

Testimony on HJR 32

Representative Dick heard about the plan to reintroduce wood bison into Alaska many years ago. He thought it was a great idea! He remembers being surprised when he heard that Doyon came out in opposition to having them released into the Nenana area. At the time didn't look into the matter. It wasn't until he was elected to office and our office looked into the subject that he paid much attention to the issue.

But once he had researched it and understood the "strings" that are attached to an animal on the threatened or endangered list he wondered why *anyone* would want to proceed with reintroduction as long as they remain under the "protection" of the Endangered Species Act? The risks are enormous. Alaska has only to look at what other states have had to deal with in order to realize the frustration and time and expense that they have been subjected to.

The wisdom of voluntarily subjecting ourselves to those problems by bringing in an animal that is *already* on the threatened or endangered list is certainly worth reconsideration.

With the addition of just one animal to the list (the polar bear) our state has already had more land "locked up" than all the land granted to us by the federal government at the time of statehood.

Last year Representative Dick filed HB186 in an effort to prevent the Alaska Department of Fish and Game (Fish and Game) from introducing wood bison into the state without approval by the legislature.

Between then and now interesting things have happened with regards to the Endangered Species Act. After several states spent years working to get grey wolves removed from the list they found themselves extremely frustrated when one court would rule in their favor and another would rule against them.

Eventually they took their case to congress. In a surprise move, congress intervened and exempted the grey wolf from the Endangered Species Act and made their decision "not subject to review by the courts".

From Representative Dick's perspective a similar action by congress would resolve all of our problems the bison could be released into the wild without the restrictions that come with the act and they could be managed by our State Department of Fish and Game – just as the plains bison have been successfully managed for over 70 years.

In an effort to urge Congress to intervene on our behalf Representative Dick is seeking this House Joint Resolution that encourages congress to exempt wood bison from the act.

Representative Dick recently received a letter from Geoff Haskett, Regional Director of the United States Fish and Wildlife Service (Fish and Wildlife Service).

Regional Director Haskett takes issue with some of the statements Representative Dick has made in the resolution and explains that Fish and Wildlife Service has worked closely with Fish and Game in an effort to release the bison into the wild.

Representative Dick doesn't question that Fish and Wildlife Service has spent years working with Fish and Game on Alaska's effort to reintroduce Wood Bison into Alaska. He doesn't question that Fish and Wildlife Service wants the project to move forward. Nor does he question their diligence in ensuring

that the agreement they reach with Fish and Game complies with the most current interpretation of the Endangered Species Act. In fact, he sympathizes with the Service as they try to keep up with the rulings because the ink is barely dry on the last ruling before the next ruling is out. Fish and Wildlife Service is constantly chasing a moving target and the situation is only getting worse – and THAT is the point he is making.

The Endangered Species Act may have been created with the best of intentions by people with a sincere concern for the environment – but it has been hijacked and has today become a tool used by special interest groups whose goals are not so much to protect endangered species or the environment but rather for business or political purposes. And when group after group brings suit after suit and one after another manages to invalidate agreements that were painstakingly worked out by an agency – it undermines the purpose of the act.

While referring to the wolf issue the Secretary of the Interior, Ken Salazar, said “The fact is, after years of lawsuits, wolf de-listing got stuck in unacceptable gridlock, acrimony and dispute. The debate was consuming Fish and Wildlife Service resources that could be spent recovering other species.”

Representative Dick doesn’t lay this issue at the feet of Fish and Wildlife Service. They have no choice but to respond to the suits that are filed, but it is becoming increasingly clear that there other special interest groups with a different focus still. On this subject James Thompson from the University of Wyoming is quoted as saying¹:

“wolf recovery is [only] a ‘stalking horse’ for the larger issue of land use change.” Even environmentalists have admitted that “on the deepest level the issue of wolf recovery is not about wolves. [Instead] it is about control of the west” (Askins 1993:5). Simply put, environmental-ists are using wolf recovery and the Endangered Species Act to run ranchers out of the country and to thwart multiple use of public lands. It is also a way for animal-rights and antihunting groups to ban all hunting and use of wildlife. Is this what Congress had in mind when it passed the Endangered Species Act? There is no evidence to even remotely suggest that it is”.

In the same letter Regional Director Haskett disagreed with Representative Dick’s position that – The wood bison’s status on the list of species protected under the Endangered Species Act of 1973 is what most endangers them;

He offers proof that Representative Dick’s assertion is wrong by stating that for over 35 years the Endangered Species Act has prevented the probable extinction of hundreds of species (a position that many disagree with) – but He is *not* disagreeing with what may have happened in the past. He is merely stating that after many years of working towards the goal there are still no wood bison roaming the wilds of Alaska and, as clearly stated by wood bison biologist Bob Stevenson, in the Department’s publication *Wood Bison News*, it was because of litigation. He says:

“recent litigation has raised a question about whether the FWS can allow hunting of a species that are protected under the ESA...The result is that the ESA regulations have been delayed”.

Regional Director Haskett states that after extensive communications with the Washington office the service *director* reached a decision that supports future hunting of wood bison – but *that* underscores Representative Dick’s point that we are all operating on quicksand with no solid footing! What if

¹ http://www.independent.org/publications/policy_reports/detail.asp?type=full&id=6

regional director Haskett had *not* gone to bat for us? And nothing guarantees that his successor will be as accommodating as he is, or that even he himself will remain free in the future to be as accommodating as he may have been.

Director Haskett concludes his letter with assurances that the Service is working with the state to designate Alaska's wood bison as a nonessential, experimental population that would provide the state with the assurances that they have requested. But the bottom line is that if wood bison weren't under the "protection" of the Endangered Species Act they would already be wandering the wilds like the plains bison are and there wouldn't be any fear of our lands and resources being locked up. And if there weren't elements working against the assurances that Alaska wants, it would not have taken this many years to get to the point we are at – which is that we're *still* not there.

Although passage of this resolution won't change anything itself it will serve to remind Congress once again that in more than a few instances the act itself has become its own worst enemy. It may also prompt them to step in and resolve our wood bison problem. If they were to exempt all bison we won't need to worry about the lawsuits that seek to include the plains bison under protection of the act.

This concludes my testimony on HJR32 - Wood Bison. Thank You