



Sportsmen's Alliance
801 Kingsmill Parkway
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sportsmensalliance.org

U.S. Fish and Wildlife Service
C/O Cynthia Martinez,
Chief, National Wildlife Refuge System
5275 Leesburg Pike,
Falls Church, VA 22041– 3803.

February 4, 2026

**Re: Sportsmen's Alliance Foundation Comments on Rescission of Regulations
Regarding Public Access, Use, and Recreation for Four National Wildlife Refuges
Docket No. FWS-HQ-NWRS-2025-0083.**

Dear Ms. Martinez:

The U.S. Sportsmen's Alliance Foundation (SAF) respectfully submits these comments in support removing the redundant regulations identified in Table 1 of the request for comments on the Rescission of Regulations Regarding Public Access, Use, and Recreation for Four National Wildlife Refuges. 91 Fed. Reg. 1718, 1718–19 (Jan. 15, 2026).

SAF is a national non-profit organization dedicated to promoting and educating the public about our hunting, fishing, and trapping heritage, and science-based wildlife management. SAF achieves its mission through public education and issue research conducted both independently and in partnership with local sportsmen and conservation organizations. Our membership consists of individual and organizational members across the country, including many individuals who hunt with and trial dogs. SAF also routinely participates in litigation on behalf of these members.

I. General Support

SAF generally supports removing redundant regulations. “Redundancy and overlaps in authority have indeed been criticized as inefficient in the environmental arena as well as in other regulatory arenas.” David A. Dana & Hannah J. Wiseman, *A Market Approach to Regulating the Energy Revolution: Assurance Bonds, Insurance, and the Certain and Uncertain Risks*

of Hydraulic Fracturing, 99 Iowa L. Rev. 1523, 1552 (2014) (collecting authorities). Everyone wins when inefficiencies are reduced. And we applaud the Service's efforts to remove inefficiencies.

Redundant regulations are also particularly burdensome to sportsmen, who have to follow multiple levels of law while on federal lands. 16 U.S.C. § 668dd(m) ("Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations in any area within the System."); 43 C.F.R. § 24.3(a) ("In general the States possess broad trustee and police powers over fish and wildlife within their borders, including fish and wildlife found on Federal lands within a State."); *Kleppe v. New Mexico*, 426 U.S. 529, 545 (1976). Indeed, sportsmen's dollars through the Duck Stamp program are the primary source of revenue for acquiring lands in the Refuge System. Robert L. Fischman, *The National Wildlife Refuge System and the Hallmarks of Modern Organic Legislation*, 29 Ecology L.Q. 457, 474 (2002). "More than 300 national wildlife refuges were created or have been expanded using Federal Duck Stamp dollars."¹ Sportsmen should not be unduly burdened by unnecessary regulations when their dollars funded the Refuge System in the first place.

SAF also supports the use of sporting dogs. The Service Manual, likewise, recognizes that dogs are "an important part of the American hunting tradition." 605 FW 2 (subsection 2.7(g)).² The Manual "encourage[s] the use of properly trained hunting dogs for the hunting of

¹ Federal Duck Stamp, U.S. Fish & Wildlife Service, available at <https://www.fws.gov/program/federal-duck-stamp/what-we-do> (last visited February 3, 2026).

² Hunting, U.S. Fish & Wildlife Service, available at <https://www.fws.gov/policy-library/605fw2> (last visited February 3, 2026).

waterfowl, upland game birds, and other species.” *Id.* SAF agrees with removing the redundant regulatory burdens identified by the Service here.

II. Comments on Specific Removals.

In addition to the statements of general support above, SAF makes the following comments concerning the removal of specific regulations.

1. *50 C.F.R. § 26.34(v)(2)(i)(H)(1).*

Section 26.34(v)(2)(i)(H)(1) is completely redundant with § 27.51(a). *See, e.g., U.S. v. Sams*, 45 F. Supp. 3d 524, 525 (E.D.N.C. 2014) (Defendant violated § 27.51(a) when he performed a “three-point turn during which his vehicle entered the closed area and crushed several plants inside the closed area.”). It’s removal will promote efficient management.

2. *50 C.F.R. § 26.34(v)(2)(i)(H)(3).*

Section 26.34(v)(2)(i)(H)(3) merely repeats the restriction in 50 C.F.R. § 26.21(b). It also makes § 26.34(v)(2)(i)(H)(4) (“All dogs must be on a leash when on hiking trails, or other areas so posted.”) redundant. There is no reason to require dogs to be on a leash while on a hiking trail when they are prohibited from roaming generally.

3. *50 C.F.R. § 26.34(v)(2)(i)(H)(6).*

We support removing the complete ban on field trials. Section 27.91 bans field trials unless a permit is issued. This not only removes redundancy, but it also allows for more flexibility in the management. We do, however, appreciate the general statement of support for using dogs for hunting in this provision, which is consistent with subsection 2.7(g) of the Manual. Removing the entire provision would remove that clause. So we would ask that the clause be amended as follows: “We encourage the use of dogs for hunting (see § 32.42 of this



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chapter), ~~but we prohibit field trials and commercial/professional dog training.~~"

We are happy to discuss any of these comments further with the Service, and we look forward to seeing the Service's final decision.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael T. Jean". The signature is fluid and cursive, with a long, sweeping underline.

Michael T. Jean
Litigation Counsel