

APR 05 2011

April 5, 2011

**To: House Resource Committee members
FAX: 465-3799**

**From: Jack Reakoff
Wiseman, Alaska ...House District 6**

Regarding: HB 186- Wood Bison

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April 6, 2011

Dear Alaska Legislators,

HB 186 would hamstring the public State and Federal process regarding Wood Bison re-introduction in Alaska. The current public process has worked with landowners and all interested to discuss where Wood Bison would be appropriate. A special Legislative approval would be very cumbersome for sought every time Wood Bison were to be re-introduced after all parties had come to agreement. The Commissioner would be limited if a few additional Wood Bison were needed for genetic strengthening. This bill seeks to add another encumbrance to helping recover Wood Bison for Alaska's benefit. The micro management of Alaska's fish and wildlife is not necessary by the Alaska Legislature. **I am apposed to this bill** and supportive of re-establishment of Wood Bison where they are appropriate and non-conflict with other species and uses. There are safeguards in place and the public involvement is well adhered to by the Commissioner of Fish and Games office. The Delta Plains Bison conflicts with agriculture are not addressed in this bill.

The State of Alaska currently holds captive about 90 Wood Bison awaiting regulatory changes necessary for this species to again roam Alaska's wild lands. It is best for the species as a whole to be re-established into dispersed populations where they have occurred. It is best for the States captive Wood Bison population to be moved to natural habitat expeditiously. The people of the Western Interior of Alaska would like to see this species re-introduced in to Alaska's Western Interior Region, in Game Management Unit 21E.

I feel strongly that this species was indigenous in Alaska and would like to see the State of Alaska's plan proceed for reintroduction. The wood Bison population in Canada has recovered to the point that it is even questionable whether this species need even to be listed under threatened status. But at a minimum, Wood Bison need to be viewed as successfully recovering to no longer endangered status.

The Alaskan population would be considered non-essential to the main Wood Bison of North America. The people of Alaska would benefit from seeing them in the wild, and eventually having a population that can support some harvest by local people and other users. Alaskan Wood Bison listed as **threatened, and 10(j) non-essential population**, would have extreme benefit to Alaska and all Americans. Alaska holds some of the only habitat on US soil where Wood Bison were indigenous. With out regulatory changes, Wood Bison will not be allowed to free range their natural habitats.

This is what the 10(j) designation means, as taken from the Federal Register:
In 1982, Congress amended the Endangered Species Act by adding section 10(j), to provide for designation of "experimental populations." Prior to 1982, local citizens

often opposed reintroductions of listed species into unoccupied portions of their historical range because they were concerned about potential restrictions to Federal, State, and private activities. Under section 10(j), and our regulations at 50 CFR 17.81, the Service can designate reintroduced populations established outside the species' current range, but within its historical range, as "experimental". Our regulations at 50 CFR 17.80(b) state that a reintroduced population can be considered a "nonessential experimental Population" (NEP) if the loss of that population would not appreciably reduce the likelihood of survival of the species in the wild. Regulatory requirements of sections 7 and 9 of the Act are considerably reduced under a NEP designation. The Act further prohibits designating critical habitat for any NEP, and through section 4(d) of the Act, the Service may develop regulations and management options specific to the species' needs that are necessary to promote the species' conservation. In order to establish a NEP, we must first issue a proposed regulation pursuant to section 10(j) of the Act and consider public comments prior to publishing a final regulation. Our regulations at 50 CFR 17.81 (d) require that, to the extent practicable, a regulation issued under section 10(j) of the Act represents an agreement between the Service, the affected State and Federal agencies, and persons holding any interest in land that may be affected by the establishment of the NEP.

The Alaska Legislature should be supportive of the Federal regulatory changes of the Endangered Species Act (ESA) need to re-introduce Wood Bison back to their natural habitat. If any legislator is uncertain about the ESA 10(j) regulations the State AG's office will comment on their affect.

It would behoove the people of Alaska, if the Legislature were to send a resolution to the US Fish and Wildlife stating:

- 1) Support for Wood Bison (*Bison bison athabasca*) being at least down listed to threatened under the Endangered Species Act.
- 2) Request that Wood Bison in Alaska be listed as an experimental, and Non Essential Population (NEP) of section 10(j) of the ESA .
- 3) Requesting expeditious resolution to the 10(j) language agreement with all landowners.

The sooner the Wood Bison are re-introduced in the wild the sooner Alaskans will benefit from them. Our Wood Bison in captivity in Girdwood is not productive for current Alaskans or future Alaskans who will enjoy them. Establishing this population in GMU 21E will not conflict with agriculture or other uses.

Thank you for your consideration of this important issue,
Jack Reakoff

