 50 C.F.R. pts. 32, 36, 71).

NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION

The United States (“US”) is a pillar in the international conservation community with sportsmen and women representing an integral part of the North American Model of Wildlife Conservation. The North American Model of Wildlife Conservation is a set of principles that, when collectively applied, has led to the form, function, and successes of wildlife conservation and management in the US and Canada.⁸ Seven interdependent principles describe the foundation for the unique Model⁹:

1. Wildlife resources are a public trust.
2. Markets for game are eliminated.
3. Allocation of wildlife is by law.
4. Wildlife can be killed only for a legitimate purpose.
5. Wildlife is considered an international resource.
6. Science is the proper tool to discharge wildlife policy.
7. Democracy of hunting is standard.

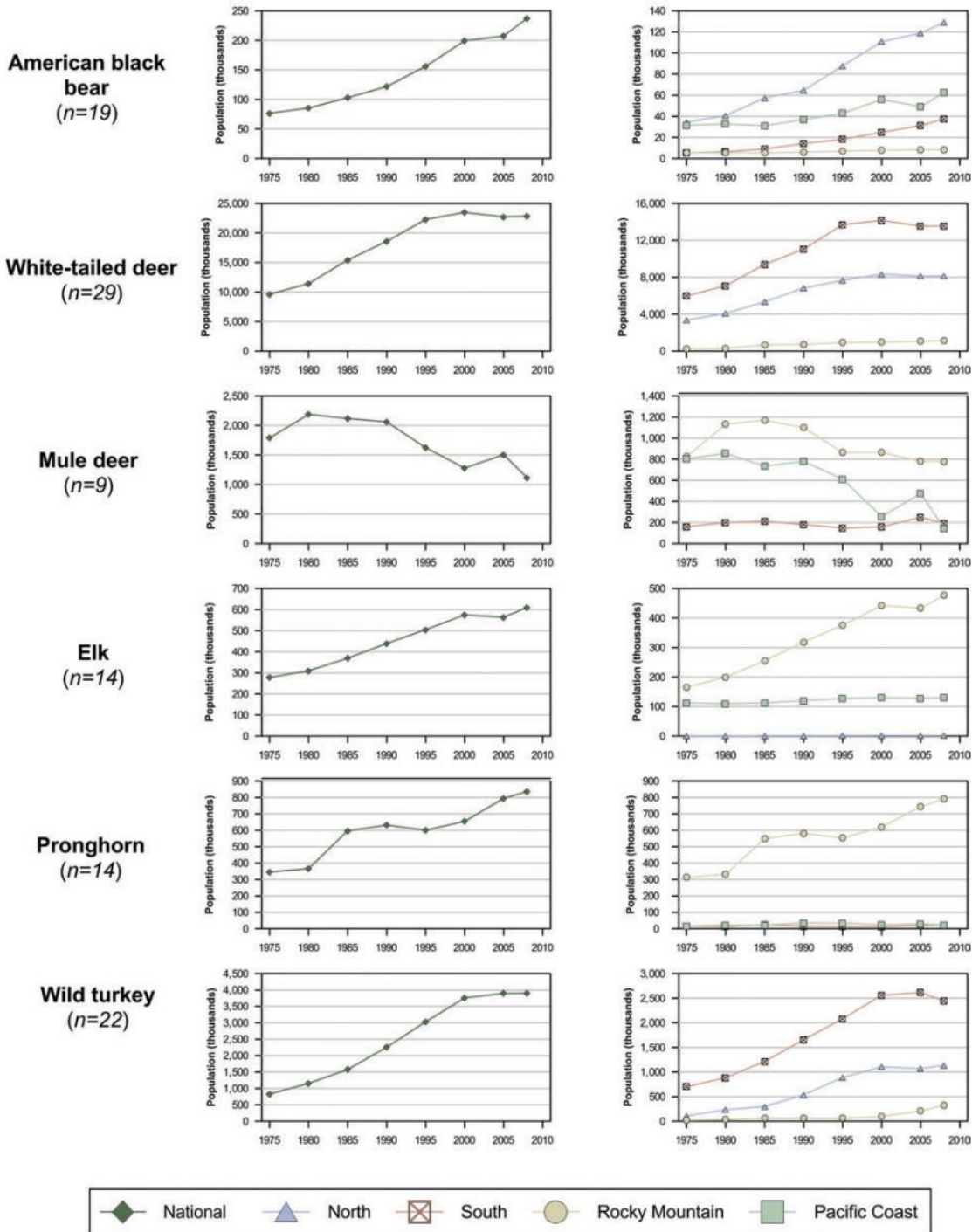
Game specie populations in the US have impressively been recovered as a result of the North American Model of Conservation (*see* Figure 1). Amongst the resident wildlife proposed for big game hunting are bighorn sheep, black bear, deer (black-tailed, mule, sika, and white-tailed), elk, mountain lion, pronghorn, and wild turkey.¹⁰ As Figure 1 demonstrates, many of the named species have seen incredible rates of recovery due to the North American Model of Conservation. The Model has thrived in large part because of the support of the hunting, angling, shooting sports, and boating communities.

⁸ Organ, J.F., et al., *The North American Model of Wildlife Conservation: The Wildlife Society and The Boone and Crockett Club Technical Review 12-04*, p. viii (“Organ 2012”).

⁹ Organ 2012, p. 2.

¹⁰ U.S. Fish and Wildlife Service, *Cumulative Impacts Report: 2020–2021 National Wildlife Refuge and National Fish Hatchery Proposed Hunting and Sport Fishing Openings*, p. 28 (“USFWS 2020”).

Figure 1 – Population Trends of US Big Game Species¹¹



Population trends among selected widespread big game species for the nation and Forest and Rangeland Renewable Resources Planning Act of 1974 regions from 1975 to 2008. The number of states providing population estimates is

¹¹ Flather, C., et al., *Wildlife Population and Harvest Trends in the United States: A Technical Document Support the Forest Service 2010 RPA Assessment*, p. 18.

given by *n*, and regions lacking a trend line indicate that no state within that region provided population data for that particular species.

Moreover, apart from the immense success of the North American Model of Conservation, hunter funded organizations have been at the forefront of North American conservation efforts. For example, big horn sheep populations plummeted from roughly one million in 1800 to fewer than 25,000 by 1950.¹² Hunter funded organizations have secured hundreds of thousands of hectares of habitat through contributions in excess of \$100 million, and as a result, the big horn sheep population has rebounded to over 80,000.¹³

The keystone principle of the North American Model of Conservation is the concept that wildlife is owned by no one and is held in trust for the benefit of present and future generations.¹⁴ Such public ownership implies that society values wildlife and, by implication, understands the premise of wildness.¹⁵ The North American Model of Conservation is so successful and unique, in part, because of prioritizing access to public lands and wildlife. The proposed rule would provide more public access to hunters and anglers, alike. DSC is in support of the USFWS proposed rule because it is promoting the North American Model of Conservation of sustainable wildlife practices and conservation through expansion of public access rights to hunters and anglers.

SUSTAINABILITY

The ethical, wise and sustainable use of wildlife is a valuable tool to promote the conservation of biological diversity.¹⁶ Sustainable use provides incentives for conservation and restoration because of the social, cultural, and economic benefits that people derive from that use. Implicitly, sustainable use cannot be achieved without effective conservation measures.¹⁷ Therefore, sustainable use, by definition, is conservation.

The USFWS reviewed the station-specific Environmental Assessments (“EAs”) and Categorical Exclusions (“CEs”) developed for the proposed opening or expansion of hunting and sport fishing across 97 NWRs and 9 NFHs.¹⁸ The review identified and assessed the direct, indirect, and cumulative impacts of the proposed rule on hunted populations of migratory birds and resident wildlife; non-hunted migratory and resident wildlife; Threatened and Endangered species; and plant and habitat resources.¹⁹

All of the state big-game hunting programs are designed to manage and maintain big-game populations at sustainable levels.²⁰ Most states wildlife agencies subdivide their respective state

¹² International Union for Conservation of Nature, *Informing Decisions on Trophy Hunting: A briefing paper regarding issues to be taken into account when considering restrictions of imports of hunting trophies*, p. 14 (“IUCN 2016”).

¹³ IUCN 2016, p. 14.

¹⁴ Organ 2012, p. 11.

¹⁵ Organ 2012, p. 13.

¹⁶ International Union for Conservation of Nature, *Sustainable Use: IUCN Policy Statement*, p. 2.

¹⁷ International Union for Conservation of Nature, *Addis Ababa Principles for the Sustainable Use of Biodiversity*, p. 5.

¹⁸ USFWS 2020, p. 1.

¹⁹ USFWS 2020, p. 1.

²⁰ USFWS 2020, p. 29.

into discrete “game management units” (“GMUs”) to meet such goals; typically, projected big-game harvests on NWRs and NFHs represent only a small fraction of the harvest in a GMU.²¹

Among their conclusions, the USFWS review concluded that the national cumulative impact of the proposed rule on resident wildlife will be negligible, because the proposed actions will all result in low numbers of offtake in GMUs.²² Furthermore, all hunting and sport fishing opportunities will be conducted under state regulations or will be more restrictive to ensure sustainable populations of resident wildlife.²³ They further concluded that known, estimated, or projected harvests of migratory birds resulting from the proposed hunting activities constituted less than one percent of the flyway-wide harvests of ducks, geese, doves, woodcock, and other migratory birds.²⁴ Even with the additional 2,300,501 acres, the harvests on the NWRs and NFHs would remain well within sustainable harvest levels.²⁵

The USFWS plans to continue to monitor and ensure viable habitat for future NWRs and NFHs species.²⁶ To ensure conservation and sustainability of refuge resources in the future²⁷:

- The USFWS will annually develop federal regulatory frameworks governing the sustainable harvest of migratory birds in the United States.
- The states will annually develop regulations for hunting and sport fishing of resident wildlife populations to ensure sustainable harvests.
- The USFWS will, if necessary, develop station-specific regulations that are more restrictive than state regulations.
- Before opening an NWR for hunting or sport fishing, the USFWS must determine that the activity is compatible with accomplishing the NWR’s purpose or the Refuge System mission.
- Before opening an NFH for hunting or sport fishing, the USFWS must determine that the activity “is not detrimental to the propagation and distribution of fish or other aquatic wildlife.”
- The USFWS will annually conduct management activities on NWRs and NFHs to minimize or offset the disturbance and habitat impacts of hunting and sport fishing on migratory and resident wildlife, disturbance and habitat impacts on Threatened and Endangered species, plant and habitat resources, physical and cultural resources, and other wildlife-dependent recreation.

²¹ USFWS 2020, p. 29.

²² USFWS 2020, p. 30.

²³ USFWS 2020, p. 30.

²⁴ USFWS 2020, p. 40.

²⁵ USFWS 2020, p. 40.

²⁶ USFWS 2020, p. 46.

²⁷ USFWS 2020, p. 46-47.

DSC supports the proposed rule and its promotion of conservation and sustainability of wildlife on the NWRs and NFHs. Upon the review of the station-specific EAs and CEs, the USFWS concluded that the proposed rule will only have negligible impacts on migratory and resident wildlife, as well as maintaining sustainable harvest levels.

REVENUE AND EXPENDITURES

In 2019 alone, \$872 million was generated by hunting licenses, \$797 million was generated by the Pittman-Robertson Fund (hunting and recreational shooting-related excise taxes), \$724 million was generated from fishing licenses, and \$632 million was generated by the Dingell-Johnson/Wallop-Breaux Fund (fishing and boating related excise tax).²⁸ These funds are used to fund state fish and wildlife agencies and other conservation efforts. From 1939 to 2019, sportsmen and women have provided over \$62.1 billion in necessary funding for state-level fish and wildlife agencies charged with overseeing their state conservation programs.²⁹ This critical funding generated by sportsmen and women represents 60% of state fish and wildlife agency funding.³⁰

Not only does hunting generate much needed funding for state fish and wildlife agencies, it contributes new income to the regional economy and benefits local businesses. The 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation revealed that over 103 million U.S. residents 16 years and older participated in wildlife-related recreation.³¹ Those participants spent approximately \$156.9 billion in expenditures, almost 1% of the US Gross Domestic Product³² (See Figure 2).

²⁸ Congressional Sportsmen’s Foundation, *2019 Year in Review*, p. 33 (“CSF 2019”).

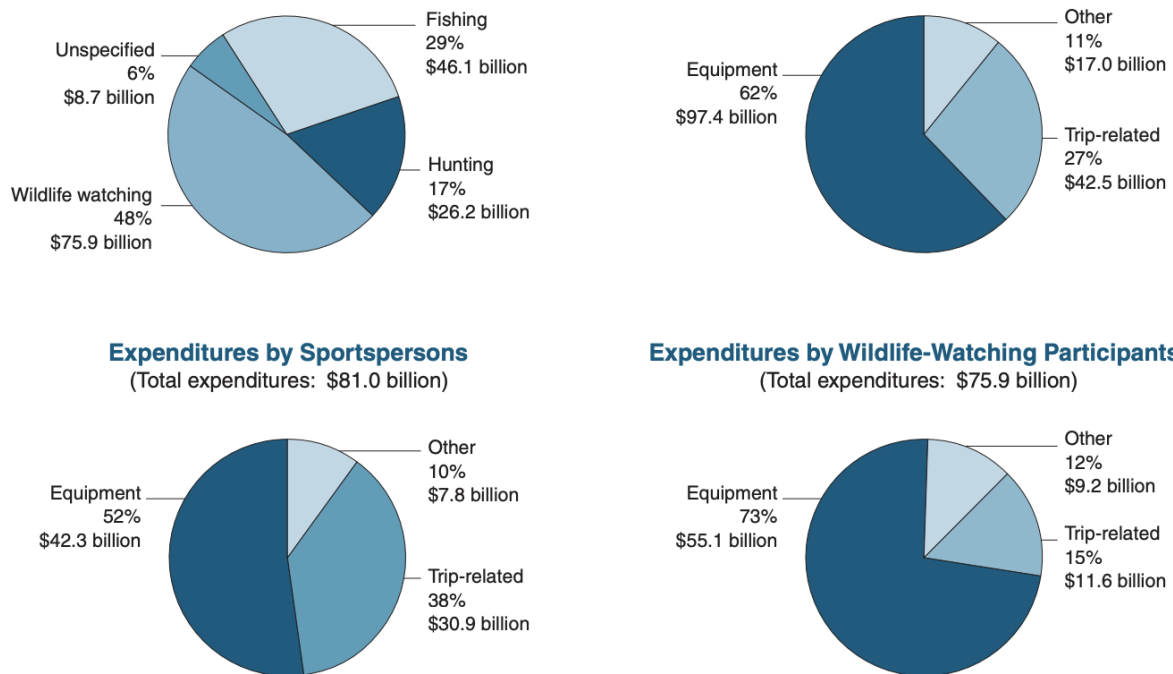
²⁹ CSF 2019, p. 33.

³⁰ CSF 2019, p. 33.

³¹ U.S. Fish and Wildlife Service, *2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*, p. 4 (“USFWS 2016”).

³² USFWS 2016, p. 4.

Figure 2 – Expenditures for Wildlife-Related Recreation (Total Expenditures: \$156.9 billion)³³



Using the average expenditures for food and lodging, transportation, and other incidental expenses along with the maximum expected additional participation of the Refuge System, the proposed rule yields approximately \$830,800 in additional recreational expenditures.³⁴ However, these direct expenditures are only part of the economic impact of the proposed rule. Using a national impact multiplier for hunting activities of 2.51³⁵ and 2.51 for fishing activities³⁶, yields an additional economic impact of \$3.3 million.³⁷

DSC supports the USFWS proposed rule to open and expand hunting across 2,300,501 acres of NWRs and NFHs because of the additional economic impact for the regional economy and local businesses.

CONCLUSION

Dallas Safari Club writes in support of the United States Fish and Wildlife Service proposed additions and revisions to station-specific regulations for 97 National Wildlife Refuges and 9 National Fish Hatchery System units, as well as the expansion of hunting and sport fishing opportunities on 2,300,501 acres of NWRs and NFHs for the 2020–21 hunting and sport fishing

³³ USFWS 2016, p. 5.

³⁴ 2020–2021 Station-Specific Hunting and Sport Fishing Regulation, 85 Fed. Reg. 20036 (proposed April 9, 2020) (to be codified at 50 C.F.R. pts. 32, 36, 71).

³⁵ National Shooting Sports Foundation, *Hunting in American: An Economic Force for Conservation*, p. 8.

³⁶ Southwick Associates, Inc., *Sportfishing in America*, p. 8.

³⁷ 2020–2021 Station-Specific Hunting and Sport Fishing Regulation, 85 Fed. Reg. 20036 (proposed April 9, 2020) (to be codified at 50 C.F.R. pts. 32, 36, 71).

season. The proposed rule promotes the North American Model of Conservation. This Model is so successful and unique because it helps to promote sustainable wildlife practices and conservation through expanding access to public lands and wildlife for hunter and anglers, alike. In addition, upon the review of the station-specific EAs and CEs, the USFWS concluded that the proposed rule will only have negligible impacts on migratory and resident wildlife, as well as maintenance of sustainable harvest levels. DSC supports the proposed rule and the conclusions of the USFWS. The USFWS conclusions that the proposed rule promotes sustainability and therefore conservation falls in line with the North American Model of Conservation, as outlined above. Lastly, DSC supports the proposal because of the additional economic impact for the regional economy and local businesses. In conclusion, opening and expanding hunting and sport fishing across 2,300,501 acres of NWRs and NFHs supports conservation, sustainability, and the United States economy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Corey Mason', with a long horizontal flourish extending to the right.

Corey Mason
DSC, Executive Director

A handwritten signature in blue ink, appearing to read 'Matt Boguslawski', written in a cursive style.

Matt Boguslawski
DSC, Manager of Advocacy