

Federal Overreach Summit
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Fish and Wildlife Management

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The Push for Statehood and Fish and Wildlife Management

Alaska Constitution

- Section 1
...encourage the...development of its resources by making them available for maximum use consistent with the public interest
- Section 2
...provide for the utilization, development, and conservation of all natural resources...for the maximum benefit of its people
- Section 4
...fish, forests, wildlife ...and all replenishable resources ...shall be maintained on the sustained yield principle...

Savings Clauses

43 CFR Part 24

- This policy is intended to reaffirm the basic role of the States in fish and resident wildlife management, especially where States have primary authority and responsibility, and to foster improved conservation of fish and wildlife.
- [f]ederal authority exists for specified purposes while State authority regarding fish and resident wildlife remains the comprehensive backdrop applicable in the absence of specific, overriding Federal law.

Savings Clauses

ANILCA Section 1314

nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands except as may be provided in title VIII of this Act....

(Title VIII deals with Subsistence Management and Use)

Savings Clauses

Refuge Improvement Act

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. Regulations permitting hunting or fishing of fish and resident wildlife within the System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans.

Cooperation and Coordination

43 CFR Part 24

- ...the effective stewardship of fish and wildlife requires the cooperation of the several States and the Federal Government.
- It is the intent of the Secretary to strengthen and support, to the maximum legal extent possible, the missions of the States and the Department of the Interior to conserve and manage effectively the nation's fish and wildlife. It is, therefore, important that a Department of the Interior Fish and Wildlife Policy be implemented to coordinate and facilitate the efforts of Federal and State agencies in the attainment of this objective.

Cooperation and Coordination

Refuge Improvement Act

- ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the States in which the units of the System are located;
- ensure timely and effective cooperation and collaboration with Federal agencies and State fish and wildlife agencies during the course of acquiring and managing refuges;

MMOUs

The agencies (NPS, USFWS and ADF&G) agree to:

Coordinate planning for management of fish and wildlife resources on Service lands so that conflicts arising from differing legal mandates, objectives and policies do not arise or are mitigated

Unimak Caribou Herd



601 FW 3: the Biological Integrity, Diversity, and Environmental Health Policy

Refuge Improvement Act

Section 5 (a) (4) (B)

ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans

601 FW 3

Section 3.7E

We favor management that restores or mimics natural ecosystem processes or functions to achieve refuge purpose(s).

Population Surveys of the Unimak Herd

Year	Natality Rate % (<i>n</i>)	Fall Calf: Cow Ratio	Fall Bull: Cow Ratio	Fall Comp <i>n</i>	Estimated Herd Size
2000-01		21:100	40:100	406	983 ^a
2001-02					
2002-03		31:100	54:100	392	1,262 ^b
2003-04					1,006 ^b
2004-05					1,009 ^b
2005-06		7:100	45:100	730	806 ^b
2006-07					
2007-08		6:100	31:100	433	
2008-09	85% (113)	6:100	9:100	260	
2009-10	68% (40)	3:100	5:100	221	400 ^b
2010-11	67% (191)	8:100	8:100	284	300 ^c
2011-12	69% (164)	7:100	6:100	117	
2012-13	70% (164)	3:100	9:100	83	200 ^c

Skilak Loop and Compatibility

The Refuge Improvement Act

- Determined Priority Public Uses
- Hunting and Wildlife Viewing
- Planning Processes in 1988 and 2009
- Few improvements done, limited hunting allowed to continue
- 2013 Hunting For Predators Allowed by BOG
- Service Implements Rule Making Process

Examples Bad and Good

- NPS – Use of Superintendents Compendium to supersede state authority for hunting
- Use of access restrictions that limit the ability to access areas for hunting and fishing
- A Good Example- US Forest Service and the Etolin Elk Project :)

Resolutions

- Judicial Relief
- Budgetary Solutions
- Congressional Action
- Cooperation and Consultation

The Future Without Resolution?

The State Gives Up – Not Likely

- State Constitution Requires us to stay
- We must represent the public
- Wildlife knows no boundaries

We Would Experience Reduced Opportunity due to lack of scientific management

- Questions?