

# PROJECT COYOTE

F O S T E R I N G   C O E X I S T E N C E



July 20, 2018

Herbert C. Frost  
Regional Director  
National Park Service  
Alaska Regional Office  
240 West 5th Ave.  
Anchorage, Alaska 99501

## **RE: RIN 1024-AE38, Alaska Hunting and Trapping in National Preserves**

Dear Director Frost:

We are writing on behalf of Project Coyote, a national non-profit organization that advocates for wildlife with an emphasis on native carnivores. Our representatives include scientists, educators, ranchers and citizen leaders and our supporters are a cross-section of the American public. We thank you for the opportunity to comment on the proposed amendment<sup>i</sup> to an existing rule,<sup>ii</sup> published by the National Park Service (NPS) on October 23, 2015, that prohibited certain hunting and trapping practices, set forth below, on national preserve lands in Alaska. This amendment would reverse the 2015 prohibition pursuant to State of Alaska's "Intensive Management" policies.<sup>iii</sup> Specifically, NPS now proposes to allow practices on Alaska national preserves that would include:

- Taking any black bear, including cubs and sows with cubs, with artificial light at den sites;
- Taking brown bears and black bears over bait;
- Taking wolves and coyotes during the denning seasons;
- Harvesting of swimming caribou or taking caribou from a motorboat while under power; and
- Using dogs to hunt black bears.<sup>iv</sup>

The 2015 rule was consistent with existing laws and policies governing the agency as well as with acceptable, appropriate and humane standards for wildlife management, even as it allowed hunting and trapping to be continued on these federal lands, consistent with Congressional intent.<sup>v</sup> We oppose this proposed rule change based on two conclusive lines of argument. These are:

**The proposed amendment to the rule contravenes and is antithetical to long-standing NPS mandates, policies and practices.**

Guidance for the management of NPS lands was established in the Organic Act of 1916<sup>vi</sup> and has been further clarified through other congressional actions (e.g., the Redwoods Act of 1978,<sup>vii</sup> the Alaska

National Lands Conservation Act<sup>viii</sup>) and other guidance, such as NPS Management Policies.<sup>ix</sup> It is unambiguous that NPS lands, including national preserves, are to be managed consistent with federal laws and NPS policies and that these require that management shall not be exercised in derogation of NPS values, policies and practices.

The Organic Act authorizes the Secretary of the Interior, as implemented by NPS, to promulgate regulations it deems “necessary or proper for the use and management of [National Park] System units,” including national preserves, for the purpose of conserving and providing for the enjoyment of “wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”<sup>x</sup> In promulgating the 2015 rule, NPS found that its Management Policies state that “‘activities to reduce . . . native species for the purpose of increasing numbers of harvested species (*i.e.* predator control)’ are not allowed on lands managed by the NPS.”<sup>xi</sup>

NPS promulgated the 2015 rule prohibiting certain hunting and trapping practices on Alaskan national preserves because the state’s statutes and Board of Game regulations intended to unnaturally manipulate native carnivore populations to artificially inflate big game populations for harvest, which conflicted with NPS’s congressional mandates and management policies. It found these restrictions necessary because the Alaska Board of Game was allowing “an increasing number of liberalized methods of hunting and trapping wildlife . . . to increase opportunities to harvest predator species,” and was “unwilling to exclude national preserves from State regulations designed to manipulate predator/prey dynamics for human consumptive use goals.”<sup>xii</sup>

The proposed amendment to the rule endorses management policies and practices that would subvert established guidance provisions.

### **The proposed rule amendment would endorse and permit unacceptable wildlife management practices.**

The 2018 proposed amendment to the rule of 2015 would permit practices that lie beyond the pale in contemporary wildlife management. In seeking to “control” predator populations (a dubious proposition in itself<sup>xiii</sup>), it would promote an anachronistic war on predators that we now know is unnecessarily destructive and ecologically unsound.<sup>xiv</sup> Alaska’s archaic policies should not become a model for how federal public lands in Alaska and elsewhere are managed.

Modern standards in wildlife damage management plans must apply both ethical and practical operating principles in compliance with historical mandates and evolving science.<sup>xv</sup> The proposed rule amendment fails to maintain current standards of wildlife management and would give unfettered discretion to state wildlife managers to adopt policies on national preserve lands that NPS itself has found to be contrary to sound science.

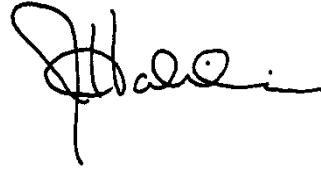
In conclusion, we wish to emphasize that the lands entrusted to NPS by the American people are a significant part of our national heritage. They are unique in both their physical as well as conceptual aspects, and have served as a model and beacon for the protection of valued lands and their natural resources internationally. The amendment to the proposed rule of 2015 would undermine NPS credibility worldwide and irreparably damage the trust placed by Americans in the agency itself. NPS policies and practices must retain the high standards they have brought to the conservation of the land, wildlife and ecosystems it manages in trust for all Americans.

Respectfully submitted,



Camilla H. Fox

Project Coyote Founder & Executive Director



John Hadidian, PhD

Project Coyote Science Advisory Board

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<sup>i</sup> 83 Fed. Reg. 23621-23624 (May 22, 2018).

<sup>ii</sup> 80 Fed. Reg. 64325 (Oct. 23, 2015).

<sup>iii</sup> Alaska Department of Fish and Game, Division of Wildlife Conservation, Intensive Management Protocol (Dec. 2011).

<sup>iv</sup> 83 Fed. Reg. 23621.

<sup>v</sup> Alaska National Interest Lands Conservation Act (ANILCA), Pub. L. No. 96-487 (Dec. 2, 1980).

<sup>vi</sup> National Park Service Organic Act, 16 U.S.C. §§ 1-4 (Aug. 25 1916).

<sup>vii</sup> Redwoods National Park Expansion Act, Pub. L. No. 95-250, tit. I, § 101(b) (1978).

<sup>viii</sup> Pub. L. No. 96-487.

<sup>ix</sup> National Park Service, Management Policies 2006.

<sup>x</sup> 54 U.S.C. § 100101(a); § 100751.

<sup>xi</sup> 80 Fed. Reg. at 64326; NPS Management Policies 2006 § 4.4.3.

<sup>xii</sup> 80 Fed. Reg. at 64326.

<sup>xiii</sup> For a full discussion, see Lennox et al., *Evaluating the efficacy of predator removal in a conflict-prone world*, *Biological Conservation* 224, 277-289 (2018). There is an abundant literature and considerable debate among scientists on all aspects of this issue.

<sup>xiv</sup> Michael Robinson addresses this in detail. See Michael Robinson, *Predatory Bureaucracy: The Extermination of Wolves and the Transformation of the West*, Univ. Press of Colorado (2005).

<sup>xv</sup> See, e.g., K.E. Littin & D.J. Mellor, *Strategic animal welfare issues: ethical and animal welfare issues arising from the killing of wildlife for disease control and environmental reasons*, *Revue Scientifique et Technique (International Office of Epizootics)* 24, 767-782 (2005), for one approach to this.