

Alaska Department of Fish and Game Comments

Wildlife Proposal WP26-77

This proposal would establish customary and traditional (C&T) use of wood bison in Game Management Units (GMU) 12, 20 and 25 by those residents living in those same GMUs.

Position

The Alaska Department of Fish & Game (ADF&G) **OPPOSES** this proposal. There are no provisions within Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) that gives the Federal Subsistence Board (FSB) regulatory authority over species listed under the Endangered Species Act (ESA). Until such a time as wood bison are delisted in Alaska the FSB cannot promulgate regulations governing the harvest of wood bison.

Background

Wood bison are a subspecies of bison with an original range that included Interior Alaska and Northwest Canada. According to Alaska Native oral history from the area that includes Tanana Village to Fort Yukon, wood bison herds disappeared from Interior Alaska in the past few hundred years; the last individuals were seen and killed around 1918. While it is unknown exactly why wood bison disappeared from Alaska, the most plausible theories suggest that climate-induced habitat change and hunting by humans were the primary causes. Their absence has left an open niche for a large, lowland grazer in the ecosystem of present-day Interior Alaska.

In 1993, ADF&G shared with the public what was known about wood bison and asked for comment, through a feasibility study, whether the state should pursue restoration of wood bison in Alaska. The comments were overwhelmingly supportive of the effort, which set the course for the State to restore wood bison in portions of its former range in Alaska.

There are currently 5 wild, free-ranging bison populations in Alaska, maintained for the public trust by ADF&G. Four of the 5 populations are the plains bison subspecies, which were established from a 1928 importation from the National Bison Range in Montana. There is currently only one free-ranging population of the wood bison subspecies in the United States, which is in Alaska and was sourced from a disease-free population at Elk Island National Park in Canada.

Plains and wood bison historically hybridized in central Alberta, Canada, with wood bison occupying the range to the north, in northern Canada and Alaska, and plains bison occupying the range to the south in the Great Plains, contiguous United States, and northern Mexico. Despite historical geographic differences, both subspecies of bison are generalist grazers and serve similar ecosystem functions. The 5 bison populations in Alaska demonstrate large variability in performance, from the highest that can be expected for an Alaska big game population of any species to the lowest. Having bison in Alaska for almost 100 years has shown that bison can do well in Alaska if they develop a pattern of use in suitable habitat and environmental conditions. Experimental wood bison populations that become established in suitable habitat and environmental conditions within their original range in Alaska have a high probability of long-term success.

Because wood bison are listed as a threatened species under ESA, their restoration is guided by 2 main documents, the 2013 EA and the federal Nonessential Experimental Population 10(j) Rule. The United States Fish and Wildlife Service (USFWS) listed wood bison as endangered throughout its range under the precursor to the ESA in 1969. The status was changed to threatened in 2012. ESA requires a range of protections for listed species and their habitats. Concerns about these protections and associated management requirements resulted in some opposition to restoring wood bison in Alaska, primarily related to potential restrictions on development. In response to these concerns, ADF&G worked with USFWS to develop a federal rule, published in 2014. This rule designated wood bison in Alaska as a nonessential experimental population, or NEP, under ESA section 10(j). The rule includes provisions under ESA section 4(d), which allow certain kinds of take, including hunting, to provide for the conservation of the species. The federal rule also gives ADF&G primary management responsibility for leading and implementing the restoration effort.

The final rule for the 10(j) NEP under ESA was published 7 May 2014 by USFWS and titled “Endangered and Threatened Wildlife and Plants: Establishment of a Nonessential Experimental Population of Wood Bison in Alaska” (Federal Register 2014). The full text of the final rule can be viewed at <http://www.fws.gov/policy/library/2014/2014-10506.pdf>.

The federal rule includes the following provisions:

- Regulated hunting under sustained yield principles is allowed.
- Activities such as resource development, hunting, trapping, and recreation are allowed within the range of wood bison.
- Designation of “critical habitat” under the ESA is not allowed (this provides additional assurance that other land uses will not be affected by the presence of wood bison).
- If a reintroduction effort fails, or in the unlikely event that litigation changes their legal status, the animals may be removed from the landscape.
- ADF&G will be the lead agency in reintroductions and, using scientific knowledge and experience, will have primary responsibility for bison management.
- Management of wood bison in the NEP area will be guided by provisions in:
 1. The federal final rule: <http://www.fws.gov/policy/library/2014/2014-10506.pdf> .
 2. The associated final environmental assessment: http://www.adfg.alaska.gov/static/species/speciesinfo/woodbison/pdfs/environmental_assessment_designation_experimental_population_wood_bison_interior_alaska_2013.pdf .
 3. The ADF&G environmental review: http://www.adfg.alaska.gov/static/species/speciesinfo/woodbison/pdfs/er_no_appendices.pdf .
 4. Site-specific management plans for wood bison restoration developed through the use of a public planning process.

In 2025, the Alaska Board of Game (BOG) passed Proposal 88 which added wood bison to the list of game species that can be taken by permit and used within the state for the teaching and preservation of historic or traditional Alaskan cultural practices, knowledge, and values. There is currently no harvestable surplus for wood bison in either reintroduced herd. A primary goal of restoring wood bison in Alaska is to provide for the opportunity for harvest, but it will be many years before the wood bison populations grow enough that this permit would be able to be

considered. A cultural and education permit differs from a permit for certain religious ceremonies. Under 5 AAC 92.019 the purpose of such a permit is, "...for use in this state as food in customary and traditional Alaska Native funerary or mortuary religious ceremonies 12 months preceding the ceremony is authorized if consistent with sustained yield principles." A permit for religious ceremonies also requires that a customary and traditional use determination has been approved by the BOG. At this time no such determination has been made.

Impact on Federally Qualified Users

If adopted, impact on FQUs would depend on subsequent actions taken by the FSB.

Impact on Other Users

If adopted, impact on other users would depend on subsequent actions taken by the FSB.

Opportunity Provided by State

State customary and traditional use findings: The Alaska Board of Game (BOG) has yet to make a customary and traditional use findings for wood bison in any of the GMUs in which they have been reintroduced.

Amounts Reasonably Necessary for Subsistence: Alaska state law requires the BOG to determine the amount of the harvestable portion of a game population that is reasonably necessary for customary and traditional uses. This is an ANS. The BOG does this by reviewing extensive harvest data from all Alaskans, collected either by ADF&G or from other sources.

ANS provides the BOG with guidelines on typical numbers of animals harvested for customary and traditional uses under normal conditions. Hunting regulations can be re-examined if harvests for customary and traditional uses consistently fall below ANS. This may be for many reasons: hunting regulations, changes in animal abundance or distribution, or changes in human use patterns, just to name a few.

There is currently no ANS for wood bison in Alaska.

Under state regulation 5 AAC 92.034(10) wood bison are listed under species eligible for the issuance of a cultural and education permit for the taking, and use within this state, of game for the teaching and preservation of historic and traditional Alaskan cultural practices.

Conservation Issues

If adopted, there are no known conservation concerns.

Enforcement Issues

If adopted, there are no known enforcement issues.