

August 15, 2016

Honorable Bill Walker, Governor  
State of Alaska  
Office of the Governor  
P.O. Box 110001  
Juneau, AK 99811-0001

**RE: Requested adjustments to State of Alaska predator control/Intensive Management program**

Dear Governor Walker,

Over the past 13 years, lethal predator control/Intensive Management (IM) in Alaska has expanded dramatically. A graphic display of the increase in predator control areas in Alaska from 2001 - 2014 can be found here:

<http://unbearableterms.tumblr.com/post/72770119451/predator-control-areas#.V5U5kTV5-8A>

The Alaska Department of Fish & Game (ADFG) reports that each year, Alaska predator control programs directly kill approximately 200 wolves, 150 black bears, and 10 brown bears. However, this total does not include the number of pups and cubs that die after being orphaned by the program, nor does this total reflect the increased predator harvest that has resulted from the liberalization of predator take regulations, including liberalization/elimination of bag limits, significant extensions of hunting/trapping seasons for predators, elimination of brown bear tag requirements, baiting/snaring of bears, permitting the take of sows with cubs, permitting use of helicopters to run IM trap lines and bear snare sets, and so on. Clearly, the actual kill in Alaska's predator control/IM program is significantly larger than the total reported.

Alaska's lethal predator control/IM program, as currently practiced, is unscientific, unnecessary, ineffective, costly, unethical, inhumane, and controversial.

Accordingly, we the undersigned Alaska citizens, respectfully request that you make three important and reasonable adjustments to Alaska's predator control/IM program, as currently conducted by ADFG:

- 1. Replace lethal predator control methods with non-lethal methods;**
- 2. Terminate the "collaring for later control," or "Judas wolf" program;**
- 3. Prohibit all IM within 5 miles of federal conservation units.**

As discussed below, you have the authority, indeed the responsibility, to order such adjustments in this state program.

## **I. Replace lethal predator control methods with non-lethal methods.**

We recognize that state statute provides authority for IM programs, but statute and regulation do not prescribe what techniques must be used for such.

State law and regulation (5 AAC 92.110 and 115) provide the following IM authority to the ADFG commissioner:

*The commissioner or the commissioner's designee, including contracted agents of other governmental agencies, may reduce [wolf and bear] populations in an efficient manner, by any means, but as safely and humanely as practical, including the use of a helicopter.*

While the state explicitly *prohibits* use of certain methods in its lethal predator control program (e.g., machine guns, bombs, explosives, pits, fire, smoke, electronic night vision scopes, expanding gas arrows, etc.); and generally *authorizes* use of all other methods (lethal and non-lethal); it does not affirmatively *require* use of any specific method. Notably, nowhere does statute or regulation require the use of *lethal vs. non-lethal* methods for predator control/IM.

For instance, while 5 AAC 92.110 *authorizes* the department to lethally gas wolf pups in dens using carbon monoxide, and to otherwise kill pups in dens (“denning”) in predator control areas (with the approval of the commissioner), it does not *require* such. And while poison is *authorized* to kill predatory animals (AS.16.35.200), written permission is required from the Board of Game.

Similarly, while statute and regulation *authorize* the use of state employees, helicopters, and other equipment in IM, AS 16.05.783 (e) prohibits such without direct approval of the commissioner:

*The use of state employees or state owned or chartered equipment, including helicopters, in a predator control program is prohibited without the approval of the commissioner.*

We further note in 5 AAC 92.110 (control of predation by wolves) and 5 AAC 92.115 (control of predation by bears) the following:

*After the board has adopted a predation control implementation plan, the commissioner may, at any time during the period for which the plan is in effect, determine whether to implement the plan and may, by regulation, amend the plan to apply additional restrictions in light of circumstances existing at the time of implementation.*

Clearly, implementation and/or amendment of IM plans, including methods to be used, remains within the discretionary authority of your administration.

On this point, we note that during the administration of former Governor Tony Knowles, IM was successfully implemented using *exclusively* non-lethal methods (e.g., translocation, sterilization, diversionary feeding, habitat enhancement through wildfire policies, etc.). These non-lethal methods represent effective alternatives to the lethal control methods.

There are numerous problems with Alaska's current lethal predator control/IM programs, including that they:

- Are based on poor science and inadequate predator/prey population surveys;
- Are not scientifically peer reviewed;
- Do not recognize or protect natural variability of dynamic ecosystems;
- Do not account for the growing ecological impacts of climate change;
- Are designed for mostly urban, not rural subsistence, hunters;
- Are not supported by many Alaska citizens;
- Can result in prey populations exceeding habitat carrying capacity, thus degrading habitat;
- Can lead to unintended consequences, including increasing predation due to immigration of predators into control areas;
- Prioritize consumptive use of wildlife over non-consumptive use, contrary to the Alaska constitution; and
- Produce little scientific evidence that the programs are effective.

It is time for reputable, professional wildlife scientists in ADFG to admit such, and provide scientific leadership on this issue to the Board of Game and commissioner.

Further, it is clear that the state's lethal predator control program is currently financially supported in large part through the federal Pittman-Robertson "Federal Aid in Wildlife Restoration" program. This federal program contributes the single largest component of the annual budget of the ADFG Division of Wildlife Conservation. Although the state maintains that its federal aid accounts do not reflect direct support to actual IM operations, it is apparent that lethal control is indeed being supported, inappropriately, with these federal funds (e.g. collaring for later control, as discussed below). In addition, most of the state's funding for survey and inventory monitoring, and assessment of impacts of the lethal predator control program, derives directly from these federal wildlife restoration funds.

As you know, the U.S. Fish & Wildlife Service is now drafting a new proposed rule to clarify whether such uses by states are permissible, and the U.S. Department of Interior Inspector General is preparing to conduct an audit of the past use of these federal funds by the State of Alaska, paying specific attention to this issue of funds used for lethal predator control. The continuation of the lethal predator control program, with support by these federal wildlife restoration funds, jeopardizes the continuation of this substantial funding source to state wildlife management.

Finally, as aerial lethal control involves chasing and often wounding wolves and bears from aircraft, this can cause significant suffering of animals. As such, this practice violates the state legal requirement to conduct predator control “as humanely as practical.” While “humane” is not defined in statute, it is generally taken to require compassion, kindness, and sympathy for animals; and to require that actions cause the least possible harm, pain, and suffering. The practice of chasing, shooting and wounding wolves and bears from aircraft does not meet this legal requirement of humane treatment.

In addition, bear baiting/snaring conducted in GMU 16 is exceptionally cruel and inhumane, as snared bears can struggle and suffer painfully for days before succumbing or being killed.

Governor, you and your ADFG commissioner clearly have the authority to substitute *exclusively* non-lethal IM methods for the lethal methods now in use. The IM surcharge you approved this year can be used to support the non-lethal IM effort. Non-lethal IM will effectively sustain ungulate populations for human harvest, will comply with statute, and will increase public acceptance of state wildlife management.

For the above reasons, we request that you order the substitution of humane, non-lethal predator control options for all lethal control options now in use.

## **II. Terminate the “collaring for later control,” or “Judas wolf,” program.**

Secondly, we ask that you terminate the practice of “Judas wolf” collaring/killing.

As you know, this program places tracking collars on wolves, and then state gunners track the collared wolves back to their family group/den, where as many as possible are then killed by state biologists. The “Judas” animals are often spared in order to lead state gunners to other wolves for elimination.

We note the following in July 7, 2016 correspondence from Bruce Dale, Director of the ADFG Division of Wildlife Conservation:

*A total of 28 wolves were fitted with radio collars since 2005 in the Upper Yukon-Tanana wolf control area. This is the only area where radio-collared wolves have been used to locate wolves during a wolf control program. These wolves were all radio-collared between fall 2011 and spring 2016 (Regulatory years 2011 through 2015; RY11-RY15). A total of 179 wolves were killed by ADF&G during RY11-RY15 in this wolf control program.*

*We estimate that approximately 30% of wolves killed by ADF&G in the Upper Yukon-Tanana wolf control area in the last 5 years were associated with collared wolves.*

Wolves serve a critical role in terrestrial ecosystem stability, and are intelligent, social animals, with strong family bonds. We find it reprehensible that this very sociality and family bond is being lethally exploited in state predator control efforts. This program adds another layer of concern regarding the inhumane killing of wildlife from helicopters. The program also raises legal questions regarding compliance with FCC licensing of airwaves used for tracking, as well as NEPA compliance.

The “Judas wolf” collaring/killing program is unethical, inhumane, an embarrassment to Alaska, and should be ended immediately.

### **III. Prohibit all IM within 5 miles of federal conservation units.**

Finally, we ask that you prohibit all state predator control/IM programs (lethal or non-lethal) within 5-miles of any federal conservation unit - National Parks, National Preserves, National Wildlife Refuges - to minimize impact on wolves and bears from these conservation units and the consequent erosion of ecological integrity of these national interest lands.

On this point, we note that over the past decade, state IM programs have targeted and eliminated most wolf family groups (packs) from Yukon-Charley Rivers National Preserve, including most of those collared for federal research programs. As a result, the Park Service now concludes that the Preserve is “no longer in a natural state,” and there are not enough survivors in the Preserve to maintain a “self-sustaining population.” In a 5-year period, state IM efforts have killed 90 Preserve wolves from nine packs, and terminated the 20-year federal wildlife research program.

As example in 2013, all 24 members of Yukon Charley’s Seventymile Pack, including two with radio collars, were shot by ADFG-authorized private airplane gunners, eliminating the pack altogether. In 2012 and 2014, ADFG helicopter gunners shot all 19 members of the Lost Creek Pack, including two collared animals, eliminating that pack as well. And in March 2016, state helicopter gunners shot and wounded a female Yukon Charley wolf along the boundary of the Preserve, and then pursued the wounded animal into the Preserve, where they illegally killed her. Of the 18 other wolves killed by state predator control in this area this spring, half were young of the year.

Yet despite the state IM program, calf survival in the Forty Mile Caribou herd has not increased in the past 5 years.

State predator control on the boundaries of federal conservation units is causing significant harm to the ecological integrity of these federal lands, it isn’t achieving the stated goal, and it further erodes the state-federal relationship. This practice needs to end.

In conclusion, the manner in which we conduct our activities, including how we manage and treat our wildlife, is an important reflection of who we are as a society.

Throughout the Murkowski, Palin, and Parnell administrations, Alaska's predator control programs have grown more aggressive, inhumane, costly, unscientific, ineffective, and unacceptable to most Alaskans. These lethal predator control programs seriously tarnish the image and reputation of Alaska, which in turn poses risk to our sustainable tourism industry.

As you are aware, the National Park Service and U.S. Fish & Wildlife Service have recently published rules restricting lethal predator control on these federal conservation units in Alaska. This welcome federal action reflects a growing national sentiment that such lethal IM programs are inappropriate, and should be ended.

Unfortunately, your administration has, so far, continued aggressive, lethal predator control/IM on other lands in Alaska.

Governor, we are better than this. We need new "rules of engagement" in Alaska's predator control program.

The reasonable adjustments we request here present an opportunity for you to restore responsible wildlife management in Alaska, sustain ungulate populations for human consumption, and honor your commitment to represent the interests of *all* Alaskans.

As a way forward, we encourage you to convene an independent, science-based *Intensive Management Working Group* to examine these, and other such proposals.

We look forward to your positive response.

Very Respectfully,

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R.T. Wallen, Juneau  
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Jim Ayers, Juneau  
Edward Schmitt, Soldotna  
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James Kowalsky, Fairbanks  
Mark Luttrell, Seward  
Ken Green, Cooper Landing  
Anne Coray, Port Alsworth

Nick Jans, Haines  
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