

## The imperiled right to manage our wildlife in Alaska

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Some Alaskans might remember the story of my long struggle against the National Park Service that was ultimately heard twice by the U.S. Supreme Court (Sturgeon v. Frost I & II — I won unanimously). My experience taught me about the power of federal agencies, the cynical perspective some bureaucrats have toward Alaskans, and the promises Congress made to us to protect our way of life. I say this knowing that some of you reading this are fatigued by the repeated cries to “stop federal overreach.” My fellow Alaskans, I urge you to learn about the latest federal actions that are destroying the Alaskan way of life.

This spring, the 9th Circuit Court of Appeals issued a decision that, if upheld, squashes Alaska’s equal footing with the other 49 states by extinguishing our right to manage wildlife on federal units within our borders. In a published decision, the court struck with judicial lightning: “We hold that ANILCA preserves the federal government’s plenary power over public lands in Alaska.” With one sentence, the Alaskan public’s access to — and participation in — game management decisions on federal land were extinguished. Now, the National Park Service (NPS), recently empowered by the Kenai Refuge decision, seeks to eviscerate state wildlife management on its preserves. We now stand as the only state that does not have management authority over all our wildlife resources! That 9th Circuit decision is currently being appealed to the U.S. Supreme Court.

Alaska’s system of wildlife management is one of the most accessible and public wildlife management processes in the United States. Alaska’s Constitution is strict in that conservation and “sustained yield” harvests must occur for all fish and wildlife — including both predators and food animals. The Alaska Constitution empowers the state Legislature to make allocation decisions.

From top to bottom, Alaska’s system of game management is designed to be accessible and responsive to Alaskans. Not so with the federal management system.

Alaska's — now imperiled — public game management system was developed as a reaction to Territorial days, when devastating management and allocation edicts were handed down by D.C. bureaucrats with little to no understanding of what Alaskans' needs were. Before statehood, federal agents poisoned predators and enforced race-based exclusions against Alaska Natives, while simultaneously sanctioning corporate-owned fish traps and predator bounties that created conservation disasters. The federal side is still detached from fish and wildlife conservation — they are still ignoring Alaskans and they are still willing to attack indigenous hunting traditions. In 2015, NPS steamrolled over the nearly unanimous Subsistence Resource Advisory Committee's (RAC) opposition to essentially the same rule they have offered again in 2023. Alaskan RACs identified that the NPS efforts to prohibit all predator hunts, by labeling regular hunts as "predator control," would crush food security in Alaska. Their justification being that the bans do not close hunts for rural Alaskans even as they admit there will be less food animals for locals to hunt and eat as a result.

The 9th Circuit has laid the way and now NPS seeks to occupy and control what they see as theirs. It is time put our differences aside and resist the federal government's attempt to steal what Congress gave us in 1959: the right of Alaskans to manage our wildlife.

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John Sturgeon has been an advocate for states' rights and active in wildlife management issues for many years. He serves on numerous boards that advocate for the scientific management of Alaska's wildlife on a sustained yield. He is currently president of the Alaska Chapter of the Safari Club.