



Sportsmen's Alliance
801 Kingsmill Parkway
Columbus, OH 43229
sportsmensalliance.org

National Park Service
C/O Don Striker, Regional Director (Acting)
Alaska Regional Office
240 West 5th Ave.
Anchorage, AK 99501

9 April, 2026

Re: Sportsmen's Alliance Foundation Comments on NPS' Proposed Rule Regarding Hunting and Trapping Regulations in Alaskan National Preserves, March 10, 2026 (NPS-AKRO-NPS0040343; PPAKAKROD0, PPMPSPD1Y.YM0000)

National Park Service:

The Sportsmen's Alliance Foundation (SAF) respectfully submits these comments in accordance with the proposed rule to amend regulations for hunting, fishing, trapping, and other natural resource harvest in national preserves in Alaska and for the procedures used to restrict public use and access in Alaska park lands. 91 Fed. Reg. 11483 (March 10, 2026); (NPS-AKRO-NPS0040343; PPAKAKROD0, PPMPSPD1Y.YM0000). SAF is a national non-profit organization dedicated to promoting and educating the public about our hunting, fishing, and trapping heritage, and science-based wildlife management. SAF achieves its mission through public education and issue research, conducted both independently and in partnership with local sportsmen and conservation organizations. Our membership consists of individual and organizational members across the country, many of whom hunt and trap on federal lands, including preserves, in Alaska.

We support the National Park Service's (NPS) proposed changes that restore NPS interpretations of law, policies, and regulations adopted to implement the Alaska National Interest Lands Conservation Act (ANICLA) of 1980 that were in effect for over three decades. For years, we have asked NPS to rescind previous rules, including rulemakings in 2015 and 2017, that preempted methods of state-authorized fish and wildlife harvests and

revised codified and established procedures for restricting public access and activities in Alaska park lands. We support the proposal to remove changes made through the 2015, 2017, and 2024 rules that insulated managers from public involvement, removed required consultation with the state, and allowed for discretionary closures without unique criteria established in the regulations to comply with ANILCA. Importantly, the proposal aligns state and federal regulations, responds to requests from the public for action, advances multiple Executive Orders and Secretarial Orders, and restores and maintains the NPS's authority to restrict public access, entry, and uses for reasons provided under the closure procedures in effect since the preserves were established in Alaska. Specifically, we support removing a prohibition established by the 2015 Rule on using bait to attract or take bears on national preserves in Alaska and revising the definition of “trapping” and removing the definition of “furbearer” in 36 CFR 13.1 for being unnecessary.

Proposed changes restore procedures for restricting and closing public entry and access on National Park lands and address requests for action to rescind or amend prior rules.

We appreciate NPS taking a renewed look at the 2015, 2017, and 2024 rulemakings.

Aside from unravelling longstanding Alaska-specific regulations, those rules:

- unnecessarily preempt state law;
- frustrate effective management of fish and wildlife resources in Alaska park units, including for subsistence;
- interfere with management of wildlife resources by other bureaus and offices in the DOI with delegated authorities from the DOI Secretary, including the Federal Subsistence Board and the U.S. Fish and Wildlife Service;
- eliminate public notice and engagement on NPS management decisions, including for subsistence users guaranteed a “meaningful role in the management of fish and wildlife and of subsistence uses” (16 U.S.C. 3111);
- are substantially similar to regulations for Alaska national wildlife refuges nullified by Congress in 2017 through the Congressional Review Act; and
- cannot demonstrate a verifiable basis for limiting public access and land uses.

National preserves in Alaska uniquely provide hunting and trapping opportunities on NPS lands, as authorized by Congress in Section 1313 of ANILCA: “A National Preserve in Alaska shall be administered and managed as a unit of the National Park System in the same manner as a national park except...that the taking of fish and wildlife for sport purposes and subsistence uses, and trapping shall be allowed in a national preserve under applicable State and Federal law and regulation.” 16 U.S.C. 3201. Importantly, ANILCA maintained the “responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands.” 16 U.S.C. 3202(a). ANILCA also established statutory criteria and a public engagement process that would protect traditional activities and methods of access on and across federal lands for hunting, trapping, and other activities to occur. These criteria and process operated as intended following ANILCA’s adoption by NPS in 1981.

But things began to change with the 2015 Rulemaking (80 Fed. Reg. 64,325). The 2015 Rule removed the well-established public participation process and criteria for restricting public use and access and references to state law and the state of Alaska. It also prohibited bear baiting. The 2020 Rulemaking (85 Fed. Reg. 35,181) removed the prohibition on bear baiting, but the 2024 Rule (89 Fed. Reg. 55,059) reinstated the prohibition and modified trapping regulations in Alaska preserves to preempt laws the state may enact in the future through revisions to the definition of “trapping” in 36 CFR 13.1. The 2024 Rule neither addressed nor modified the significant changes in policy interpretations adopted in the 2015 and 2017 Rules regarding expanded NPS authorities based on values and removal of public participation in decisions involving access and

traditional activities.

SAF filed a petition with the NPS (“*Petition for New Rulemaking Regarding Hunting on National Preserves in Alaska*”) (Petition) on August 9, 2017, asking NPS to repeal the 2015 Rule and restore pre-2015 regulations. The Petition highlighted the benefits of reinstating well-understood, decades-old procedures which had been successful in managing wildlife on state and federal lands, including NPS lands. SAF also submitted comments opposing the 2017 Rule (82 Fed. Reg. 3626), again expressing concerns about state preemption and take prohibitions based on ideology rather than science. The 2020 Rule repealed much of the preemption instituted via the 2015 and 2017 Rules, reinstating state wildlife management of NPS lands in Alaska, including state-promulgated regulations for harvest. The 2020 Rule was then challenged in federal court, and SAF was granted intervenor status to defend the interests of hunters, trappers, and conservationists. That case was ultimately mooted by the 2024 Rule.

The proposed rule puts an end to the regulatory volleyball, and most importantly, aligns federal regulations with statutory federal land management requirements established by Congress in ANILCA. The proposed rule removes the wall between federal land managers and the public, ensuring public engagement, consultation with the state, and accountability when public entry and access are closed or modified. Additionally, the proposed rule responds to stakeholder requests for action, including multiple requests by hunters, trappers, conservationists, and subsistence users, both independently and via representation by SAF. For these reasons, we support the finalization of the proposed rule.

The proposed rule will re-align NPS rules on using bait to attract or take bears on national preserves with long-standing state regulations.

SAF supports the proposed rule's removal of the prohibition on the use of bait to attract or take bears on national preserves in Alaska established by the 2015 Rule and reestablished by the 2024 Rule. Certainly, no federal law compels NPS preemption of Alaska's regulatory scheme here. Statutory provisions from ANILCA and the National Park Service Organic Act (Organic Act) relied upon in the preemptive 2015 and 2024 Rules are general in nature; the provisions require the conservation of species and habitat, but not in the specific way NPS declared so in those Rules. Rather, the proposed rule is permissible under ANILCA and the Organic Act, is better than the 2015 and 2024 Rules, and is supported by good reasons. It also realigns state and federal wildlife management regulations.

As determined by NPS in the 2020 Rule, long-standing Alaskan regulations regarding the use of bait for attracting and taking bears on national preserves cause low levels of take, resulting in low potential for negative impacts to the resource. Very few individuals utilize bear baiting on federal lands, and NPS estimates that the number of bears taken over bait on federal lands in Alaska is in single digits. For instance, it's estimated that just two black bears per year were taken over bait on national preserves under Alaska's regulations pre-2015. The number of brown bears taken over bait only rises to eight per year, on both state and federal lands. The number of brown bears harvested over bait on national preserves is likely much lower and more similar to that of black bears. These low harvests are attributed to the difficulty in accessing most national preserves in Alaska, especially

when it comes to placing and maintaining bait for bears. Because access is expected to remain similar, there is no reason to expect that returning to state-led management will increase the number of individuals baiting for bears on national preserves. As a result, there's little to no concern that the proposed rule will negatively impact bear populations.

Similarly, Alaskan-led management of bear baiting of state and federal lands has not been shown to pose any significant public safety issues. As already discussed, baiting of bears on national preserves is not widespread, and the proposed rule is not expected to change that. Additionally, baiting of bears in Alaska is tightly regulated to reduce human-bear conflict. To begin, Alaska requires all bait stations to be registered with the Alaska Department of Fish and Game (ADF&G), and all persons registering a bait station must have completed and passed an ADF&G-approved bear baiting clinic. Clinic materials are updated regularly and cover bear baiting requirements, guidance, safety and ethics. Bait station areas then require a permit, and each area must be designated with signage. Bait stations must be located more than ¼ mile from publicly maintained roads and trails and more than one-mile homes, businesses, schools, and developed campgrounds and recreational facilities. Finally, ADF&G may prohibit bear baiting in local areas for a number of reasons, including public safety.

Further, the state has not witnessed elevated public safety concerns surrounding bear baiting. The Alaska Board of Game commented on the 2024 Rule that it had no information on bear baiting causing safety concerns by habituating bears to human-provided food. The U.S. Forest Service, addressing the same alleged public safety argument in adopting a nation-wide rule deferring to state hunting laws on the use of bait to hunt black

bear on National Forests, agreed: "There is no evidence that baiting increases human-wildlife conflicts. ... Bears do not become conditioned to bait. Bear baits are temporary features. Once the bait is removed, bears revert to natural foods." *Use of Bait in Hunting*, 60 Fed. Reg. 14,720, 14722 (Mar. 20, 1995). No available data suggests otherwise. Rather, the state has not experienced increased human-bear conflict or public safety concerns with bait stations on the landscape, and the state's regulations serve to reduce the already small likelihood of human-bear conflict resulting from bear baiting.

Removal of unclear definitions of 'trapping' and 'furbearer' restore state and federal regulatory consistency.

SAF supports the proposed rule's revision of the definition of "trapping" and the removal of the definition of "furbearer" at 36 CFR 13.1. The 2024 Rule's attempt to add clarity to the definition of "trapping" limited the circumstances under which individuals could use firearms to take furbearers under an Alaska trapping license, disregarding the state's allowances for the license. Alaska has already addressed the circumstances by which furbearers may be taken by firearms; the 2024 Rule preempted those regulations. The revision of the definition of "trapping" aligns management regulations and advances Executive Order 14153 to ensure to the greatest extent possible harvest opportunities on Federal lands are consistent with similar opportunities on state lands. We agree that the 2024 Rule's definition of "furbearer" is unnecessary; Alaska defines "furbearer" in its administrative code (5 AAC 92.990(a)(32)). We support its removal in this proposed rule.

Again, we support the NPS's proposed changes that restore NPS interpretations of law, policies, and regulations adopted to implement ANICLA that have been in effect for over three decades. For over a decade, SAF has asked NPS to rescind previous rules,



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including rulemakings in 2015 and 2017, that preempted methods of state-authorized fish and wildlife harvests and revised codified and established procedures for restricting public access and activities in Alaska park lands. We also defended the 2020 Rule that returned management authority to the state of Alaska. Importantly, this proposal aligns state and federal regulations, responds to requests from the public for action, advances multiple Executive Orders and Secretarial Orders, and restores and maintains the NPS's authority to restrict public access, entry, and uses for reasons provided under the closure procedures in effect since the preserves were established in Alaska. The historic system has worked as intended, and we support the NPS's proposed rulemaking to restore it.

Sincerely,

A handwritten signature in black ink, appearing to read "Torin Miller". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Torin Miller
Associate Litigation Counsel