

SPORT HUNTING IN ALASKA

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ISSUE DEFINITION

Legislation is proposed in the 98th Congress to shift substantial Alaskan acreage from National Park and Monument designation to National Preserve status, thereby easing hunting and trapping restrictions on these lands. These proposals would amend the Alaska National Interest Lands Conservation Act (ANILCA) of 1980 (P.L. 96-487), which, in part, set aside 104 million acres in various conservation units in Alaska. The diverse groups that fought the Alaska lands battle from 1971 through 1980 are again at loggerheads over the designation of land uses in the vast Federal holdings of the 49th State.

BACKGROUND

The current controversy over opening additional Alaska lands to sport hunting has its origins in Title II of ANILCA, which, in part, designated additions to the National Park System (NPS) in Alaska. Entirely new areas (sec. 201) or additions to existing units in the NPS (sec. 202) were designated as National Parks, National Monuments, or National Preserves. Approximately 43.5 million acres were added to the 7.5 million acres of parks and monuments already established by earlier legislation to equal 51 million acres of NPS land in Alaska.

One of the major concerns during the debate and passage of ANILCA was the controversy over the designation of NPS lands as National Preserve and National Park or Monument. All park and monument lands, approximately 24.6 million acres, are closed to sport hunting and all trapping. Preserves, approximately 18.9 million acres, are open to sport and subsistence hunting and all trapping. Subsistence use is permitted on 22.5 million acres of land "where such uses are traditional," including 3.6 million acres of ANILCA designated park and monument lands. This involves all but 3 of the new park and monument areas: Kenai Fjords, and additions to Glacier Bay and Katmai. Section 203 of ANILCA provides

that hunting shall be permitted in areas designated as national preserves under the provisions of this Act. Subsistence uses by local residents shall be allowed in national preserves and, where specifically permitted by this Act, in national monuments and parks.

The 7.5 million acres of NPS land in Alaska that existed prior to ANILCA remain closed to both sport and subsistence hunting and all trapping.

Legislation was first introduced in the 97th Congress to change the status of about half the park and monument lands to preserve status so these lands would be open for sport hunting and all trapping. In the 97th Congress, H.R. 6977 (introduced by Representative Don Young) and S. 2826 (introduced by Senators Stevens and Murkowski) sought these changes. No action was taken on either of these bills in the 97th Congress.

In the 98th Congress, this proposal has been reintroduced as H.R. 1493 and S. 49. Approximately 12 million acres are proposed for change to preserve status in portions of Lake Clark National Park, Wrangell-Saint Elias National Park, Gates of the Arctic National Park, Kenai Fjords National Park,

Aniakchak National Monument, and ANILCA additions to Denali National Park, Glacier Bay National Park, and Katmai National Park. In hearings on S. 49 held on Apr. 15, 1983, by the Senate Committee on Energy and Natural Resources' Subcommittee on Public Lands and Reserved Water (98-152), the Department of the Interior offered a counterproposal wherein approximately 10.8 million acres of NPS lands designated by ANILCA would be changed from park to preserve status.

On Aug. 2-3, 1983, the Senate Committee on Energy and Natural Resources held a markup session on S. 49. The committee ordered S. 49 to be reported with amendment and without recommendation. The amendment, offered by Senator Paul Tsongas, reduced the proposed acreage to approximately 5 million acres. (Senate Report no. 98-281).

Approximately 82% of Federal and State lands in the United States are open to sport hunting. About 42% of these acres are the Federal and State lands open in Alaska. The acreages in the proposed legislation would increase the percentage of U.S. Federal and State lands open to sport hunting by 4.2%.

The controversy can be discussed by exploring the three major concerns at issue: land allocation, the wildlife resource, and subsistence versus sport hunting.

Land Allocation

In Alaska, approximately 51 million acres are in the NPS -- 32 million acres as park or monument and 18.9 million acres as preserve. The shift of 12 million acres to preserve status would leave 20 million acres as National Park and increase the National Preserve acreage to 31 million acres, while maintaining the approximately 51 million acre total. Development activities such as mining, oil and gas exploration, and development and lumbering are precluded from preserves in the same manner as parks. Subsistence hunting, trapping, gathering, and fishing are allowed on most new park land and preserve land in Alaska. S. 49 and H.R. 1493 would not remove land from the National Park System nor from that system's control and protection of the land and its resources.

Opponents of S. 49 and H.R. 1493 see the main issue as whether Congress would change the land allocation decision made in 1980 by ANILCA. Competing interests and values were considered and balanced after a long and careful process and ANILCA was the result of the compromise that was reached. The statement of the late Senator Henry M. Jackson, U.S. Senator from Washington, at the hearing on S. 49 before the Subcommittee on Public Lands and Reserved Water on Apr. 15, 1983, accurately reflects the opinion of most opponents:

The bill we crafted was not perfect. No group got everything it wanted. But I happen to believe that the balance we struck was fair and reasonable to all parties; and that includes those who wanted more lands closed to sport hunting and those who wanted more lands open for that purpose.

...I hope the committee will also keep firmly in mind that one cannot pull the strand of a web without disturbing others.

Many people are concerned that once an amendment to ANILCA is even considered, much less passed, other interest groups not satisfied with the

compromises of ANILCA will attempt other reclassifications of land and resources and disturb "the delicate balance of interests" that ANILCA represents. Opponents argue that consideration of any changes to ANILCA is more appropriate after management plans for each park have been completed and resource managers have developed better information about resource problems and possible solutions to these problems. Section 1301 of ANILCA directs the NPS to develop management plans for each park within 5 years after enactment of ANILCA. Among other things, each plan must consider protection and preservation of the wildlife within the unit.

Another concern regarding passage of this legislation is that it might commit Congress to pass other legislation in the future that would be injurious to the NPS in the matter of hunting on park lands. The legislation, however, does not have any direct effect on any of the National Parks in the other 49 States.

Also, opponents believe that sport hunting and trapping in these areas would interfere with use of the areas by nonhunters. Proponents argue that the areas in the bills are remote with few visitors. Further, the two groups use the parks at different times of the year: most visitor usage occurs during the summer months while most hunting does not begin until September.

The broader aesthetic question is how much land should be preserved as pristine parks. Wildlife populations within units that are preserved might be expected to be capable of self-perpetuation. Opponents of sport hunting argue that subsistence is limited to traditional areas and does not compromise the pristine nature of most park areas, nor adversely affect the wildlife populations, but that these benefits and values would be compromised by allowing sport hunting in all these park lands. Proponents believe that since subsistence hunting is already allowed, the pristine attribute said to be secured by nonhunting is already compromised.

The Wildlife Resource

One objective of the NPS is to maintain natural wildlife habitat and populations. Many wildlife biologists believe that habitat preservation is essential for maintenance of viable wildlife populations. National parks can provide these natural habitats, which can also be used for benchmark research and provide untampered biological gene pools. Consequently, it is believed by these scientists that sport hunting selectively takes trophy animals out of the gene pool which over time, it has been alleged, can adversely affect viable wildlife populations. This constitutes de facto wildlife management. Subsistence hunting is not trophy animal selective.

Proponents of S. 49 and H.R. 1493 maintain that hunting has little impact upon the land and poses no threat to the wildlife resource when it is properly controlled. Game herds prosper and endure under a program in which regulated sport hunting plays an important role. Sport hunting is recognized as a valuable resource tool of wildlife management by both the States and the Federal Government.

Many questions remain unanswered about the wildlife populations in Alaska, specifically within the National Parks. Do the new park lands provide significant protection (not available elsewhere or provided by other means) for wildlife species? Is there a harvestable surplus in the areas identified by the proposed legislation (beyond that required to satisfy subsistence needs) that could support sport hunting? Little data exist treating

questions. Opponents argue that more should be known about these and other questions before changes are made to the current land allocation. Proponents argue that such information will be considered prior to any State decision to allow hunting anywhere.

Subsistence versus Sport Hunting and Commercial Trapping

This proposed legislation is considered by some to be an indirect attack on the subsistence priority granted in Title VIII of ANILCA. "Subsistence uses" are defined, in part, in Section 803 of ANILCA as:

...the customary and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption...

Subsistence uses are permitted to continue in many parks where it traditionally was conducted but where sport hunting is now prohibited. Subsistence proponents have often found themselves at odds with the sport hunting community in Alaska. Opening these areas to sport hunting would increase the competition between subsistence and sport hunters.

However, many people believe that the land allocation decided by ANILCA discriminates against sport hunters. Subsistence hunting is permitted in most of the additions to Alaska's parks by ANILCA, while other Alaskans and sport hunters from all over the world who have traditionally sport hunted in these areas are now denied access to these lands. Hunting is an integral part of the Alaskan lifestyle, and many Alaskans deeply resent the closure of these areas by the Federal Government and the distinction made by ANILCA between sport hunters and subsistence hunters. Proponents believe that redesignation of this land would not adversely impact subsistence hunters because they are protected and assured priority access to game by State and Federal law and regulations.

Many of the areas identified for redesignation in S. 49 and H.R. 1493 have a history of sport hunting use prior to their closure in 1978 through use of the Antiquities Act, and most are still open for subsistence hunting. Both bills retain lands in park status unless there is a significant historical level of sport hunting. Proponents believe that these areas provide significant sport hunting opportunities because wildlife populations are not evenly distributed throughout the State. The approximately 12 million acres being considered in this proposal are approximately 3.2% of all land in Alaska, but 23.5% of the lands under the jurisdiction of the National Park Service.

One of the major controversies during the debate on ANILCA was the displacement of professional hunting guides from areas destined to be closed to sport hunting. Professional guides (whose services are required by non-residents desiring to hunt most big game) were displaced from areas where they had hunted for many years with no compensation for investment in cabins and other facilities lost when areas used were included within park boundaries. Displaced guides had to be accommodated in areas already used by other established guides, increasing hunting pressure in these areas. The guides as a group believe that ANILCA had a significant adverse impact on them and argue that more acreage should be opened to allow them to pursue their profession.