

Oral Testimony of
Doug Vincent-Lang, Safari Club International
to the
Senate Energy and Public Works Committee

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Senator Sullivan and members of the Committee, thank you for inviting me to discuss the regulatory changes proposed by the U.S. Fish and Wildlife Service (Service) pertaining to wildlife management on Alaska's national wildlife refuges. My name is Doug Vincent-Lang. Today I will speak as a representative of Safari Club International (SCI) and from my perspective as a former state wildlife manager. SCI is the world leader in preserving the freedom to hunt and promoting wildlife conservation, and the Alaska Chapter is the most effective hunter conservationist group in Alaska.

Wildlife conservation in Alaska is not only a matter critical to our quality of life, it is also a critical matter of social justice for many of our communities who depend on nature's bounty for food security. Recognizing this, it is not surprising that the framers of the Alaska Constitution required management of my state's fish and game for their sustained yields and it's many benefits.

When you consider the uniqueness of Alaska's relationship with it's wildlife resources, the historic intent and incredible wisdom of the framers of the U.S. Constitution that reserved certain powers to the individual states become crystal clear. This includes the recognition that it is the

responsibility of the states to manage and control their natural resources for their unique needs. And, for Alaska, Congress specifically recognized and guaranteed Alaska's right to manage and control its resources under our state constitution as part of our statehood compact.

Over the past decade, Alaska has begun to experience increased intrusions by federal agencies into our sovereign responsibilities and authorities under our constitutional mandates that seem unresolvable given increasingly divergent and divisive philosophical conservation goals.

The intrusions are wide ranging. They include misuse of the Endangered Species Act where even species such as the ringed seal that currently numbers in the millions can be listed solely based on speculative models forecasting possible reductions over 100 year timeframes. Such listings are unnecessary and allow federal agencies to exert management control over the species and their landscapes.

The National Park Service recently finalized new regulations governing wildlife in Alaska over my state's objection. In these regulations, the Park Service preempted state subsistence hunting regulations despite there being no conservation concerns. The Park Service told the state the action was necessary given that the preempted state regulations potentially impacted undefined park values and biological integrity. In short, state hunting regulations adopted under an open public process were preempted

because they were simply perceived by a federal manager to have some undefined impact on park values or natural diversity.

Now we see the U.S. Fish and Wildlife Service propose new rules that administratively exert federal management control over wildlife in Alaska. The proposed rule making by the Service is perhaps the most significant intrusion into state management authority I am aware of. The implementation of this rule will not only fundamentally alter the federal government's long standing wildlife management relationship with Alaska, but because of its national reach would also affect all the states' ability to manage wildlife in their jurisdictions.

Key to my concern is the Service's contention that they must manage for the concepts of "biological integrity, diversity and environmental health" that is contained in their Biological Integrity Policy and that these values supersede all other purposes. I do not believe that this is what Congress intended either under the Refuge Improvement Act or the Alaska National Interest Lands Conservation Act (ANILCA), both of which granted deference to state management.

By moving the Biological Integrity Policy into regulation the Service is requiring that all management be a "hands off" or passive management approach versus the active management traditionally employed by Alaska to ensure for human use and benefit.

So why is it a problem? Let me give you a real example. On Unimak Island Service biologists have told the State of Alaska that the primary purpose for the management of this island is to provide for biological integrity and natural diversity. On this island, indigenous caribou have a real potential to become extirpated unless active management action is taken. The state determined that the management of key predators was necessary to prevent the extirpation of caribou. However, the Service determined that under their biological integrity and natural diversity guidelines it would be acceptable for caribou to “blink out” of existence, as this is “natural” and the Service took legal steps to prevent the state from taking any action. At this time, the caribou herd remains on the verge of extirpation, and does not provide for any uses, including subsistence that is a specific purpose of Alaska national wildlife refuges.

The application of the biological integrity policy by the Service is deeply troubling, especially as these regulations become codified and put into use. Will Alaska be allowed to continue to actively manage ungulates such as deer, moose, caribou and elk to allow for increased harvests? Will Alaska be allowed to manage its sheep and bear populations for trophy hunting opportunities? Will Alaska be allowed to continue to manage its salmon runs for optimal sustained yield? Will subsistence hunters be required to adopt fair chase standards?

Taken together we are seeing an unprecedented administrative intrusion by federal agencies into our traditional role as the principle manager of fish and wildlife in our state, despite Congressional assurances to the contrary

through a variety of legislative “savings clauses”. This is increasingly impacting our ability to fulfill the sustained yield mandates of the Alaska State Constitution which was recognized and adopted in Congressional legislation establishing statehood for Alaska. It is directly impacting state management of fish and game and, given that federal management agencies often have quite differing goals, we are seeing real impacts on hunting and fishing opportunity and our ability to manage for these opportunities.

I suspect what we are experiencing in Alaska will soon be coming to your states, challenging the wisdom of the framers of the U.S. Constitution that reserved the powers to manage and control their resources to the various states. We must work collectively to preserve these rights and prevent federal administrative intrusions into these rights. The state fish and game management model is a proven success that should be built on, not replaced with a new, centralized, one-fit-all, federal conservation model.

We need Congressional action to stop these administrative intrusions. We urge your action to not allow these regulations to move forward. I applaud Senator Sullivan’s efforts toward this end. We need to ensure that the successful state fish and game management model is not preempted or compromised by federal administrative actions.

Thank you for the opportunity to speak with you today.