

Does Wilderness Character Really Trump Subsistence Use?

I Think I Smell a Rat

Recent outrageous events perpetrated by the US Fish and Wildlife Service against Alaskans have us ready to demand Congressional intervention. Consider that the feds made a recent decision that slapped us with the double whammy of sentencing a caribou herd to death from being eaten by wolves PLUS set in place "theological" policy (not regulation) which leaves a small Alaskan village with virtually no source of wild red meat.

But before they dreamed up this little nightmare, the same US Fish and Wildlife Service office conjured up another rat's nest, so to speak.

Geoff Haskett, the Alaska Regional Manager for the US Fish and Wildlife Service's recent decision to let seven wolves live while what's left of a caribou herd that if managed properly could feed the village of False Pass on Unimak Island evoked hypocrisy beyond belief with its forked-tongue decision. Inconsistency between Service actions on Rat Island and the decision against lifting a finger to stave off the extirpation of a declining caribou herd are almost unbelievable.

Within the same Refuge and the same federally designated Wilderness as Unimak Island is Rat Island, so named due to the rats that left a beached Japanese ship in 1780 and eventually took residence on the island, threatening ground-nesting birds. Keep in mind there are no mammals on this island, no humans living within hundreds of miles who depend on any food at all from this island, only rats and birds.

How can the Service without blushing explain why they won't allow seven wolves (out of 50) to be removed from Unimak to preserve the viability of a human food source when they will spend weeks using helicopters (with helicopters costing sometimes \$2,000 an hour) to drop over 101,000 pounds, that's more than 50 tons, of a rat poison known to be extremely toxic to birds? Can we be surprised when the actual mortality of birds was higher than they expected?

To be specific, investigators later found 420 dead birds, including 46 bald eagles. Rat Island was known to be the home of 22 bald eagles, so the remainder came from other islands. Who knows how many birds they didn't find that died while searching for food at sea or flew back to their home island and died? Again, this spendy little production on Rat Island was brought to the citizens of Alaska by the same hypocritical folks who have steadfastly refused to abide by the federal law that created their Refuge, but won't lift a finger to feed Alaskans. I guess birds and wolves both trump people in the US Fish and Wildlife Service.

The US Fish and Wildlife Service, out of control and set into orbit by its own hubris, desperately needs to be reined in. Shockingly, it has just come out of the closet with its decision that "wilderness values" trumps subsistence needs of Alaskans. Its haughty conspiracy to do nothing while it stands by and watches the food source of the residents of False Pass, the Unimak caribou herd, face extirpation, is nothing short of insulting and unforgivable.

Under a federal non-management regime on Unimak, caribou herd numbers went from 1200 animals in 2002 down to 300 last year, and only 20 of those remaining are bulls. State biologists say this is due almost entirely to wolf predation. Practically speaking there aren't enough bulls to breed the cows and almost no calves survive their first summer. Because caribou cows live twice as long as bulls, it only takes about six years of heavy predation of calves before a herd consists primarily of old cows and very few bulls.

The continued health and viability of this caribou herd is even more critical to the people of the region because this same lack of management on federal lands has resulted in all caribou hunting being closed on the entire Alaska Peninsula for the past several years.

Despite knowing full well that local residents depend on the caribou for food, the feds chose to allow the wolves to have preference over the people because the Service feels wolves are more "natural" and have more right to survive than the people. This social, economic, and cultural slap to all Alaskans and especially Alaska Natives is one the feds grossly miscalculated. Clearly, unlike the feds, the State takes the subsistence needs of False Pass residents very seriously.

In an attempt to turn this declining caribou herd around, the Alaska Department of Fish and Game plead with the US Fish and Wildlife Service to let them simply take seven wolves from the calving grounds to protect last year's calves and prevent a further decline. But, the State's plea apparently fell upon deaf ears.

In April 2010, the State even produced a comprehensive 85 page Environmental Review of this desperate situation and presented it to the feds. Inexplicably, the Service still ignored the State's plea for attention to this matter. Finally, in desperation, ADFG Commissioner Denby Lloyd sent a letter to the Service announcing the State's intention to enter the refuge and correct this conservation crisis.

In turn, the sovereign State of Alaska was informed by a reckless bureaucrat, by the name of Daniel Ashe (Deputy Director of USFWS), that conducting this vital wildlife management action without a Special Use Permit and the accompanying NEPA process would be considered a trespass by the State, "which would be immediately referred to the United States Attorney."

Now a year later, even though the State agreed to help with the NEPA process, the feds have still chosen to forbid the State from lifting a finger to help the caribou. It wasn't just the decision itself that raised eyebrows. The reasons the Service gave for their choice should be raising Alaskan ire toward revolt.

Geoff Haskett looked at three elements in his decision regarding the declining caribou herd:

- 1) natural diversity
- 2) wilderness character
- 3) subsistence needs

Shockingly, providing for subsistence needs took a backseat to the other two elements with Geoff Haskett saying, "Refuge purposes, in this case natural diversity, wilderness character, and subsistence opportunities, all carry equal importance. No one purpose automatically

surpasses another as a matter of law and policy." (emphasis mine)

This violates the very justification for the federal law, the Alaska National Interest Lands Conservation Act (ANILCA), that created the Refuge and mandates wildlife be managed for subsistence. Haskett goes on to say that his decision to do nothing to aid the caribou population, and thus the people of False Pass, "...achieves the best balance among the following Refuge purposes: conservation of fish and wildlife habitats in their natural diversity, providing continued opportunities for subsistence, and preserving wilderness character."

If Mr. Haskett thinks that his lip service to providing subsistence opportunities will be seen as anything less than a flat out violation of ANILCA, or that Alaska Natives and other subsistence users are going to take this lying down, he is about to have a rude awakening.

I predict his decision will embarrassingly be retracted under pressure from Congress for the following reasons:

1) His decision violates the Alaska National Interest Lands Conservation Act (ANILCA) in that he cannot take away subsistence rights of Alaskans or reduce/eliminate the federal mandate to meet continued subsistence need by managing for healthy fish and wildlife populations.

2) Haskett failed to meet the purposes outlined by Congress in ANILCA specifically for the National Maritime Refuge under which Unimak falls. Here is what the law says the US Fish and Wildlife Service is supposed to do:

"to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to ... bears, caribou and other mammals" (and) "to provide... the opportunity for continued subsistence uses by local residents." (AND)

Nothing in this title shall be construed as ... permitting the level of subsistence uses of fish and wildlife within a conservation system unit to be inconsistent with the conservation of healthy populations.

Clearly Congress was serious about the preservation of wildlife populations such that there will always be continued sources of food for subsistence users. Moreover, Congress says that nothing in ANILCA can be construed to infer that the US Fish and Wildlife Service manage for ANYTHING BUT healthy populations. Populations can't be healthy if they are extirpated. Note that caribou are specifically mentioned, not wolves. No doubt this is due to their role as food for Alaskans. This is not an accident.

3) Haskett failed to recognize Congress' provision for priority preference for subsistence use. ANILCA says:

...subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive uses of all such resources on the public lands of Alaska;

4) The Service has in all its documents (except the threatening letter to the State) referred to

the Alaska Department of Fish and Game as cooperators in managing the Unimak caribou herd when in fact Geoff Haskett's minions have done nothing but treat the Alaska Department of Fish and Game with disdain. ANILCA says that federal agencies, in "...in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with adjacent landowners and land managers, including Native Corporations, appropriate State and Federal agencies and other nations." (emphasis mine)

The behavior and attitude of the Service not only is a violation of ANILCA, they are an embarrassment to the honest employees of the Service, to the citizens of Alaska, to the Alaska Department of Fish and Game, and mostly to the citizens of False Pass. The wolves and caribou are the State's to manage, yet the Service continues to thwart the State's every attempt to ensure an adequate food source for False Pass residents while instead they substitute their pious World Pantheistic (nature worship) policies into government.

I certainly do smell a rat, and my money's on an upcoming Congressional rat control program in Alaska.