

Hon. Brian Nesvik
Director, U.S. Fish and Wildlife Service
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Director Nesvik:

We are a group of retired U.S. Fish and Wildlife Service employees whose combined experience represents hundreds of years in the conservation and management of the nation's wildlife and fisheries. Our group includes four former Deputy Directors and three members who served as Chief of the National Wildlife Refuge System, as well as other former employees with a broad range of Service experience.

We are writing to offer our thoughts and assistance with your recent directive ordering a review of national wildlife refuges and national fish hatcheries. This review is aimed at developing requirements and expectations for organizational change recommendations, and to "ensure that the Service is directing its resources to best meet our highest mission priorities."

We support a thorough and honest analysis of the staffing and funding needs of national wildlife refuges and the national fish hatcheries and fish health and technology centers. This is particularly important at a time when the Service has lost 20 percent of its staff, including many experienced senior biologists, in the past year.

We commend the FWS for committing to consult with State and Tribal agencies and for creating both an official means of responding, through the organization's chain of command, as well as a form for anonymous recommendations. We would be pleased to offer our own thoughts and recommendations as you proceed with this important analysis.

At the same time, some aspects of the directive are concerning. First, the time frame for the development of initial recommendations is very short – only 3 weeks, over the Christmas and New Year holidays, when many staff are on "use or lose" leave. Such a large and important analysis should certainly be given more time and resources to develop a thoughtful and useful product.

Second, we are concerned about the language directing staff to look for "refuges or hatcheries established for a purpose that no longer aligns" with the Service's mission. Congress has established the mission of the National Wildlife Refuge System through statute, and requires that each unit of the System has established purposes, and any review should use these as a guideline, not the overall mission of the FWS. In addition, Federal law also directs that each unit of the NWRS be managed to fulfill that mission as well as the specific purposes for which each refuge was established. We also wish to point out the importance of U.S. international treaty obligations, as many refuges were established to fulfill our international commitments for migratory bird conservation under the Migratory Bird Treaty Act.

Further, FWS does not have broad authority to dispose of lands in the NWRS. With certain limited exceptions, NWRS lands can be disposed of only by act of Congress. For refuge lands reserved from the public domain, the Federal Land Policy and Management Act of 1976 (FLPMA) prohibits the Secretary of the Interior from modifying or revoking any land withdrawals that added lands to the NWRS. The National Wildlife Refuge System Administration Act (NWRSAA) authorizes disposal of acquired lands within the NWRS under specific conditions: (1) the disposal is part of an authorized land exchange (16 U.S.C. §§668dd(a) (6) and (b)(3)); (2) the disposal is through a cooperative agreement with a state or local government; or (3) the Secretary of the Interior finds the lands are no longer necessary to meet the purpose of the refuge or NWRS and the Migratory Bird Conservation Commission approves the disposal (16 U.S.C. §668dd(a)(5)). Considering these requirements of Federal law, we would welcome more clarity from the FWS about how it would proceed with any recommendations regarding refuges that, in the opinion of this Administration, no longer align with the Service's mission. Additionally, we think it would be helpful if your review includes the results of the FWS Transformation Team report completed during the first Trump administration.

National Fish Hatcheries have been the subject of a number of reviews over the past decades. Some hatcheries were closed or transferred to State or Tribal agencies. The remaining units are serving the purposes of Federal law and are supporting at-risk native species and the needs of State and Tribal partners. Any review of Federal fisheries facilities should certainly consider the recommendations and results of previous reviews as well as comprehensive consultations with State and Tribal agencies. We would be grateful for more clarity on how the FWS currently identifies and defines the priorities that Federal fish hatcheries and centers should be serving.

With regard to other Federal, State, and Tribal agencies, we hope that the FWS will swiftly offer more information on how these consultations will be accomplished and what opportunities the public will have for input.

Thank you for your attention to our comments and concerns. The favor of a reply is requested.

Sincerely,
Marshall P. Jones
Deputy Director (retired)
U.S. Fish and Wildlife Service
Gary Frazer
Deputy Director (retired)
U.S. Fish and Wildlife Service
James Kurth,
Deputy Director (retired)
Former Chief, National Wildlife Refuge System
U.S. Fish and Wildlife Service
Greg Siekaniec

Deputy Director (retired)
Former Chief, National Wildlife Refuge System
U.S. and Wildlife Service
CEO, Ducks Unlimited Canada (retired)
Geoffrey Haskett
Chief, National Wildlife Refuge System (retired)
U.S. Fish and Wildlife Service
Former President, National Wildlife Refuge Association
Brad Bortner
Chief, Division of Migratory Bird Management (retired)
U.S. Fish and Wildlife Service
Megan Durham
Deputy Assistant Director, External Affairs (retired)
U.S. Fish and Wildlife Service
Cc:
Josh Coursey
Dave Miko