

Congress of the United States

Washington, DC 20515

July 27, 2023

The Honorable Deb Haaland
Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Haaland:

We write to express our support for the National Park Service (NPS) proposed rule titled, Alaska; Hunting and Trapping in National Preserves (88 FR 1176, RIN: 1024-AE70). This proposed rule would prohibit the cruelest practices for the hunting and trapping of some of America's most rare, iconic, and beloved native wildlife, including brown bears, black bears, and wolves, on the approximately 20 million acres of national preserves in Alaska—land that belongs to all Americans. We urge you to finalize the rule in its current form without undue delay.

The proposed rule substantially reinstates a regulation that NPS promulgated in 2015 to prohibit extreme, unsporting trophy hunting methods—such as using bait to lure brown bears to sites where they are easy to kill, shooting caribou while they are swimming, and killing entire wolf and coyote packs during the season when they are giving birth and caring for their young at den sites on national preserves in Alaska. The NPS issued the 2015 rule in response to two decades of escalating efforts by the state of Alaska to reduce native carnivore populations for the stated purpose of artificially inflating caribou and moose populations to meet hunters' demand.ⁱ The state allowed the aforementioned types of hunting methods even though they were employed by only a small percentage of hunters, and in fact are still considered fringe practices by the majority of hunters and Alaskan people.ⁱⁱ Moreover, the rule does not affect subsistence hunting by local rural residents.

The NPS did not issue the 2015 regulation lightly. From 2005 to 2015, NPS made more than 50 requests to the Alaska Board of Game to limit extreme hunting practices on national preserve lands. The state ignored every one of those requests. When NPS finally proposed the regulation in 2015, it held 26 public meetings in affected communities in Alaska and provided a cumulative 120-day comment period, during which it received approximately 70,000 comments. The public input obtained through these means revealed overwhelming opposition to these hunting practices and highlighted the faulty scientific rationale underpinning the status quo.ⁱⁱⁱ

In 2020, NPS reversed the 2015 rule, once again allowing these hunting methods on Alaska national preserves. The agency did so despite receiving 211,780 pieces of correspondence, with a total of 489,101 signatures, during the public comment period, more than 99 percent of which opposed the action.

This about-face ignored the purpose of national preserves in Alaska, as mandated by Congress. When crafting the Alaska National Interest Lands Conservation Act (ANILCA) of 1980, Congress explained that “to manipulate habitat or populations to achieve maximum utilization of natural resources”—as these cruel killing methods are calibrated to do—is “contrary to the...concept” of national preserves, which instead must “maintain the natural abundance, behavior, diversity, and ecological integrity of native animals as part of their ecosystem.”^{iv} The same mandate is articulated in the NPS Organic Act and current NPS management policies.^v

Among the categories of NPS land in Alaska, we recognize the difference between national preserves and parks, notably that hunting is prohibited in parks but is permitted in preserves in recognition of Alaska's unique culture

and landscape. The allowance for hunting, however, does not obviate Congress' intent to protect preserves' wildlife. In fact, ANILCA specifically instructs nine of the ten national preserves in Alaska to be managed to "protect habitat for, and populations of, fish and wildlife."^{vi} These instructions explicitly reference brown/grizzly bears and specifically call for the protection of wolf populations on six of the ten preserves. Therefore, the Department of the Interior's current proposal to reinstate the 2015 NPS regulation not only supports but is *required* by the agency's mandate.

In the NPS Organic Act, Congress instructs Interior to manage national preserves "unimpaired for the enjoyment of future generations."^{vii} The proposed rule aligns with that mandate, with Congress' intent in creating Alaska's national preserves, and with the overwhelming support the American public demonstrated for the 2015 regulation. For these reasons, we urge you to finalize the proposed rule as currently written. Additionally, we request that the National Park Service report back to Congress about the status of the rulemaking within six months of the date of this letter.

Sincerely,



Pramila Jayapal
Member of Congress




Brian K. Fitzpatrick
Member of Congress



Donald S. Beyer Jr.
Member of Congress



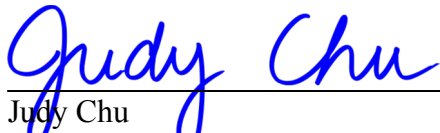
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Emanuel Cleaver, II
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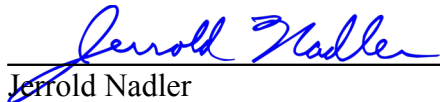
Veronica Escobar
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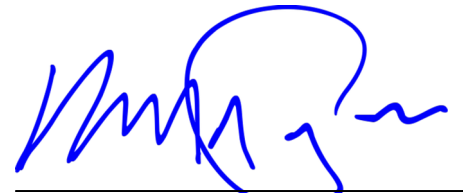
Jerrold Nadler
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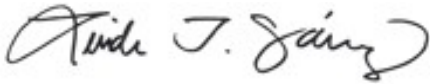
Mark Pocan
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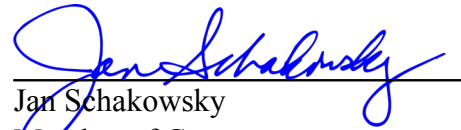
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David J. Trone
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ⁱ R. D. Boertje et al., "Demography of an Increasing Caribou Herd with Restricted Wolf Control," *Journal of Wildlife Management* 81, no. 3 (Apr 2017), <http://dx.doi.org/10.1002/jwmg.21209>; R. D. Boertje, M. A. Keech, and T. F. Paragi, "Science and Values Influencing Predator Control for Alaska Moose Management," *Journal of Wildlife Management* 74, no. 5 (Jul 2010), <http://dx.doi.org/10.2193/2009-261>; Francis Mauer, "Wolf Control Doesn't Work," *Daily News-Miner*, July 20, 2017, 2017; Sterling D. Miller et al., "Trends in Intensive Management of Alaska's Grizzly Bears, 1980-2010," *Journal of Wildlife Management* 75, no. 6 (Aug 2011), <http://dx.doi.org/http://dx.doi.org/10.1002/jwmg.186>; S. D. Miller, J. W. Schoen, and C. C. Schwartz, "Trends in Brown Bear Reduction Efforts in Alaska, 1980-2017," *Ursus* 28, no. 2 (Nov 2017), <https://doi.org/10.2192/URSU-D-17-00002.1>; C. D. Mitchell et al., "Population Density of Dall's Sheep in Alaska: Effects of Predator Harvest?," *Mammal Research* 60, no. 1 (Jan 2015), <http://dx.doi.org/10.1007/s13364-014-0199-4>; L. R. Prugh and S. M. Arthur, "Optimal Predator Management for Mountain Sheep Conservation Depends on the Strength of Mesopredator Release," *Oikos* 124, no. 9 (Sep 2015), <http://dx.doi.org/10.1111/oik.02017>; J.H. Schmidt, J.W. Burch, and M.C. MacCluskie, "Effects of Control on the Dynamics of an Adjacent Protected Wolf Population in Interior Alaska," *Wildlife Monographs* 198, no. 1 (Jul 2017); Vic Van Ballenberghe, "Killing Predators Isn't Always Wise Game Management," *Alaska Dispatch News*, July 16, 2017, 2017.

ⁱⁱ Remington Research Group, "Alaska Public Opinion," http://www.humanesociety.org/news/press_releases/2016/03/alaska-nwr-cruel-practices-030116.html (2016).

ⁱⁱⁱ Sterling D. Miller, David K. Person, and R. Terry Bowyer, "Efficacy of Killing Large Carnivores to Enhance Moose Harvests: New Insights from a Long-Term View," *Diversity* 14, no. 11 (2022); Sterling D. Miller et al., "Trends in Intensive Management of Alaska's Grizzly Bears, 1980-2010," *Journal of Wildlife Management* 75, no. 6 (2011); S. D. Miller, J. W. Schoen, and C. C. Schwartz, "Trends in Brown Bear Reduction Efforts in Alaska, 1980-2017," *Ursus* 28, no. 2 (2017); Ripple WJ et al., "Large Carnivores under Assault in Alaska," *PLOS Biology* 17, no. 1 (2019).

^{iv} S. REP. NO. 96-413, at 171 (1979). Reprinted in 1980 U.S.C.C.A.N. 5070, 5114

^v The Organic Act directs NPS to manage national preserves to "conserve the scenery, natural and historic objects, and the wildlife in the [NPS] System units and to provide for the enjoyment of the scenery, natural and historic objects, and wildlife in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 54 U.S.C. § 100101(a). NPS Management Policies prohibit "activities to reduce...native species for the purpose of increasing numbers of harvested species." NPS, Management Policies 2006 §§ 4.4.1, 4.4.3.

^{vi} 16 U.S.C. §§ 410hh; 401hh(1), (2), (4)(a), (6), 7(a), 8(a), (9), (10) & hh-1(2), hh-1(3)(a).

^{vii} 54 U.S.C. § 100101(a).