



August 3, 2026

Mr. Brian R. Nesvik
Director, U.S. Fish and Wildlife Service
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

RE: Docket No. FWS-R6-ES-2026-2641

Dear Director Nesvik,

On behalf of the National Assembly of Sportsmen's Caucuses (NASC), the NASC Executive Council appreciates the opportunity to respond to the U.S. Fish and Wildlife Service's (USFWS) Request for Information on its process for calculating setbacks for the placement of drain tile on private property subject to voluntary conservation easements between the property's owner(s) and the USFWS. We encourage the USFWS to retain its current rules relative to drain tile setbacks on these easements, maintaining the "no impact" standard that has made these easements such a critical tool in the conservation of the Prairie Pothole Region and the waterfowl and other wildlife that depend on its small wetlands and potholes.

Established in 2004, the National Assembly of Sportsmen's Caucuses (NASC) currently boasts more than 2,350 state legislators who are members of individual state legislative sportsmen's caucuses in all 50 states. The Executive Council is comprised of state legislators elected by their peers to provide advice and counsel to the Congressional Sportsmen's Foundation in its administration of the NASC program. The Executive Council plays a critical role in the protection and advancement of our time-honored sporting traditions by ensuring state legislators are supported with accurate information to advance pro-conservation policy.

It is with this purpose and mission in mind that we continue to support the longstanding drain tile setbacks established by the USFWS for wetland easements to ensure that these acres remain productive for both the landowner and the waterfowl and other wildlife that depend upon them. Conservation easements, particularly USFWS wetland easements authorized through the Small Wetlands Acquisition Program, are a critical, voluntary, and incentive-based opportunity for landowners to play an important role in the conservation of the Prairie Pothole Region, widely considered to be America's "Duck Factory" due to its outsized role in providing waterfowl

breeding habitat. Funded largely by sportsmen and women through programs such as those authorized by Congress via the Duck Stamp Act, the public-private partnership central to these easements is a poster child for the value of the North American Model of Wildlife Conservation and a shining example of the role that America's producers, our nation's primary land stewards, can play in the conservation of our public trust wildlife resources.

The wetland values attributable to these easements is only possible because of the USFWS's "no impact" standard the limits drawdown of soil saturation on these wetland easements. Duck Stamp purchasers strongly support these limitations, and any changes risk undermining the legacy of their investments while moving the goalpost for the landowners who have signed easement contracts and agreed to voluntarily conserve the wetlands on their property.

Taking all of this into account, the NASC Executive Council encourages the USFWS to maintain current rules, as written, and retain the "no impact" standard as it relates to drain tile setbacks and the drawdown of soil saturation on lands subject to USFWS wetland easements. We appreciate the USFWS's willingness to periodically assess the success of existing regulations in pursuit of the agency's mission, and we stand with millions of sportsmen and women around the country in celebrating these wetland easements and the current rules that have contributed to their success.

Sincerely,

NASC Executive Council President & State Representative Jeffrey Wardlaw (Arkansas)

NASC Executive Council Vice President & State Senator Patrick Brennan (Vermont)

NASC Executive Council Secretary & State Senator Jack Bailey (Maryland)

State Representative Nick Archer (Oklahoma)

State Representative C. Scott Bounds (Mississippi)

State Representative Chas Cannon (Georgia)

State Representative Jesse Chism (Tennessee)

State Representative Paul Fielder (Montana)

State Representative Amos O'Neal (Michigan)

State Senator Russell Ott (South Carolina)

State Representative Bruce Sassmann (Missouri)

State Representative James Spillane (New Hampshire)

State Senator Robin Webb (Kentucky)

State Representative Steve Wood (Maine)

State Representative Jerome Zeringue (Louisiana)