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Page 1

WILDLIFE ADMINISTRATION IN ALASKA
AN
HISTORIC SKETCH

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The abundant and varied wildlife resources, which sustained the aboriginal population of this vast region, attracted and supported the Russian colonization of Alaska. This Russian era was marked by excessive early exploitation of the more valuable fur bearing animals followed by the imposition of conservation measures and an orderly program of controlled harvest and restoration, particularly of the fur seals and sea otter. The years following the purchase of Alaska by the United States witnessed again the ruthless exploitation of the more valuable fur animals negating benefits of the application of conservation measures by the Russians. The big and small game animals which had no export value were nonetheless subjected to exploitation for subsistence purposes. With the exception of fur seals and sea otters, no legal restraints were imposed during the 19th Century; the terrestrial stocks of wildlife generally were thought capable of sustaining the demands on them.

Treasury Department agents, primarily concerned with fur seals and sea otters, first expressed formal concern over other game

species in 1895, by recommending an October to April closed season on fur bearing animals. It was also recommended that this closed season embrace deer and mountain sheep, that there be a prohibition on the exportation of deer skins from the territory, and that the use of poison be prohibited.¹ This expression of concern for the welfare of fur and game animals was undoubtedly based more on observation of wasteful practices than on an actual diminution of animal numbers. There was in any case no effective means whereby restrictive regulations could be generally enforced throughout the territory at this time.

Continuing apprehension concerning the abuse of game resources as reported by Treasury Department agents stimulated the enactment of the first general Alaska Game Law, which was approved June 7, 1902 (22 Stat. L., 327).² This statute authorized the Secretary of Agriculture to make and publish rules and regulations for the preservation of Alaska's game animals and birds (but excluded land fur bearing animals). Prior to the enactment of this relatively comprehensive law, the only protection afforded to game in the territory was a provision contained in the Act of June 6, 1900 (31 Stat. L., 332), which prohibited the destruction and shipment of crane, duck, brant or goose eggs. Regulations promulgated under the Alaska Game Law were first made effective October 1, 1903, and were amended from time to time thereafter. They expressly permitted the subsistence utilization of game animals while discouraging market hunting, particularly the collecting of deer skins

for export. The latter purpose was achieved, but apparently little else was accomplished.

Excluding fur bearing animals from the provisions of the Alaska Game Law was a manifestly illogical action that can only be rationalized by assuming that commercial interests wished to discourage government concern or intervention in matters relating to Alaskan fur bearing animals.^{3,4}

In 1908 extensive amendments were enacted to the Alaska Game Law (35 Stat. L., 102). For the first time, some authority was extended to the Governor of Alaska for the purpose of administering the game conservation program. The Governor was permitted to issue licenses to nonresident hunters to export big game trophies. He was also authorized to employ wardens and to register big game guides. The law provided that nonresident hunters were required to hire a registered guide when hunting on the Kenai Peninsula. The Governor of Alaska acted quickly to exercise his new authority and appointed the first game warden in 1910 and the first registered guide in 1911. Unfortunately, however, the Congress appropriated only \$20,000 annually to support the game conservation program, though the Governor protested that this amount would support only a token protection effort and made numerous appeals for increases. Furthermore, there is no hint that the Secretary of Agriculture nor the Congress recognized that current and accurate information on the status of big game resources

might be an important element in the promulgation of good regulations. It appears that fragmentary reports of observations and the impressions of a few individuals were considered a good enough foundation for laws and regulations. It was apparently assumed that market hunting and careless or wanton waste were the principal threats to be guarded against.

That these attitudes of a distant government were failing to provide properly for Alaska's game resources was noted forcibly by Governor J. F. A. Strong in 1916. He said in his annual report to the Secretary of the Interior:

"The control of the game of Alaska is vested in Congress, and not in the Territorial Legislature, although unsuccessful attempts have been made to transfer such control to the legislature where it seems to me it naturally belongs . . . It can not be doubted that the people of Alaska are vitally interested in the conservation of the game of the Territory, and therefore it is submitted that as the legislature directly represents the people, and being acquainted with conditions in all the different sections of the Territory, is better qualified to enact laws for the protection of game than is Congress."

He continued by pointing out the incongruity of having the Secretary of Agriculture promulgate regulations for the protection of game animals, while the Secretary of Commerce had authority over the fur bearing animals and he, the Governor, had authority over licensing, guides, wardens, etc.

In 1918, the Governor again expressed his concern for the shortcomings of the Federal game conservation program. He reported as follows to the Secretary of the Interior:

"Like the laws for life and property, game laws must be enforced to be effective. To do this there must be more wardens with larger allowances for travel, but most of all, we must have just laws which the people themselves will hold in respect."

Jurisdiction over the land fur bearing animals in Alaska was solidly placed with the Secretary of Commerce and Labor by the "Act to Protect the Seal Fisheries of Alaska, and For Other Purposes," approved April 21, 1910. The first fur animal regulations were imposed by the Secretary of Commerce and Labor in 1913. Not until 1920 did jurisdiction over both land fur bearing animals and game animals come to reside with the Secretary of Agriculture. This was accomplished by the Act of May 31, 1920, which, ironically, removed control of walruses and sea lion from the Secretary of Agriculture and transferred it to the Secretary of Commerce.

Dissatisfaction by Alaskans with the federal administration of fur and game resources was expressed by Alaska Governor Scott C. Bone in his 1922 report to the Secretary of the Interior. Governor Bone stated:

"Nevertheless, conservation is required, and this can rationally be secured by bringing authority and supervision closer home to Alaska. Wildlife can not be conserved from Washington, nor will the

situation be safeguarded or improved in the least by the creation of another bureau or commission, however constituted or lofty its aims."

Considering that the game and fur resources of the territory contributed so heavily to the maintenance of Alaska's human population, it is not surprising that the scant attention to conservation needs exhibited by Washington should arouse those citizens who were in positions of responsibility in the territory and had the means to register complaints. Even so, it was not until January 13, 1925, with the enactment of a new Alaska Game Law (43 Stat. 739) that Alaska received any significant measure of responsibility with respect to administration of its fur and game resources. This law created the Alaska Game Commission consisting of one resident Alaskan from each of the four judicial districts within the territory and an additional member who was the Chief Representative of the Bureau of Biological Survey resident in Alaska. The Commission was empowered to hire wardens, clerks, and other assistants essential to carrying out a conservation program. The commission, furthermore, acted in an advisory capacity to the Secretary of Agriculture who retained authority to promulgate necessary regulations. The law prescribed a licensing structure relating to hunting, trapping, fur farming, fur dealing, and guiding. It included many other provisions, some of which might better have been handled administratively in a more flexible manner. But it nevertheless constituted the first substantial gesture

in the direction of granting Alaskans a voice in administering game and fur resources and stimulated a general improvement in public attitudes toward game conservation efforts.

While the Reorganization Act of 1939 (53 Stat. 561) caused the transfer of all Bureau of Biological Survey functions from the Department of Agriculture to the Department of the Interior, the only immediate effect in Alaska was to make the Alaska Game Commission an advisory body to the Secretary of the Interior rather than the Secretary of Agriculture. It shortly developed, however, that the Fish and Wildlife Service would assume control of many Alaskan operations which were formerly conducted under the supervision of the Alaskan Game Commission. The latter body continued to function, but only in the narrow area of advising in matters relating solely to game and fur regulations.

Enactment by the Congress in 1937 of the Federal Aid to Wildlife Restoration Act (50 Stat. 917) gave great stimulus to the cause of conservation in all of the states of the Union. This Act made available to the states the excise taxes collected on firearms, shells and cartridges on the basis of \$1 state money to \$3 federal money. The money had to be spent on wildlife restoration projects approved by the Secretary of Agriculture. To qualify for participation the states were required to dedicate hunting license receipts to wildlife conservation programs. The impact of this Act was

tremendous; it promptly resulted in the development of a modern conservation technology and the implementation of sound conservation programs in nearly all of the states. Alaska as a territory did not share in the benefits. Not until the late 1940's were small amounts of Federal Aid Fund money allocated to the Fish and Wildlife Service for research work in the territory. Only after achieving statehood was the proper full apportionment granted to Alaska. The failure of the Federal Government to finance an adequate game conservation program in Alaska resulted in a time lag of at least two decades as compared to the game management and restoration efforts of the other states.

The Territorial Legislation in 1957, motivated by the prospect for statehood and the shortcomings of the federal wildlife program in the territory, created the Alaska Department of Fish and Game to replace the Alaska Department of Fisheries which had been established in 1949. This action made possible the orderly growth of an Alaskan agency capable of assuming full responsibility for Alaska's wildlife resources should the federal government relinquish its control either prior to or after the advent of statehood.

A provision of the Alaska Statehood Act of 1958 (73 Stat. 339) preserved federal jurisdiction over the fish and wildlife resources of Alaska until the first day of the first calendar year following the expiration of 90 legislative days after the Secretary

of the Interior certified to the Congress that the Alaska State Legislature had made adequate provision for the administration management, and conservation of state resources in the broad national interest. The first state legislature acted promptly to meet the above requirement. With the enactment of Chapter 94, SLA 1959, which provided for a Department of Fish and Game, a code of laws and a licensing structure, the Secretary of the Interior certified that the requirements of the Statehood Act had been met. Transfer of control over fish and game resources from the Federal to the State Government was realized on January 1, 1960.

A state Board of Fish and Game now replaced the Alaska Game Commission, and administrative responsibility for the state's game program was vested in a commissioner approved by the legislature, rather than a regional director of the Bureau of Sport Fisheries and Wildlife. With funds available from hunting license sales and Federal Aid in Wildlife Restoration Act apportionments, Alaska for the first time had the means to undertake a conservation effort commensurate with the magnitude and value of its game resources.

Investigations were launched without delay to gain biological knowledge vitally essential to the rational regulation of game harvests. Modern concepts of game management were implemented as quickly as the public could be conditioned to their acceptance. Archaic taboos against killing cow moose were brought before public judgement. Unduly restrictive regulations were abandoned in favor of sustained

yield harvests which maintained and preserved wildlife habitat as an alternative to attempting to stockpile game populations. Predator control was de-emphasized or abandoned as research indicated it was costly and of negative value as formerly applied. New methods of fact finding with regard to game distribution, numbers, and welfare were developed and implemented and the expected controversy developed in full measure as old "tried and true" ideas of game protection began to give way to improved management based on biological and ecological principles.

Much remains to be done. Game populations are dynamic in character and respond to a complex of often subtle natural and man-stimulated influences. Nevertheless, great progress has been made in the years since statehood was achieved and the machinery now exists to continue a sound rational conservation effort which will assure in perpetuity maximum benefits to humans from the great wildlife resources and production capacity of Alaska.