

Alaska Department of Fish and Game Comments

Wildlife Proposal WP26-43-44

Wildlife Proposal WP26-43 would establishing a “may be announced” antlerless moose hunt from Sept. 1 – Oct. 15 with a harvest limit of up to one antlerless moose by federal registration permit in the Kuskokwim Zone 2 moose hunt area in Game Management Unit (GMU) 18, and delegating authority to determine the permit allocation system set season dates and permit conditions to manage the hunt in response to current population metrics.

Wildlife Proposal WP26-44 requests to extend the closing date of the Kuskokwim Zone 2 winter moose hunt in GMU 18 to March 31.

Position

The Alaska Department of Fish & Game (ADF&G) **OPPOSES** these proposals as it sees their passage as an unnecessary deviation from state regulations and therefore 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.

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.