

AS 16.05.255
Art. VIII, sec. 4,
Constitution of the
State of Alaska

**PREDATOR CONTROL REQUIRES ADHERENCE TO
SUSTAINED YIELD PRINCIPLES.**

The appellants argued that the Board of Game failed to consider and apply the principle of sustained yield to its management of wolves and bears affected by predator control plans the board established in 2006. The Supreme Court found nothing in the language of the sustained yield clause, Alaska Constitution, art. VIII, sec. 4, suggesting that a distinction should be drawn between predator and prey populations for purposes of applying the sustained yield principle. The sustained yield clause applied to both predator and prey populations, including populations of wolves and bears. Based upon the text of Alaska's intensive management statute, AS 16.05.255, the principle of sustained yield applied to predator populations but the management of wildlife resources may include a selection between predator and prey populations. The appellants did not show that the board's 2006 predator control plans violated principles of sustained yield.

West v. State, ___ P.3d ___ (Alaska 2010), Sup. Ct. Nos. S-13184/S-13343, decided August 6, 2010.

Legislative review is recommended to determine whether the court correctly applied the statute.