



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Fish and Game

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Director Charles F. Sams III
National Park Service
1849 C Street NW
Washington, DC 20240

Director Sams,

Thank you for reaching out to me last week with the courtesy notification of yesterday's publication of the NPS rulemaking: *Alaska; Hunting and Trapping in National Preserves* and the formal invitation to consult with the NPS on the rule. Although I appreciate your efforts at this stage, I find it unsatisfactory and unacceptable that the NPS has not included on-going efforts to pursue government-to-government consultation with all government entities, including the State of Alaska, as it has been doing with Tribes and ANCSA Corporations. In consideration of federal law and statehood compacts, all federal agencies, including the NPS, have requirements to consult with the States.

This rulemaking process to date has failed to recognize the State of Alaska's sovereign authorities, jurisdiction, and responsibility for the management of fish and wildlife on all lands in Alaska. As I am sure you are aware, these rights and authorities were granted to the State through the Alaska Statehood Act and subsequently clarified in the Alaska National Interest Lands Conservation Act (ANILCA). It is incumbent upon Federal agencies to consult with the State on fish and wildlife matters; this consultation is vastly more useful for finding solutions to NPS habitat and resource management concerns when done in advance of publishing a rulemaking. The NPS found the necessity to consult with Tribes and ANCSA Corporations during the development of the rule rather than after its publication to meaningfully engage and fulfill that government-to-government consultation. The same should hold true for consultations with the State. The NPS efforts to date, have not acknowledged the State's authority over the management of hunting methods and means for all purposes. It also omitted the associated government-to-government consultation and meaningful collaboration with the State for an equivalent period of time. To rectify this situation, we request an equal engagement period to that of the Tribes and ANCSA Corporations with whom the NPS has already consulted and who will continue to benefit from on-going consultations as indicated in the rule.

To accomplish this through a genuine and cooperative effort to find solutions and develop a robust rule, I request the NPS rescind publication of the proposed rule and delay its comment period until such equivalent engagement has occurred between the NPS and ADF&G. I and my staff are available to discuss how we may start anew and collaboratively find solutions to address the issues the NPS identified in the rule. I am confident, through concerted meaningful

collaboration focused on the on-the-ground issues at hand rather than jurisdiction, we can cooperatively find outcomes suitable to the best interest of the NPS management responsibilities, the State's management authorities, and the public's interest.

I look forward to receiving notice that you have rescinded the proposed rule and will contact you in the near future to schedule a meeting for ourselves and our staff to discuss a process for our government-to-government consultation to begin.

Respectfully,



Doug Vincent-Lang
Commissioner

cc: The Honorable Lisa Murkowski, United States Senate
The Honorable Dan Sullivan, United States Senate
The Honorable Mary Peltola, United States House of Representatives
M. Sarah Creachbaum, Alaska Regional Director, National Park Service
Tyson Gallagher, Chief of Staff, Governor's Office, State of Alaska
Treg Taylor, Attorney General, Department of Law, State of Alaska