



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Natural Resources

CITIZENS' ADVISORY COMMISSION ON
FEDERAL AREAS
Stan Leaphart, Executive Director

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Public Comments Processing
FWS-R7-ES-2012-0033
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
440 I N. Fairfax Drive, Suite 222
Arlington, VA 22203

Dear Sir or Madam:

The Citizens' Advisory Commission on Federal Areas (CACFA) reviewed the proposed rule (78 FR 4108) and associated Environmental Assessment (EA) for the establishment of a nonessential experimental population (NEP) of wood bison in central Alaska in accordance with section 10(j) of the Endangered Species Act of 1973 (ESA). We offer the following comments for your consideration in finalizing the rule.

In April 2011 CACFA submitted comments on a proposed rule to reclassify the wood bison from endangered to threatened under the ESA. While we supported the idea of reclassifying the wood bison, our suggestion was to remove the species from any listing under the ESA. As we contended then, as we do now, that delisting would result in a significant increase in the number of free ranging herds and in the wood bison population overall.

As there are no free ranging herds of wood bison in the United States, listing under the ESA has had few positive effects on their recovery. The primary impact from listing has been to deny sportsmen the opportunity to import legally harvested wood bison trophies from Canada. Delisting would add an economic incentive for allowing the expansion of some herds in Canada to support additional hunting by sportsmen from the U. S. who would then be able to import legally harvested trophies.

The Alaska Department of Fish and Game (ADF&G) has worked for nearly 20 years to reintroduce wood bison in Alaska. The most significant obstacle to that effort during that time has come from the ESA. The ESA creates regulatory and legal problems for land management agencies, private property owners and the general public in dealing with a

listed species and designated critical habitat. Alaska in recent years has been adversely impacted by questionable and unnecessary listings under the ESA. Too often agency decisions are driven more by political considerations and agendas than by actual biological necessity. Some special interest groups engage in non-stop petition filings and litigation to misuse the ESA as a tool to prevent economic development and growth rather than one to help the recovery of truly threatened or endangered species.

As the supplementary information in the *Federal Register* points out, the proposed section 4(d) special rule associated with this proposed NEP designation will provide assurances to landowners and development interests that reintroduction of wood bison will not interfere with natural resource development or human activities. Many Alaskans who otherwise support the reintroduction of wood bison in this state are rightfully concerned should any effort be made to reintroduce this species without adequate regulatory and legal safeguards against frivolous litigation or interference with the State of Alaska's ability to manage this NEP. We are confident that this proposed rule, once adopted, will provide those essential safeguards.

This commission is also confident that with the Alaska Department of Fish and Game (ADF&G) as the lead agency in the reintroduction and management of wood bison in Alaska, suitable implementation and management plans will be developed. This commission is part of the Alaska Department of Natural Resources and will provide any assistance we can to ADF&G in reaching out to the general public, local communities, landowners, other State and Federal agencies, Alaska Native interests, and industry in developing those plans.

In conclusion, CACFA supports adoption of this proposed rule. Reintroduction of wood bison in Alaska will be beneficial to the recovery of the species and its eventual removal from listing under the ESA. In the interim, designation of the NEP and adoption of the associated regulations and management plans will help ensure the recovery can be accomplished with no adverse effects on the ability of the State of Alaska and private land owners to develop their natural resources.

We appreciate the opportunity to comment and look forward to working with the U.S. Fish & Wildlife Service, the ADF&G and the public in helping the recovery of the wood bison in Alaska.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Leaphart", with a stylized, flowing script.

Stan Leaphart
Executive Director