



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington D.C. 20240



In Response, Refer to:  
FWS/ANRS-NRCP/ESB46-006590

Hannah Connor, Senior Attorney  
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Center for Biological Diversity  
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and

Sylvia Wu, Senior Attorney  
Center for Food Safety  
303 Sacramento Street, 2<sup>nd</sup> Floor  
San Francisco, California 94111

Dear Attorneys Connor and Wu:

I am responding to your Petition for Rulemaking to Ban the use of Agricultural Pesticides on National Wildlife Refuges (Petition), dated February 24, 2022, submitted to the Secretary of the Interior, Deb Haaland, and me. The petition proposes the Service “immediately stop approving new uses of agricultural pesticides ... and promptly initiate rulemaking to fully phase-out these uses across the National Wildlife Refuge System (Refuge System).”

Your Petition requested that the Service take the following actions:

1. Immediately halt approvals of new uses of pesticides for commercial agricultural purposes on national wildlife refuges.
2. Immediately withdraw the August 2, 2018, memorandum by Gregory Sheehan to the Service Directorate entitled “Withdrawal of Memorandum Titled, ‘Use of Agricultural Practices in Wildlife Management in the National Wildlife Refuge System’ (July 17, 2014)”.
3. Immediately reinstate the July 17, 2014, memorandum entitled “Use of Agricultural Practices in Wildlife Management in the National Wildlife Refuge System”.
4. Promptly initiate formal rulemaking procedures to eliminate all uses of agricultural pesticides in the Refuge System.
5. While the rulemaking process is ongoing, apply a more rigorous review and stricter scrutiny to all agricultural pesticide uses on and around Refuge System lands and waters to prevent any further damage to wildlife health and refuge diversity.
6. Commit to prioritizing land use practices on national wildlife refuges that do not heavily utilize commercial agricultural uses, instead actively seek to provide habitat and forage with native plants.

After careful review of the Petition in coordination with the Department of the Interior Solicitor's Office, we respectfully reject the petition. We do not think it is necessary to withdraw the 2018 memorandum, re-instate the 2014 memorandum or initiate a rulemaking.

The Service uses a variety of tools and techniques to meet wildlife management objectives on national wildlife refuges. When the Service considers the use of pesticides, we do so in compliance with our Integrated Pest Management (IPM) policy (569 FW 1) and the long-standing, globally accepted scientific principles of IPM. There are appropriate and specialized uses of pesticides by the Service for management and conservation purposes. Every proposed pesticide use receives review through Service field, regional, and headquarters employees. We revise our pesticide-use practices based on the best available science and decisions on proposed pesticide uses are subject to review through all applicable laws including, but not limited to, the National Environmental Policy Act, the Endangered Species Act, regulations, and Service policies.

The Service is currently meeting the intent established in the 2014 memorandum. Beginning in 2016 and continuing today, we no longer use neonicotinoid pesticides in our agricultural practices to achieve wildlife-management objectives. Two national wildlife refuges have a congressionally mandated agricultural use purpose, which drives more refuge-specific management decisions. At times, the Service enters into cooperative agreements with community farmers to help achieve the management objective of providing wildlife forage on a refuge. Cooperative farmers leave a portion of the crop for wildlife and harvest a portion for their own commercial sale, and at times they request the use of genetically engineered (modified) crop seeds. A Regional Refuge Chief, who may determine genetically engineered (modified) crop seed use is essential to meet a wildlife management objective, reviews and approves those proposed uses on a case-by-case basis. However, as a standard practice we no longer use genetically modified crops to meet wildlife management objectives System-wide because we have demonstrated that their use is not essential to meet wildlife objectives.

We are mindful of the concerns raised in your Petition and continue to work together internally and with others to improve habitat health on national wildlife refuges. We are committed to fostering native species diversity that improves all conditions including, but not limited to, overall soil health.

We appreciate your continued interest in conservation of wildlife and their habitats on our nation's wildlife refuges. I will reach out to you soon regarding a meeting. In the meantime, if you have any additional questions or concerns, please contact Cynthia Martinez, Chief of the National Wildlife Refuge System at [Cynthia\\_Martinez@fws.gov](mailto:Cynthia_Martinez@fws.gov).

Sincerely,

Martha Williams  
Director