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PRESS RELEASE

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PALIN'S PREDATOR CONTROL PROGRAM SAID TO VIOLATE "SUSTAINED YIELD" REQUIREMENT IN STATE CONSTITUTION

In a brief filed today in the Alaska Supreme Court, conservation groups charged that the Palin Administration's predator control programs – which have become the target of critics nationwide for allowing the aerial hunting of wolves – violate the State's constitution.

Public interest environmental law firm Trustees for Alaska and Anchorage attorney Valerie Brown, representing Defenders of Wildlife and The Alaska Wildlife Alliance, argued that Alaska's Board of Game acted illegally in 2006 when it adopted regulations authorizing private hunters to kill 60 to 80% of the wolves and bears on tens of thousands of square miles of state-owned lands, as well as on Federal lands managed by the Bureau of Land Management.

The Board has justified its "intensive management" of wolves and bears in order to increase the population of prey species – particularly moose and caribou – for human harvest.

But today's brief points out that the Alaska Constitution makes no distinction between predators and prey when it comes to managing wildlife to ensure a "sustained yield" for hunters. Article VIII, section 4, of the Constitution requires that "wildlife . . . and all other replenishable resources shall be utilized, developed and maintained on the sustained yield principle."

While the Board of Game has focused on maintaining, and increasing, the yield from moose and caribou, the brief argues that there is no evidence before it made its decisions adopting predator control programs, “that the Board was briefed on, received testimony about, reviewed documents concerning, considered, debated or otherwise applied any notion of sustained yield for the wolf and bear populations targeted for reduction.” More than 1,000 wolves, and hundreds of bears, have already been eradicated under the programs.

“The Board’s predator reduction programs represent the antithesis of science-based wildlife and habitat management principles that should be followed,” remarked Trustees for Alaska Staff Attorney Mike Frank. Frank also pointed out that the Board has left open nearly all of the predator control areas to non-resident and commercially-guided sport hunting of moose and caribou while at the same time blaming wolves and bears for what it claims are too-low moose and caribou populations available to Alaskan hunters.

“That the Board expressed its intention that small, residual populations of wolves and bears be left alive within each predator control area does not mean that the populations will be large enough to permit a yield, sustained or otherwise, now or in the future” today’s brief states. “A minimal, or even ‘viable’ population, is not the same thing as a population that is managed for sustained yield,” The brief points out that the same viability claim can be made about the population of Cook Inlet beluga whales, but that population is listed as endangered under federal law.

“Healthy ecosystems require balanced predator-prey populations,” said John Toppenberg, Director of The Alaska Wildlife Alliance. “These predator control programs distort those populations so that prey species exceed the carrying capacity of the environment, which leads to unhealthy populations and ecosystems.”

“Application of sustained yield to all wildlife is not an abstract exercise,” the brief declares. “Wolves and bears are valuable species that have been harvested by trappers and hunters for centuries . . . [The] Constitution compels the consideration of sustained yield for all wildlife, and all resources, to ensure that these resources are protected and capable of providing a yield.”

The case is *West v. State of Alaska*, Supreme Court Case No. S-13184/13343. The Superior Court originally halted the State’s payment of bounties for wolves, but found in favor of the State on the issue of sustained yield. It is that decision that is now being appealed.

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