

Alaska Department of Fish and Game Comments

Wildlife Proposal WP26-27

This proposal seeks to change the caribou harvest limit in Game Management Units (GMU) 13C, 13D, and 13E from “2 bulls” to “up to 2 caribou,” and that authority to determine harvest limit and sex be delegated to the in-season manager.

Position

The Alaska Department of Fish & Game (ADF&G) **OPPOSES** this proposal. At this time the Nelchina caribou herd (NCH) has not recovered to a level in which any proposed liberalization of the federal regulations should be considered. In addition, ADF&G has had difficulties with the Bureau of Land Management (BLM) Glenallen Field Office conducting the consultation requirement when carrying out its authorities under the existing delegation of authority letter and therefore lacks the confidence that the BLM in-season manager would not utilize this provision prematurely.

ADF&G’s management objectives are to maintain a fall, post-hunt population of 35,000–40,000 caribou, with minimum ratios of 40 bulls:100 cows and 40 calves:100 cows. Preliminary data from 2025 indicates a bull to cow ratio and population estimate continue to be below management objectives. Under state regulations hunting has been closed and will not offer caribou hunting opportunity in GMU 13 until such time as harvestable surplus is available to provide for sustainable opportunity. Passage of this proposal is seen as contrary to Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and recent directives from the President and Secretary of the Interior because it is not necessary.

For multiple years area and regional ADF&G staff have had issues with communication regarding federal hunts for the NCH and the BLM Glenallen Field Office. This issue came to a head as the herd began to decline and consultation became even more important. In 2022, last minute consultation did occur but not until BLM had already issued permits for the federal hunt so it was too late for BLM to consider the conservation measures ADF&G was making to NCH management. Then in 2023, communication did happen earlier, but multiple BLM staff reached out to area/regional ADF&G staff, so it was uncertain about who was actually making decisions from BLM.

ANILCA §1314(a) explicitly states: “Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands except as may be provided in Title VIII...” Title VIII provides only a narrow exception allowing the Secretary to restrict State-authorized harvest when necessary to meet the needs of federally qualified rural residents. Section 802(2) establishes the policy that “nonwasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive use of all such resources on the public lands of Alaska **when it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population...**” [emphasis added]. Section 804 reiterates this policy and establishes criteria to implement a priority when the above conditions are

met. It does not authorize wholesale replacement of State management. Per §815(3) of ANILCA, “..restriction on nonsubsistence uses are only authorized when necessary for the conservation of healthy wildlife populations or to continue subsistence uses.”

Executive Order 15153, Sec. 3(b)(xxii) directs the Department of the Interior to conduct meaningful consultation with State fish and wildlife agencies prior to enacting land management plans or regulations affecting hunting and fishing opportunities on public lands. This directive was reinforced by Secretarial Order 3447, which calls for removing unnecessary barriers to hunting and fishing, expanding access where compatible, improving coordination with State agencies, and ensuring transparent review of any proposed restrictions.