



To: U.S. Fish & Wildlife Service
Rhode Island NWR Complex
50 Bend Road
Charlestown, RI 02813

Re: Rhode Island National Wildlife Refuge Complex Hunting and Fishing Plan

Position: Support

Date: June 8, 2020

To Whom It May Concern:

My name is Joseph Mullin and I am the New England States Senior Coordinator for the Congressional Sportsmen's Foundation (CSF). As an avid sportsman, and a non-resident license holder who enjoys participating in the many outdoor opportunities that Rhode Island has to offer, I write to you today on behalf of myself and CSF in support of the Rhode Island National Wildlife Refuge (NWR) Complex Hunting and Fishing Plan.

Since 1989, CSF has dedicated itself to the mission of working with Congress, governors, and state legislatures to protect and advance hunting, angling, recreational shooting and trapping. The unique and collective force of the Congressional Sportsmen's Caucus, the Governors Sportsmen's Caucus, and the National Assembly of Sportsmen's Caucuses, working closely with CSF, and with the support of major hunting, recreational fishing and shooting, and trapping organizations, serves as an unprecedented network of pro-sportsmen elected officials that advance the conservation interests of America's hunters and anglers. It is from this voice – with more than three decades of organizational history and a staff with more than a century of combined policy experience on sportsmen's issues – that we strongly support the Rhode Island NWR Complex Hunting and Fishing Plan as written.

As the Plan rightfully highlights, hunting is one of six priority elements of public use under the National Wildlife Refuge System, as supported by: Executive Order 12996 (March 25, 1996); legislatively mandated by the Refuge System Administration Act of 1966, as amended by the Refuge System Improvement Act of 1997 (Public Law 105-57); and reinforced as a priority use by Department of the Interior Secretarial Order 3356 (September 15, 2017).¹ Permitting hunting for migratory birds, big game, and small game hunting throughout the Rhode Island NWR Complex would open up 2,071 acres, or over 80% of the 2,570 possible acres – which would result in a

¹ *Rhode Island National Wildlife Refuge Complex Hunting and Fishing Plan*. Accessed on June 5, 2020.
https://www.fws.gov/uploadedFiles/Region_5/NWRS/North_Zone/Rhode_Island_Complex/RI_NWRC_Hunt-Fish_Plan_CD.pdf.

significant increase in access to public lands for a hunting community that desperately needs it.

In Rhode Island, roughly 90% of the land is privately owned. Relatedly, the Rhode Island Division of Fish and Wildlife manages over 60,000 acres through its 25 Wildlife Management Areas (WMA). By opening hunting opportunities on over 2,000 acres spread across Block Island NWR, John H. Chafee NWR, Ninigret NWR, Sachuest Point NWR, and Trustom Pond NWR, sportsmen and women who may not otherwise have the ability to hunt on privately-owned property will now have access to increased opportunities. Access has a significant and empirically-proven relationship towards hunter participation, resulting in immediate effects on conservation funding through the sale of hunting licenses and excise taxes on hunting gear through the American System of Conservation Funding. Authorizing hunting on lands that previously had not been designated for such purposes has the absolute potential to benefit sportsmen and women participating in some of our nation's most time-honored traditions.

Block Island NWR

As you are well-aware, Block Island NWR was established with a refuge purpose stemming out of 16 USC 667b, which permits real property under the control of a Federal agency to be transferred to the Secretary of the Interior without reimbursement or transfer of funds “if the real property has particular value in carrying out the national migratory bird management program”.² Under the National Migratory Bird Management Program, the roles and responsibilities are outlined to present the objectives that are required through its implementation. One such duty is for the Program to provide opportunities “through the issuance of permits and regulations, for organizations and individuals to participate in migratory bird activities, such as hunting, scientific research, rehabilitation of injured birds, education, falconry, and taxidermy, as well as control of overabundant species.”³ The Rhode Island NWR Complex Hunting and Fishing Plan proposes to open all 133 acres of Block Island NWR to deer hunting, while authorizing 9 acres of Wash Pond Unit to migratory waterfowl hunting – an action that is directly in line with the responsibilities outlined in the National Migratory Management Program. By specifically opening up the opportunity to hunt migratory game birds, the refuge would be further in compliance with its identified purpose.

John H. Chafee NWR

John H. Chafee NWR at Pettaquamscutt Cove carries the refuge purposes outlined in Public Law 100-610, which identifies four primary objectives, including: “(1) to protect and enhance the populations of black ducks and other waterfowl, geese, shorebirds, terns, wading birds, and other wildlife using the refuge; (2) to provide for the conservation and management of fish and wildlife within the refuge; (3) to fulfill the international treaty obligations of the United States respecting fish and wildlife; and (4) to provide opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation.” The proposed plan would authorize the hunting of deer, wild turkey, fox, and coyote on 461 acres, or 81% of the refuge's total real estate. It would also permit waterfowl hunting on 116 acres, with some restrictions. Relatedly, “Saltwater fishing would be conducted from the shoreline of the refuge, within 20 feet of the mean high tide line, extending 985 linear feet from the kayak ramp.” To have these opportunities available for sportsmen and women would not only be immensely valuable, but would be wholly in-line with the established refuge purposes for John H. Chafee NWR.

Ninigret NWR

One of the established refuge purposes for Ninigret NWR reflects that of Block Island NWR, calling for a carrying out of the National Migratory Bird Management Program. While migratory bird hunting would not be permitted through the proposed Plan, an objective identified in the National Migratory Bird Management Program is the

² 16 U.S.C. § 667(b). Accessed on June 5, 2020.

[https://uscode.house.gov/view.xhtml?req=\(title:16%20section:667b%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:16%20section:667b%20edition:prelim)).

³ *U.S. Fish and Wildlife Service Employee Pocket Guide*. Accessed on June 5, 2020. <https://www.fws.gov/info/pocketguide/program-information.html>.

evaluation of “the effects of human activities and natural conditions on the health of bird populations.”⁴ Another refuge purpose highlighted in the Plan falls under the Migratory Bird Conservation Act of 1929, which calls for a “use as an inviolate sanctuary, or for any other management purpose, for migratory birds.”⁵ Related to both established legal authorities, the harvesting of other species (including predators) on the 848 acres, or 96% of the Ninigret NWR, would likely have a direct and beneficial effect on the bird species. Hunting has been duly established to be a cost effective, socially acceptable method of population control. In keeping with the refuge’s role as a bird sanctuary, the hunting of deer, wild turkey, fox, and coyote, as the Plan would permit, may serve to not only protect the bird species inhabiting the area, but would simultaneously generate conservation funding through the sale of hunting licenses and excise taxes collected from the sale of sporting equipment such as firearms and ammunition. Alternative methods for population control are costly and to date have not been proven effective for managing free ranging populations. Permitting hunting on the Ninigret NWR has the absolute potential to effectively serve as a bird sanctuary through the harvesting of other species – especially that of coyote and fox. Therefore, Ninigret NWR would likely have no issues with maintaining compliance with its refuge purpose through permitting the hunting of certain game species on its land.

Sachuest Point NWR

One of the refuge purposes outlined for Sachuest Point NWR relies upon the Fish and Wildlife Act of 1956, wherein the Secretary of the Interior is required under Section 7(a) to “take steps ‘required for the development, management, advancement, conservation, and protection of fish and wildlife resources.’”⁶ Hunting and angling undeniably relate to each element within this statement. Even though the proposed Plan would only be to open Sachuest Point NWR to a “limited, targeted group (i.e., veterans, youth hunters, hunters with disabilities)” to pursue whitetail deer, coyote, and fox, due to the high tourist visitation numbers, this would nonetheless contribute towards accomplishing the refuge’s established purpose, which bases itself on the Fish and Wildlife Act of 1956. Similarly, another refuge purpose stems from the Refuge Recreation Act, which authorizes the Secretary of the Interior to “acquire areas of land, or interests therein, which are suitable for: (1) incidental fish and wildlife-oriented recreational development; (2) protection of natural resources, and; (3) conservation of endangered or threatened species.”⁷ The protection of our nation’s natural resources relies heavily, if not entirely, upon the conservation accomplished by our sportsmen and women. As was mentioned previously, our country is experiencing a widespread decrease in hunter participation. Opportunities to engage the groups such as veterans, youth hunters, and hunters with disabilities, may assist in curbing this trend, and may assist towards other recruitment, retention, and reactivation (R3) goals.

Trustom Pond NWR

Trustom Pond NWR receives its refuge purposes from both the Migratory Bird Conservation Act of 1929, for “use as an inviolate sanctuary, or for any other management purpose, for migratory birds,”⁸ and the same Refuge Recreation Act section mentioned under the Sachuest Point NWR description. FWS regulations permit refuges that have been designated as inviolate sanctuaries – in whole or in part – to authorize the “hunting of migratory game birds on no more than 40 percent of that refuge.”⁹ Currently, the proposed plan would allow the hunting of ducks, mergansers, and coot on a specific area that relates to 22 of the 787 available acres of the refuge, which amounts to less than 3% of the total acreage – far below the 40% threshold allowed by regulation. Additionally, the hunting of other migratory birds, such as Canada geese and mourning doves, is already permitted on this tract.

⁴ IBID.

⁵ *Migratory Bird Conservation Act*. Accessed on June 5, 2020. <https://www.fws.gov/laws/lawsdigest/MIGBIRD.HTML>.

⁶ *Fish and Wildlife Act of 1956*. Accessed on June 5, 2020. <https://www.fws.gov/laws/lawsdigest/FWACT.HTML>.

⁷ *Recreation Act*. Accessed on June 5, 2020.

[https://www.fws.gov/refuges/policiesandbudget/16USC460k.html#:~:text=28%2C%201962%2C%2076%20Stat.,653.\)&text=The%20Secretary%20may%20establish%20reasonable,for%20fish%20and%20wildlife%20purposes](https://www.fws.gov/refuges/policiesandbudget/16USC460k.html#:~:text=28%2C%201962%2C%2076%20Stat.,653.)&text=The%20Secretary%20may%20establish%20reasonable,for%20fish%20and%20wildlife%20purposes).

⁸ *Migratory Bird Conservation Act*, supra.

⁹ *605 FW 2 Hunting*. Accessed on June 5, 2020. <https://www.fws.gov/policy/605fw2.pdf>.

With this consideration, the Plan would not be exceeding the 40% limit as an “inviolate sanctuary” at Trustom Pond NWR. Therefore, it would be entirely permissible and in-line with the established objective of the refuge to allow the hunting of migratory bird species. Opening the identified areas of Trustom Pond NWR to permit archery hunting on deer, turkey, coyote, and fox on 358 acres, in conjunction with allowing the take of duck, mergansers, and coot in specified areas, would be a monumental step forward for the sportsmen and women pursuing game in Rhode Island. As noted above, hunting has historically been the most cost effective, socially acceptable method of population control, which identifies a legitimate and conducive management purpose for migratory birds. As such, the refuge purpose would continue to be sustained under the Migratory Bird Conservation Act of 1929.

In recognition of the arguments made above, the Congressional Sportsmen’s Foundation would like to express its staunch support for the proposed Rhode Island NWR Complex Hunting and Fishing Plan as written. Thank you for the opportunity to provide comments on this issue. Should you require additional information on this, please feel free to contact me at any time.

Sincerely,

A handwritten signature in cursive script that reads "Joseph D. Mullin".

Joseph Mullin
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The Sportsmen’s Voice in the Nation’s Capitols