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Proposed Rule: Non-Subsistence Take of Wildlife, Public Participation and Closure Procedures on National Wildlife Refuges in Alaska

To Whom It May Concern:

The following comments are from Wilderness Watch regarding proposed regulations dealing with hunting, trapping and other matters for National Wildlife Refuges in Alaska. Wilderness Watch is a national non-profit conservation organization with a primary focus on appropriate administration of our nation's National Wilderness Preservation System.

We strongly support the proposed regulations (with certain exceptions as outlined below), which if finalized, will permanently prohibit State of Alaska hunting and trapping regulations that intend or have the potential to alter or manipulate natural predator-prey dynamics and associated natural ecological processes to increase harvest of ungulates by humans.

The conservation of fish and wildlife populations and habitats in their natural diversity is the primary purpose for every National Wildlife Refuge in Alaska. The Alaska National Interest Lands Conservation Act (ANILCA) legislative history indicates that refuges represent "the opportunity to manage these areas on a planned ecosystem-wide basis with all of their pristine ecological processes intact" (Senate Rep No. 96-413 at 174) and that the conservation of natural diversity refers not only to "protecting and managing all fish and wildlife populations within a particular wildlife refuge system unit in the natural 'mix,' not to emphasize management activities favoring one species to the detriment of another" (126 Cong. Rec. H12, 352-53 (daily ed. Dec. 11, 1980) Furthermore, the National Wildlife Refuge Improvement Act of 1997 requires that the Refuges be administered to ensure that biological integrity, diversity and environmental health are maintained.

Of the 77 million acres of National Wildlife Refuges in Alaska, about 19 million acres are designated as Wilderness. In addition, nearly all of the remaining lands that are not designated are suitable for designation as Wilderness. The Wilderness Act requires that refuge lands designated as Wilderness remain untrammled (free of manipulation and control by humans), and that the wilderness character must be preserved. Thus there are strong legal requirements under the Wilderness Act which the proposed regulations will fulfill.

Specific comments

We support the proposed prohibition of taking brown bears with the use of bait and also recommend that the final regulations prohibit the taking of black bears using bait as well. In addition to the unethical nature of this practice, there are serious human safety issues due to food habituation of bears. Black and brown bear distributions over-lap in refuges of interior Alaska. Therefore, bait stations used for black bears may also attract and habituate brown bears to human foods and further contribute to safety issues. Authorization of black bear baiting negates the goal behind the prohibition of brown bear baiting. The practice of black bear baiting should be prohibited for the same reasons that the proposed regulations prohibit brown bear baiting. We see no justification to continue to allow black bear baiting in National Wildlife Refuges.

We recommend that the proposed definition of bait (parts of fish and game that are not required to be salvaged when these species are harvested) be omitted from the final regulation because if the use of bait in taking both brown and black bears, were prohibited as we recommend, there is no need to define bait. This would prevent a practice that some hunters exploit by killing a moose or caribou early in their hunt in order to use the carcass remains to attract bears and wolves, enhancing the opportunity to kill them. Such practices are inherently unethical and contribute to reducing predators and favoring ungulates which is contrary to the primary refuge purpose to conserve natural diversity. The use of bait to hunt waterfowl was prohibited by Federal regulation many years ago, hunting over bait in our National Wildlife Refuges should not be allowed under any circumstances.

We also support the proposed prohibition on the taking of bears using steel jawed traps and snares or on the same day a person has been airborne as defined in the rules.

We do not support the taking of bears with cubs or the taking of bears and cubs from their winter dens, and recommend that the final rule specify this prohibition.


We support the prohibition of wolf hunting during the denning period when wolves are especially vulnerable and which can lead to excessive harvest of wolves, and thus disrupt natural predator and prey dynamics. We recommend that the wolf hunting season be closed from April 1 to November 1, rather than the proposed season of May 1 to August 9, to provide adequate protection during the denning period. It is well known that wolves focus much of their activity near the vicinity of their den during the month of April, well before pups are born. This behavior enhances their vulnerability to hunters. The proposed start of wolf hunting (August 9) likewise exposes wolves with young to increased risk from hunters. It is important to realize that the August 9 date was established by the State in the early 1960's, not to protect wolves, but to increase hunters opportunity to hunt wolves during the fall hunting season for Dall Sheep which opens on August 10. Wolf pelts are in poor condition at that time. The August 10 date for beginning the hunting of wolves can not be justified as a conservation measure and it conflicts with the stated purpose for these regulations.

In summary, Wilderness Watch supports the primary purpose of the proposed regulations which is to preempt State rules having the intent or potential to reduce predators and increase game species for sport hunters in the National Wildlife Refuges of Alaska. There is a growing body of

peer-reviewed science that recognizes the important role of apex predators such as wolves in maintaining biodiversity and environmental health. We encourage you to promptly finalize these regulations with the modifications that we recommend. There are sound scientific and legal justifications and there is also a responsibility for the Service to preempt certain State hunting rules that conflict with Refuge purposes.

Thank you for the opportunity to comment on this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Fran Mauer". The signature is written in black ink on a light-colored, slightly textured background.

Fran Mauer
Alaska Representative and Board Member
Wilderness Watch