

**UTAH CONTRACT 136039 REPORT:
Utah Division of Wildlife Resources
Wolf-Delisting Efforts**

June 30, 2013



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WOLVES AND UTAH

I. Wolves and Utah

A. Overview

The decline of key elk, moose, deer and other wildlife populations and the rapid growth of Canadian Gray Wolf populations in the Northern Rockies has been an issue of growing concern in western states. In particular, important elk and moose herds in Idaho, Montana, and Wyoming are showing dramatic declines. Some wildlife herds, such as the northern Yellowstone elk herd, have lost as much as 80% of their population. Family ranchers are also feeling the impacts of livestock depredation and economic loss from unmanaged wolves.

The movement of Canadian Gray Wolves into Utah is inevitable. The question is whether the state of Utah will have management authority of wolves when it is needed. Wolf delisting for the state of Utah is not only about restoring state wildlife management authority. More importantly, it is about conservation of elk, moose and mule deer in the state. Wolf delisting and restoring state management authority will allow Utah to protect its wildlife, livestock, outdoor recreation and rural economies from the impacts that have been documented in Idaho, Montana and Wyoming.

There is a growing recognition that many of the unintended consequences on wildlife, livestock and rural economies can be mitigated by timely and responsible wolf management efforts. When Canadian Gray Wolves were introduced into Yellowstone and Central Idaho, assurances were given that wildlife and livestock would be protected from excessive wolf predation. In many instances, these commitments have not been kept. Failure to manage Canadian Gray Wolves has hurt wildlife populations and hard working livestock producers. Local communities bear much of the economic burden of unsustainable wolf predation. After years of decline, recovery of moose, elk and deer herds in Idaho, Montana and Wyoming will be a long and expensive undertaking. Wolf delisting and responsible wolf management are needed to protect and conserve key wildlife populations in Utah and across the West.

B. Conservation Status of Wolves

The conservation status of wolves has been a popular topic in recent years. Wolves are not only abundant in North America, they range across most of the Northern Hemisphere. The International Union for the Conservation of Nature (IUCN) indicates that wolves are neither threatened nor endangered. In fact, the IUCN lists wolves as a “species of least concern,” the category reserved for common and abundant species. Moreover, the IUCN indicates that wolf population trends are “stable.”

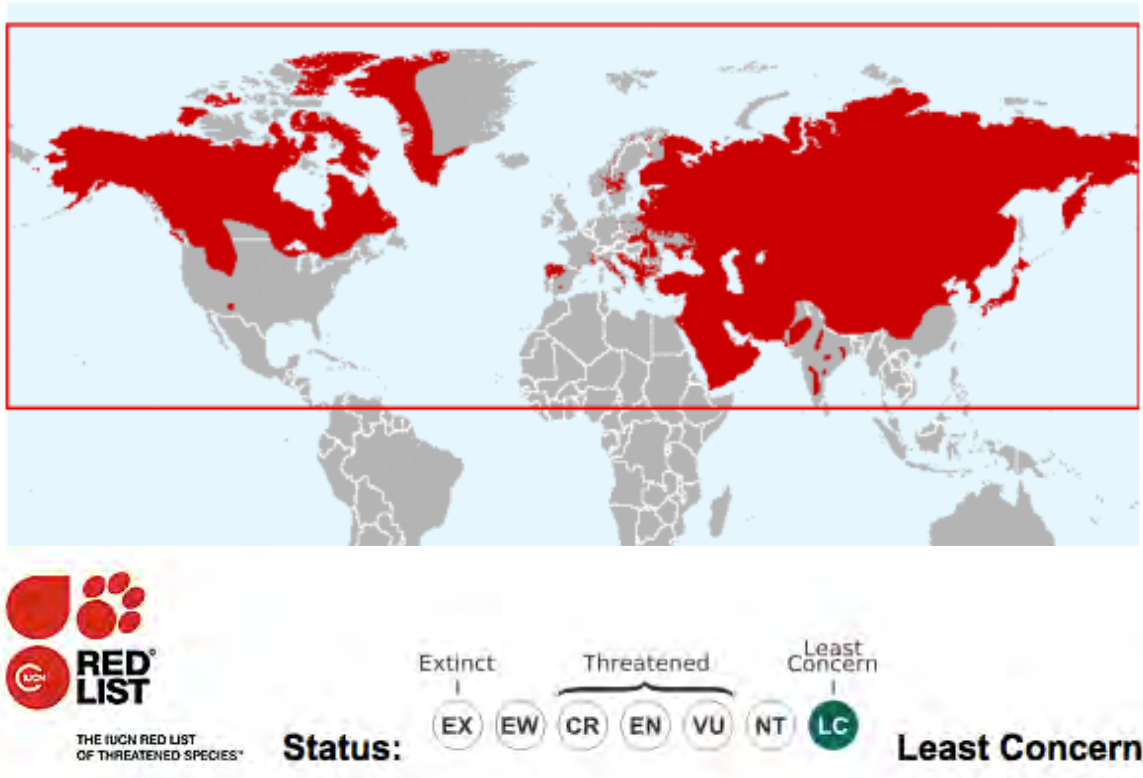


Figure 1. IUCN Wolf Map. See http://www.canids.org/species/canis_lupus.htm.

C. Economic Impacts

Declining wildlife populations have dramatically impacted revenue for state wildlife agencies. For example, one article reports that the states of Montana and Idaho are losing millions in revenue due to the loss of abundant wildlife herds of deer and elk (see Exhibit 1). Additionally, these state wildlife agencies face substantially increased costs for recovery of impacted wildlife populations and for management of Canadian Gray Wolves.

Economic impacts in these states are not limited to wildlife. U.S. Fish and Wildlife Service (USFWS) confirms wolf predation on cattle, sheep, horses, pets and other domestic animals in Idaho, Montana and Wyoming. However, many actual livestock kills by wolves are not included in USFWS wolf predation statistics. This is due, in part, to practical considerations related to finding and reporting livestock kills within the short time frame in which wolf predation can be confirmed. This is also a result of the evidentiary restrictions and exclusionary nature of the USFWS wolf depredation review process. In fact, USFWS acknowledges that its statistics of confirmed livestock kills by wolves is likely only 1/8th of actual numbers (see Exhibit 2). This is supported by statistics from the U.S. Department of Agriculture showing that 8,100 cattle were killed in the United States by wolves during 2010 (see Exhibit 3). Documented domestic sheep losses are even higher than cattle losses (see Exhibit 2). Financial costs to livestock producers are not limited to livestock killed by wolves. Low body weights, diminished reproductive success and

other issues resulting from excessive predatory pressure by wolf packs further precipitate financial losses. Private individuals and hard working rural communities bear most of the financial burden associated with depredation by wolves.

The total annual economic loss to the states of Idaho, Wyoming and Montana presents a cautionary tale. For example, the state of Idaho has determined that it is now losing as much as \$24 Million in sportsmen generated revenue annually (see Exhibit 4). When loss of sportsmen generated revenue is combined with losses experienced by livestock producers and increased costs associated with wolf management and mitigation, the total annual economic impacts in the state of Idaho is much higher. Economic impacts from unmanaged wolves are not limited to the state of Idaho. The states of Montana and Wyoming are also experiencing high levels of economic impact as a result of unmanaged wolves. Considering existing burdens on rural economies, the economic impacts experienced in Idaho, Montana and Wyoming show there are legitimate concerns regarding the impacts that unmanaged Canadian Gray Wolves could have in the state of Utah.

D. Rapid Population Growth as a Consideration for Utah

As Canadian Gray Wolf populations expand to other states such as Utah, the high amount of conflict (wildlife and livestock losses etc.) experienced in the states of Idaho, Montana and Wyoming from unmanaged wolves is likely to be repeated. Wolf populations have already moved into Oregon and Washington State. Wolf sightings are now being reported in Colorado and Utah as well.

Canadian Gray Wolf population growth can be explosive. Canadian Gray Wolf population numbers in Idaho, Montana and Wyoming grew from 100 to 1,000 wolves in the space of just 10 years. Washington State reports that its wolf population doubled in the past year (see Exhibit 5). What this suggests is that once wolves arrive in Utah, populations can be expected to grow exponentially in just a few short years. Delays in restoring management authority over wolves in Idaho, Montana and Wyoming have prevented these states from implementing conservation measures to protect moose, elk and deer herds. Many conservationists are concerned that this cycle of unsustainable Canadian Gray Wolf population growth and dramatic wildlife declines will be repeated in the state of Utah.

Figure 6. Northern Rocky Mountain Wolf Population Trends in Montana, Idaho and Wyoming: 1980-2010

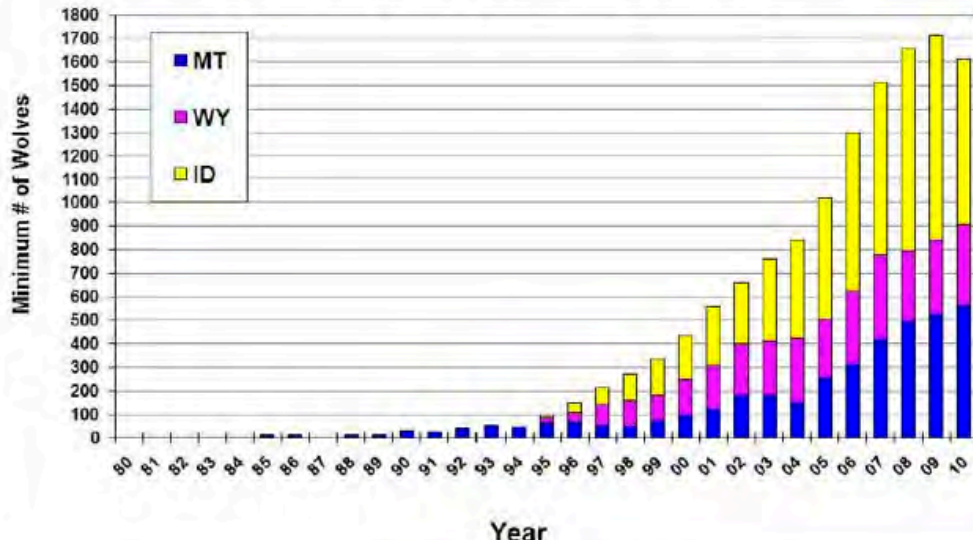


Figure 2. Wolf Growth Graph.

See <http://nwsportsmanmag.files.wordpress.com/2011/03/wolf-pop.jpg>.

E. Challenges to Restoring State Wolf Management Authority

State and federal wildlife agencies acknowledge that Canadian Gray Wolves are not endangered. U.S. Fish and Wildlife Service, the Western Association of Fish and Wildlife Agencies, Midwestern Association of Fish and Wildlife Agencies and Association of Fish and Wildlife Agencies all support the need for management of wolves by state wildlife agencies (see Exhibits 6, 7 and 8). During the President Bush and President Obama administrations, US Fish and Wildlife Service attempted to delist Canadian Gray Wolves by administrative action. However, costly litigation by activist organizations reversed these delisting decisions utilizing a variety of technicalities under the Endangered Species Act.

Repeated attempts to delist recovered wolf populations and years of litigation provide an example that administrative processes can be ineffective in restoring state wildlife management authority over a recovered species. In fact, most wolf states' efforts to restore state management authority and undertake long-term wolf management are unsuccessful for years. For example, the state of Minnesota reached its wolf delisting population objectives in the 1970's. Repeated administrative delisting decisions by U.S. Fish and Wildlife Service to delist wolves in the state of Minnesota were overturned by costly litigation by activist organizations. In point of fact, from the time when wolf populations reached delisting objectives of 1,200 wolves in the state of Minnesota, it has taken over 30 years before wolves were removed from the endangered species list and wolf management actually began in the state. State biologists and wolf experts indicate that population numbers likely exceed 3,000 wolves in the state of Minnesota today.

Not surprisingly, moose populations in Minnesota are in serious decline. Just this year, Minnesota's moose hunt was cancelled indefinitely.

F. Legal, Political and Biological Considerations for Wolves in Utah

The state of Utah is in an interesting position when it comes to wolves. While a very small portion of the state lies within the Northern Rockies Distinct Population Segment boundaries, most of the state lies outside of its boundaries. Canadian Gray Wolves within the Distinct Population Segment (DPS) boundaries are treated as a non-essential experimental population allowing for some limited management for documented predation on livestock. Wolves residing outside the DPS boundary cannot be managed under the limited flexibility provided by the non-essential experimental population provisions. This means that Canadian Gray Wolves in most of the state of Utah could not be managed, even in the event that serious livestock or wildlife depredation issues arise. Considering the difficulty in lifting Endangered Species Act restrictions and the rapid growth of Canadian Gray Wolf populations, being ahead of the curve on restoring state management authority over Canadian Gray Wolves is the best way to ensure that Utah can responsibly manage and protect wildlife, livestock, outdoor recreation and rural economies in the state.

G. Past Efforts to Clarify Utah's Legal Status Relative to Wolves

Utah has repeatedly made efforts to restore state management authority over wolves. Beginning in 2006, Governor Jon Huntsman and members of Utah's Congressional delegation began sending letters to federal wildlife officials as wolf populations in neighboring states of Montana, Idaho and Wyoming surged past delisting objectives (see Exhibits 9 and 10). These letters attempted to clarify the direction of wolves and wolf management in relation to the state of Utah. Governor Gary Herbert has also sought action from federal officials to restore management authority to the state (see Exhibits 11 and 12). Big Game Forever has been informed that the U.S. Department of the Interior and U.S. Fish and Wildlife Service have never responded to these letters. This may be due to the fact that most of the state of Utah does not meet federal endangered species guidelines regarding suitable wolf habitat and significant portion of range. This is one of the reasons why Utah was not included in recovery plan objectives established during the late 1980's and early 1990's. This does not mean that wolf populations could not grow quickly in Utah. Instead, what it means is that high amounts of conflict (e.g. livestock predation, wildlife loss, etc.) at human population interfaces will occur with Canadian Gray Wolves. Conflict is likely due a variety of factors including: (1) the fact that wolf packs cover large geographic areas; (2) migration habits of resident prey populations; (3) the large amount of prey base biomass needed to support packs of Canadian Gray Wolves; and (4) the geographic proximity of cities and towns across the state of Utah.

H. Utah Statute on Wolves and Funding for Delisting Efforts

Utah statute clearly explains "it is the policy of the state to legally advocate and facilitate the delisting of wolves in Utah under the Endangered Species Act and to return management authority to the state" (see Exhibit 13). In 2012, the Utah

Legislature appropriated \$300,000 to the Utah Division of Wildlife Resources (Utah DWR). This appropriation was directed to wolf-delisting efforts to return management authority to the state. Delisting of wolves provides Utah with management flexibility when Canadian Gray Wolves begin moving into the state. Utah DWR issued a request for proposals (RFP) seeking assistance with this effort. Big Game Forever submitted a bid to Utah DWR's RFP. After a public bidding process, Big Game Forever was awarded a contract to perform these services.

BIG GAME FOREVER'S WORK

I. Big Game Forever's Work

A. Purpose of Report

This report is being prepared in compliance with State of Utah Contract 136039. The contract requires Big Game Forever to provide a "summary report of accomplishments to DWR" by June 30, 2013. It is important to note that in addition to the \$300,000 provided to conduct wolf-delisting efforts, Big Game Forever has obtained matching dollars from other sources to facilitate efforts to restore state management authority over wolves and to protect wildlife. Big Game Forever is a social welfare organization that was organized for the purpose of restoring and protecting elk, moose and deer. For recovery of moose, elk and mule deer populations to be achievable, western states must have management authority over Canadian Gray Wolves. Big Game Forever has applied for 501(c) 4 non-profit status with the Internal Revenue Service and is waiting for a final determination on our application. Ryan Benson is the attorney for Big Game Forever who works full-time on the wolf-delisting effort.

B. Big Game Forever's Work

The research, educational, legal and legislative efforts conducted by Big Game Forever to restore state authority to manage wolves has been a significant undertaking. Big Game Forever's wolf-delisting efforts are directed to the following categories:

1. Education and Science
2. Public Outreach
3. Direct Action
4. Legislative and Legal

1. Education and Science

Big Game Forever has conducted extensive research on the scientific, biological and policy considerations surrounding wolf delisting. Understanding the science, data and experiences in wolf states has been vital to Big Game Forever's wolf-delisting efforts. Through these efforts, Big Game Forever has been able to educate decision makers and the public on the importance of protecting native wildlife species and the need for responsible management of Canadian Gray Wolves.

Ed Bangs, coordinator for U.S. Fish and Wildlife Service's Northern Rockies wolf program, explains the importance of wolf management in an article entitled, "Pack Man," (Outside, November 2010, p. 53):

... Bangs insists it's good policy to manage wolves like bears and mountain lions, both of which are hunted to control population growth. 'Did the Endangered Species Act do its job to restore wolves?' Bangs asks. 'Big time. But is it the best tool

to manage wolves once the population is recovered? No way.’
(See Exhibit 14.)

Internationally renowned wolf biologist, David Mech, has explained some of the reasons why wolf delisting is important once delisting objectives are met (International Wolf, Spring 2004, p. 6):

... the [Endangered Species Act] is for saving species from extinction. With the wolf’s current numbers and distribution, as well as the states’ management plans, the wolf clearly is no longer in danger. Thus the government has an ethical, if not legal, obligation to delist the species. (See Exhibit 15.)

Big Game Forever works with state wildlife managers, wildlife conservation organizations, agricultural interests, and the public from “wolf states” of Idaho, Montana, Wyoming, Wisconsin, Alaska, Arizona, New Mexico and Minnesota. Educating concerned individuals, organizations and states from across the country has been important to building support for lasting solutions. Big Game Forever’s efforts also extend to states where wolves are now appearing, or are likely to move in the near future, including Utah, Colorado, Nevada, Oregon and Washington State. These efforts are directed at helping decision makers understand the biology, science, policy and history underpinning the need for regulation of wolf populations now and in the future. Big Game Forever also works to educate the public in these states on the importance of responsible wolf management in wildlife conservation.

2. Public Outreach

Big Game Forever’s public outreach efforts are also an important part of building support for and implementing lasting wolf-delisting solutions. Ryan Benson has spent over 300 days on the road in Utah, Washington D.C., and other states around the country. Building cohesive science-based support for responsible wolf management and protection is the foundation of these efforts. These public outreach efforts typically involve working with concerned individuals and organizations on ways they can get more involved to support solutions to restore wolf management authority to the states and to protect wildlife.

3. Direct Action

Grass roots support is an important tool used by Big Game Forever. Big Game Forever’s online petition at <http://biggameforever.org> allows individuals to voice their concern while joining Big Game Forever’s education and response network. Big Game Forever utilizes one of the most robust political action systems in the country. This system makes it easy for the average citizen to make their voice heard. Big Game Forever’s approach is to be simple, concise, respectful, but clear in our desire to ensure that all states have authority to manage wolf populations. Big Game Forever’s members

have sent tens of thousands of messages in support of state management of wolf populations.

4. Legislative and Legal

Big Game Forever and Ryan Benson have been at the forefront of legislative efforts to delist wolves in Washington D.C. that began in 2010 (see Exhibits 16 and 17). Ryan Benson's expertise on wolves and wolf delisting has been sought in many of the legislative proposals presented before Congress. Tim Rupli is currently Big Game Forever's professional representative in Washington D.C.. Mr. Rupli represented the state of Utah in the 1993 and 1995 Base Realignment & Closure Process (BRAC's), an effort funded by the state of Utah and private sector partners. Mr. Rupli, an avid outdoorsman, is regularly listed as one of the most influential lobbyists in Washington D.C.. With Mr. Rupli's guidance, professionalism and expertise, BGF has worked with many Congressional offices from around the country. These efforts have provided data, science, background and education to facilitate a more complete understanding of why wolf management is important to long-term conservation efforts of Utah and other states. BGF has worked tirelessly to unite states, members of Congress, and other like-minded organizations in building support for restoring wolf management authority to the states.



Figure 9. Sportsmen show support at town hall meeting.

Education and Outreach Tools and Select Examples

III. Education and Outreach Tools.

A. Brief Overview

Big Game Forever utilizes a variety of tools in its efforts. On a regular basis, Big Game Forever sends email updates sharing the best available science, results of delayed management and developments in the administrative, legislative, legal and policy arena. BGF has invested substantial resources in public outreach tools to educate the public about issues surrounding gray wolf management.

Big Game Forever is regularly interviewed by members of the media on this important issue. Ryan Benson has been interviewed for radio, television, newspaper, magazines, and social media regarding wolf delisting. Big Game Forever has also worked to develop television and online content. Advertising placements have also been used to help educate the public on the importance of state efforts to protect elk, moose and deer populations through responsible wolf management.

B. Categories and Examples

Some of the education and outreach efforts of Big Game Forever are directed at the following categories (one illustrative example is provided per category):

1. Online and Social Media



Figure 3. BGF You Tube Piece.

See <http://www.youtube.com/watch?v=yxaYMrwG3FI>.

2. Direct Conservation Outreach



Folks,

Yesterday, US Fish and Wildlife Service issued a very interesting report on wolves in America. It appears that the service may be backing away from aggressive wolf expansion plans in most areas in America. There are a few exceptions where more wolves may be required by USFWS. Here is a quick summary:

(1) Expanded Wolf Delisting in the lower 48: The report suggests that gray wolves could be removed from endangered status in the lower 48 states (with a few notable exceptions see #2 and #3 below). Here is the quote, "The 5-year status review recommendation is that the *Canis Lupus* entity [gray wolves as a species] ...should be revised...by removing all areas currently included in the CFR range. In other words, it is time to delist a bunch of states where wolves don't belong or where they are already recovered.

(2) Notable Exceptions. The above sentence also makes clear that removal of wolves in the lower 48 states from endangered status does not include areas where "there is a valid species, or subspecies, or DPS that is

Figure 4. Example BGF Outreach Email.

3. Television and Radio

HOME ABOUT SHOW GEAR SHOP EPISODES

MacMillan River Adventures/Big Game Forever

We are very proud of the fact that the MacMillan River Adventures/Big Game Forever wolf episode was awarded the Golden Moose for "Best Conservation Show" on Outdoor Channel last year!

Shawn and I were proud to partner with Big Game Forever to tell the true story about the wolf re-introductions to American Sportsmen. Not only was the story of the wolf re-introductions new to many American sportsmen, but through our episode thousands of hunters joined the fight to delist wolves in the Rocky Mountains and the Western Great Lakes. We were honored to accept the Golden Moose Award on behalf of all the hunters and sportsmen, and especially our courageous friends at Big Game Forever. After our show aired, Outdoor Channel changed its policy and now allows wolf hunts to be shown on the network. Ryan Benson, from BGF, is a stand up guy that is a fearless fighter for hunters in America. Shawn and I support Big Game Forever (www.biggameforever.org) and strongly encourage you to do so, too!

Keith

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MRA Hunting Newsletter

Email Address:

Meet Shawn Michaels

Figure 5. BGF Award Winning Wolf Delisting Episode.

See <http://www.mrahunting.com/keiths-blog/macmillan-river-adventuresbig-game-forever-wolf-episode/>.

4. Newspapers, Magazines and Other Periodicals

Hatch, fellow senators petition to end gray wolves' protected status

By Ben Lockhart

March 25th, 2013 @ 8:31pm



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7 Comments

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SALT LAKE CITY — Led by Utah Sen. Orrin Hatch, 72 senators and representatives formally asked the U.S. Fish and Wildlife Service Monday to delist the gray wolf from the Endangered Species Act.

Related Links

[Senators' letter to U.S. Fish and](#)

[The request in a letter sent to the agency](#) argues that the gray wolf is no longer an endangered species and that uncontrolled gray wolf population

Figure 6. KSL news article on Congressional Support for Wolf Delisting. See <http://www.ksl.com/?nid=960&sid=24541452>.

5. Presenting at Town Hall and Non-Governmental Organization Events



Figure 7. Ryan Benson presents at sportsman conservation event.

6. Highway Billboard Campaign



Figure 8. Responsive Billboard Campaign.

Legislative and Legal Accomplishments

IV. Legislative and Legal Accomplishments

A. 2011 Congressional Action to Delist Wolves in the Northern Rockies.

Big Game Forever has worked diligently over the last three years to restore management authority over wolves in Utah and other states. Many legislative proposals have been introduced in Congress since 2010. Big Game Forever has worked diligently to build broad based support in Congress for national wolf delisting. In early 2011, this broad based support for Congressional action resulted in legislation that removed wolves from the endangered species list in all of the Northern Rockies Distinct Population Segment (the “Northern Rockies DPS”) except the state of Wyoming. The small portion of the state of Utah that lies within the boundary of the Northern Rockies DPS was included in this delisting. The wolf delisting provision, which was inserted as section 1713 of the Full-Year Appropriations Act of 2011, P.L. 112-10 was passed by Congress and signed into law by President Barack Obama on April 15, 2011. It is important to recognize the contribution of many members of Congress, conservation organizations, and the general public in support of Congressional action to delist wolves. Each member of Utah’s Congressional delegation played an important role building support for wolf delisting by Congress.



The image is a screenshot of a BBC News article. At the top, the BBC logo is visible on the left, and navigation links for News, Sport, Weather, Travel, Culture, and Auto are on the right. Below this is a red banner with the text 'NEWS US & CANADA'. Underneath the banner is a navigation bar with links for Home, US & Canada, Latin America, UK, Africa, Asia, Europe, Mid-East, Business, Health, and Sci/Envir. The main content area features a small photo of a woman and a child, with a green graphic that says '35¢ a day can help Doctors Without give emergency care to those who need it most.' Below this is a date and time stamp: '15 April 2011 Last updated at 19:02 ET' and social media sharing icons. The article title is 'Congress strips grey wolf endangered species protection' by Daniel Nasaw, BBC News, Washington. The article text states: 'Politicians in the US Congress have for the first time removed a previously threatened animal from the nation's endangered species list. The move is the culmination of a long dispute that has pitted the wolves' defenders against hunters who said the animals were devastating wild game they wanted for themselves.' To the right of the text is a photo of four grey wolves in a snowy landscape. Below the photo is a caption: 'Conservation groups fear the move by Congress could set a dangerous precedent'. At the bottom of the article text, it says: 'At the stroke of a pen, US President Barack Obama on Friday stepped into a bloody fight between two American populations with clout in Washington and a loud voice in the news media'.

Figure 10. BBC News Article on Congressional Wolf-Delisting Action.
See <http://www.bbc.co.uk/news/world-us-canada-13086459>.

B. 9th Circuit Lawsuit Challenging Congressional Delisting Decision

On May 5, 2011, U.S. Fish and Wildlife Service complied with Section 1713 by reissuing the 2009 Rule. 50 C.F.R. Part 17, 76 Fed. Reg. 25,590. That same day, several plaintiffs filed a lawsuit challenging the constitutionality of Section 1713. The lawsuit, filed in United States District Court for the Western District of Montana before Judge Donald W. Molloy, challenged the Congressional action under the separation of powers doctrine relying on *United States v. Klein*, 80 U.S. 128 (1871). The choice of court is notable due to the fact other lawsuits challenging administrative wolf-delisting decisions by the Bush and Obama administrations were also filed in Judge Molloy's court. Big Game Forever worked with other concerned conservation organizations to intervene in the lawsuit to defend the Congressional action to delist wolves.

1. Western District of Montana Ruling Upholds Constitutionality of Congressional Delisting Decision. On August 3, 2011, Judge Donald W. Molloy granted summary judgment upholding the Congressional wolf delisting by finding that Congress acted within its enumerated powers by amending the Endangered Species Act using section 1713 of the Full-Year Appropriations act of 2011, P.L. 112-10. Judge Molloy's ruling holds that:

Because the 2009 Rule was invalidated, the re-issuance of the Rule pursuant to congressional directive, by implication amended the ESA as to this particular delisting. In other words, the ESA is no longer intact as to the re-issuance of the 2009 rule...under Ninth Circuit law a constitutional reading of Congress's directive to reissue the Rule is possible.

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Molloy upholds delisting of wolves in Montana, Idaho

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Courtesy photo

This 2004 photograph provided by Montana Fish, Wildlife and Parks shows an adult male wolf from the Lazy Creek pack north of Whitefish, Mont. (AP Photo/Montana Fish, Wildlife and Parks, File)

August 04, 2011 5:45 am • By ROB CHANEY of the Missoulian 0 Comments

Strongly disagreeing with his own decision, U.S. District Court Judge Donald Molloy on Wednesday upheld a congressional rider removing gray wolves from Endangered Species Act protection.

Related Documents

Molloy's full ruling on wolves

Barring a successful appeal, the decision means wolves are delisted in Montana and Idaho, and those states may go ahead with their scheduled wolf hunting seasons this

Figure 11. Missoulian article on Molloy decision.

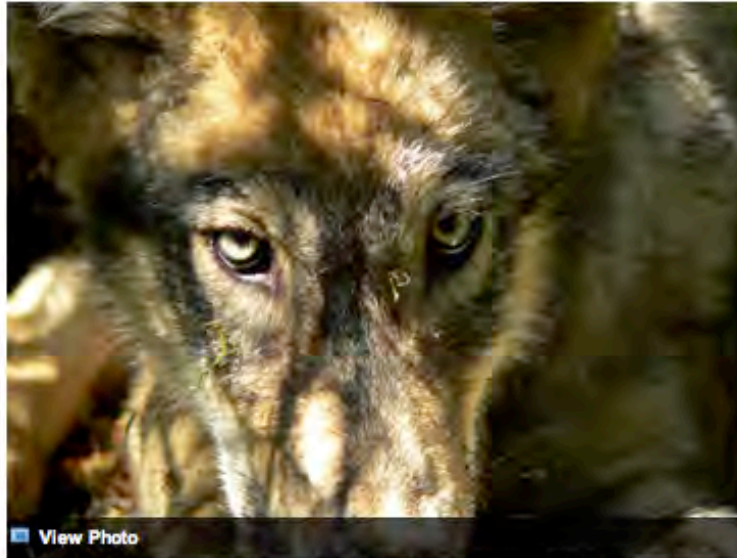
See http://missoulian.com/news/local/molloy-upholds-delisting-of-wolves-in-montana-idaho/article_46773a76-be2d-11e0-a73f-001cc4c03286.html.

2. Ninth Circuit Court of Appeals Upholds Constitutionality of Congressional Delisting Decision. The plaintiffs appealed Judge Molloy's ruling to the United States Court of Appeals for the Ninth Circuit in San Francisco. Arguments were heard before a three-judge panel at the Ninth circuit on November 8, 2011. Big Game Forever's attorney Ted Lyon presented arguments at the hearing. The Ninth circuit ruling, written by Judge Mary Schroeder was issued on March 14, 2012. In affirming the district court's finding of constitutionality of the Congressional delisting, the court indicated, "...Congress effectively provided that no statute, and this must include the ESA, would apply to the 2009 rule. Congress thus amended the law applicable to the agency action...The meaning and intended effect of Section 1713 are perfectly clear. The partial delisting was to take effect within 60 days, with no court review or interference...Section 1713...is entitled to be enforced."

APNewsBreak: US appeals court allows wolf hunts

AP By MATTHEW BROWN | Associated Press – Wed, Mar 14, 2012

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Associated Press/Montana Department of Fish, Wildlife & Parks, Kent Lauden, File - File-This August 2005 file photo provided by the Montana Department of Fish, Wildlife & Parks shows a gray wolf pup from the ...more

BILLINGS, Mont. (AP) — A federal appeals court on Wednesday rejected a lawsuit from conservation groups that want to block wolf hunting and trapping that have killed more than 500 of the predators across the Northern Rockies in recent months.

The ruling from a three-judge panel of the 9th U.S. Circuit Court of Appeals said Congress had the right to intervene when it stripped protections from wolves last spring.

Lawmakers stepped in after court rulings kept wolves on the endangered list for years after they reached recovery goals. Wildlife advocates claimed in their lawsuit that Congress violated the Constitution's separation of powers by interfering with the courts.

But in an opinion authored by Judge Mary Schroeder, the court said Congress was within its rights. Schroeder wrote that lawmakers changed the Endangered Species Act to deal with

Figure 12. AP News Article on Ninth Circuit Ruling.

See <http://news.yahoo.com/apnewsbreak-us-appeals-court-allows-wolf-hunts-154340239.html>.

The plaintiffs did not appeal the Ninth Circuit's decision to the U.S. Supreme Court. Based on these rulings in favor of the constitutionality of the Congressional wolf-delisting action, Idaho and Montana began wolf management in the fall of 2011. These rulings also upheld the constitutionality of the Congressional action for portions of Utah, Washington and Oregon. Moreover, the decision of the courts affirmed that Congressional action was an effective and legal mechanism for restoring state management authority over wolf populations.

C. Strong Support in Congress for Wolf Delisting

In early 2011, Senator Orrin Hatch introduced S.249 in the U.S. Senate while Congressman Denny Rehberg and Congressman Jim Matheson introduced the companion bill H.R.509 in the U.S. House of Representatives. These bills known as the National Big Game and Livestock Protection Act were directed to return wolves to state wildlife management nationwide. Both bills enjoyed significant and ongoing bi-partisan support. In the space of just a few months, 61 Senators and Congressmen from 32 different states co-sponsored S.249 and H.R. 509. The strong level of support for these two bills clearly demonstrated that momentum was building in Congress for a legislative solution to the wolf-delisting issue. Another bill, H.R.1819 was also introduced in 2011 by Representative Candice Miller. The language of H.R.1819 would delist wolves in the entire state of Utah, along with other states where wolves had not been delisted including, Wyoming, Minnesota, Michigan and Wisconsin.

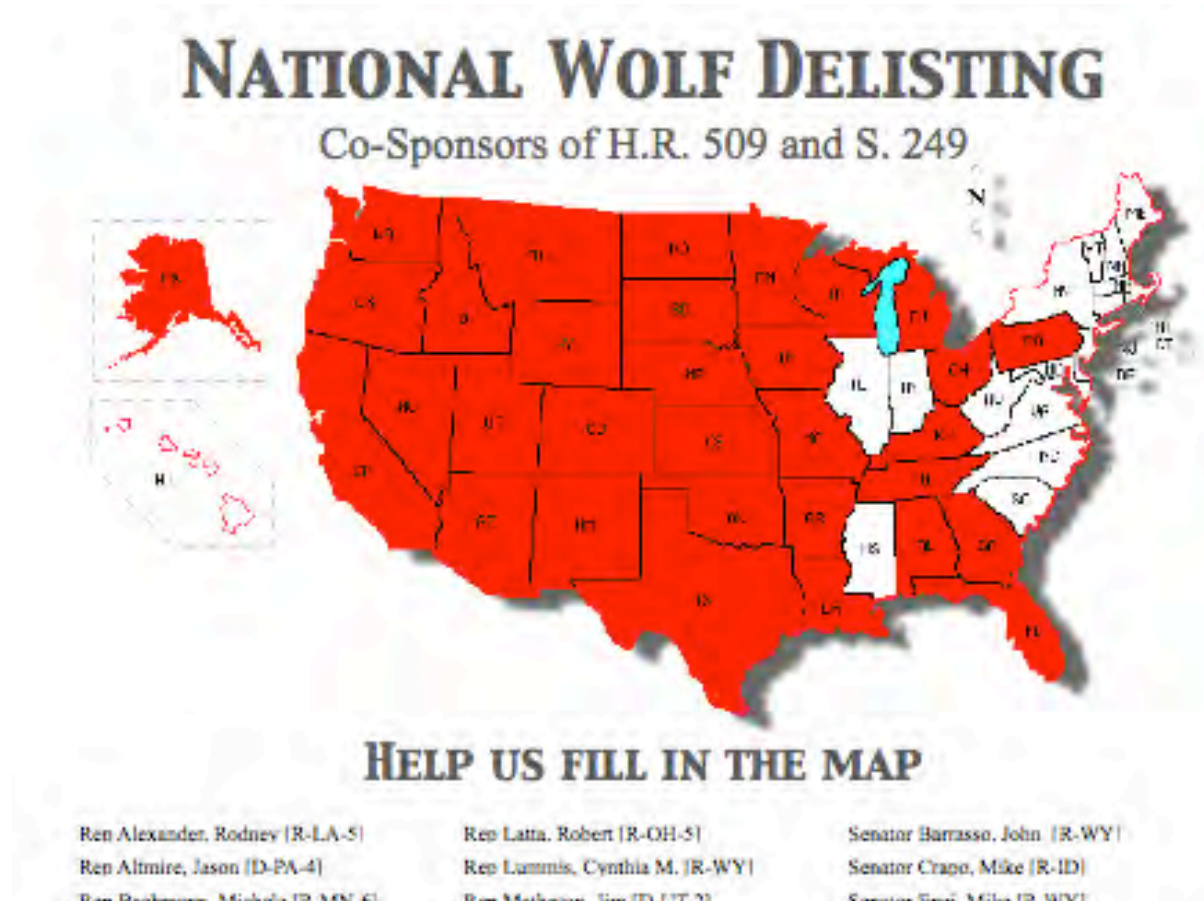
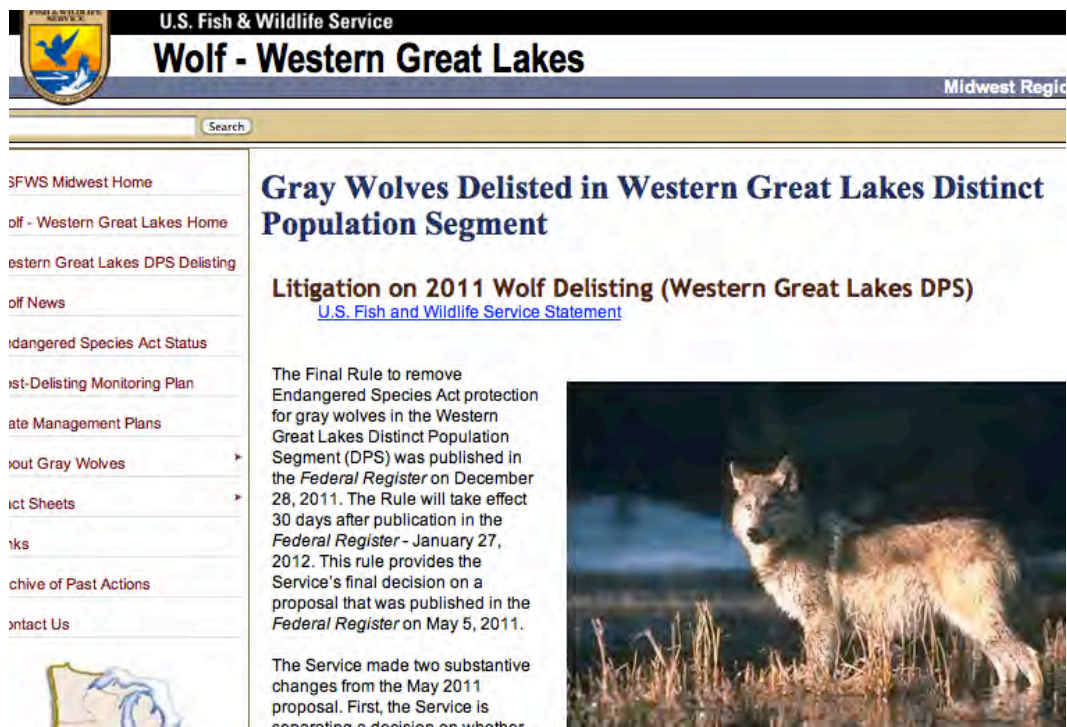


Figure 13. Congressional Cosponsors of National Wolf-Delisting Bills.
See <http://biggameforever.org/bgfcosponsormap.pdf>.

D. Expanded Delisting of Wolves in Wyoming, Minnesota, Michigan and Wisconsin.

1. Western Great Lakes Delisting. After the passage of Section 1713, USFWS aggressively pursued expanded wolf-delisting efforts through administrative action. In late 2011, the Western Great Lakes Distinct Population Segment states of Minnesota, Michigan and Wisconsin were delisted. Plans were also announced to delist wolves in the state of Wyoming. As a result, by July of 2012, wolf populations in Idaho, Montana, Minnesota, Michigan and Wisconsin had been delisted with authority being returned to the states to manage wolf populations. In fact, by July of 2012 Wyoming was the only state of the 6 original wolf states that had not been granted full management authority over wolves.



The screenshot shows the USFWS website for the Western Great Lakes wolf population. The main heading is "Gray Wolves Delisted in Western Great Lakes Distinct Population Segment". Below this, there is a sub-heading "Litigation on 2011 Wolf Delisting (Western Great Lakes DPS)" with a link to a "U.S. Fish and Wildlife Service Statement". The text on the page discusses the final rule to remove Endangered Species Act protection for gray wolves in the Western Great Lakes Distinct Population Segment (DPS), published in the Federal Register on December 28, 2011. It mentions that the rule will take effect 30 days after publication in the Federal Register - January 27, 2012. The text also notes that this rule provides the Service's final decision on a proposal that was published in the Federal Register on May 5, 2011. A photograph of a gray wolf is shown on the right side of the page.

Figure 14. USFWS announcement on Western Great Lakes DPS Delisting. See <http://www.fws.gov/midwest/wolf/delisting/>.

1. Wyoming Delisting.

a. Overview. Delisting of wolves in Wyoming occurred in the fall of 2012. Wyoming's delisting was another significant development in the wolf-delisting process. With Wyoming's fall 2012 delisting, all 6 original wolf states were now delisted. It is also notable that because Wyoming and Utah are bordering states,

delisting and management of wolves in Wyoming will likely affect the future of wolf management in Utah.

b. 2010 Litigation Victory. Some background is helpful to understand why Wyoming's wolf delisting was a legally significant development. In 2010, Wyoming successfully litigated its right to implement wolf management in federal court. The state of Wyoming's victory in federal court was an important precedent. Tenth Circuit Judge Alan Johnson's ruling found that Wyoming had the right to manage its wildlife without undue federal interference:

... the Court finds that the government's determination that Wyoming must adopt a state-wide trophy game management area is not supported by any new commercial or scientific data showing that a state-wide trophy area ensures Wyoming's share of the recovered NRM wolf population would be conserved in accordance with the requirements of the ESA.

Later in the ruling the court concludes:

... the decision of FWS to require designation of the entire state of Wyoming as a trophy game area and refusing to permit delisting of the gray wolf in Wyoming for that reason is arbitrary capricious and should be set aside.

(See pages 85 and 100

<http://www.hagemanlaw.com/pdf/wolves/s%20Decision%2011-18-10.pdf>)

c. Nexus Between Congressional Action and Wyoming Delisting. The original draft of Section 1713 was problematic for delisting of wolves in Wyoming. As drafted, the language would have rescinded important aspects of Judge Johnson's ruling in favor of Wyoming's right to make wolf management determinations in the state. Understanding the importance of this court victory, an amendment to the language of Section 1713 was prepared in order to protect Wyoming's victory in court and pathway to delisting. This language states, "...such reissuance...shall not abrogate or otherwise have any effect on the order and judgment issued by the United States District Court for the District of Wyoming in Case Number 09-CV-118J and 09-CV-138J on November 18, 2010." This language was added to the bill as a result of efforts by Congresswoman Cynthia Lummis and the Wyoming Congressional delegation in the final negotiations of the budget Continuing Resolution. Without this language, wolves in

Wyoming likely would have remained listed for the foreseeable future providing a conduit for unmanaged wolves into the state of Utah. Instead, the court victory was preserved and Wyoming Governor Matt Mead was able to obtain approval of wolf management in the state of Wyoming. Wolves in the state of Wyoming were delisted by administrative action in October of 2012.



Figure 15. Deseret News Article on Wyoming wolf delisting. See <http://www.deseretnews.com/article/700168123/Wyoming-feds-announce-plan-for-delisting-wolves.html>.

d. Relevance of Wyoming Delisting to the State of Utah. Wolf management in neighboring states will not stop the movement of wolves into Utah. However, it is likely that wolf management activities in the neighboring states of Idaho and Wyoming should help regulate the number of Canadian wolves that will migrate into Northern Utah in the near future. This will help state wildlife professionals to observe herd dynamics in areas of high wolf and other predator densities in Montana, Idaho and Wyoming, allowing the state of Utah to more fully understand the likely implications of gray wolf populations on Utah's wildlife, livestock and outdoor recreational activities.

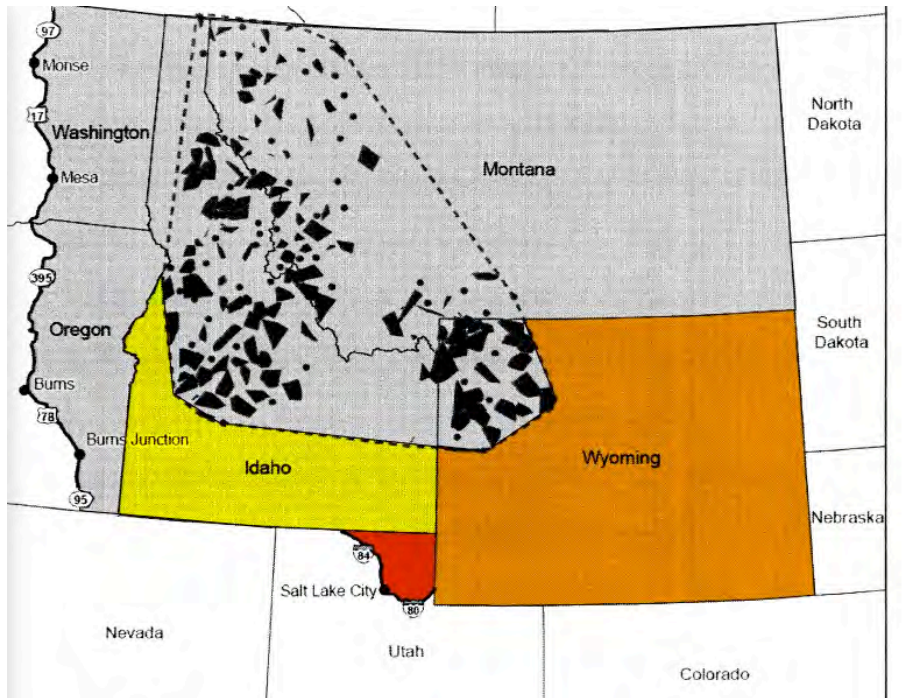


Figure 16. Map of Northern Rockies DPS and biological relationship to wolves in Utah.

e. Lawsuits Challenging Wyoming’s Delisting. Because the state of Wyoming was excluded from the Congressional protections afforded to Idaho and Montana as a result of section 1713 of the Full-Year Appropriations act of 2011, P.L. 112-10, Wyoming’s delisting rule is currently being challenged by lawsuits in two different jurisdictions. One lawsuit was filed in the United States District Court for the District of Colorado. The other lawsuit was filed in the United States District Court for the District of Columbia. These lawsuits have not stopped wolf management in the state of Wyoming at this point. Big Game Forever has helped build a coalition of conservation organizations and livestock groups to intervene in these lawsuits. Big Game Forever is on the same side of the lawsuit as the State of Wyoming and U.S. Fish and Wildlife Service.

The lawsuit challenging Wyoming’s wolf plan that was filed in Colorado federal court has since been moved to federal district court in the state of Wyoming. Likely as a result of the change of venue, the plaintiffs in this case have now requested dismissal of the Wyoming lawsuit without prejudice. Plaintiffs will continue to pursue the lawsuit challenging Wyoming’s lawsuit in Washington D.C.

It appears that efforts to shop for favorable venues and select friendly judges to challenge state management of wolves will continue, to the

frustration of Wyoming citizens. Big Game Forever’s intervention in the Wyoming case was granted as a matter of right. Big Game Forever and other joint interveners are still waiting to be admitted in the case pending in the District of Columbia.

E. Forty-Eight State Delisting and Ongoing Congressional Support

1. Five-Year Recommendations on Wolf-Delisting

In February 2012, U.S. Fish and Wildlife Service released its 5-year recommendations on wolf management in America. When the report was released, it appeared to suggest that the Service recognized that Canadian Gray Wolves were not endangered and that expanded delisting in the lower 48 states was likely. Subsequent meetings with U.S. Fish and Wildlife Service confirmed that the Service was preparing a delisting of Canadian Gray Wolves in the lower 48 states. This was important because expanded delisting would return management authority over Northern Gray wolves to the state of Utah and other western and mid-western states. Big Game Forever has worked integrally with key members of Congress and U.S. Fish and Wildlife Service in support of this expanded delisting.

2. Public Notified of Pending Delisting

In spring of 2013, a draft of the 48-state delisting was disseminated to the press in advance of the pending delisting. During this time, wolf proliferation advocates worked to prevent publication of the draft 48-state delisting rule. On March 4, 2013, a “Dear Colleague Letter” signed by 52 members of Congress was sent to U.S. Fish and Wildlife Service Director Dan Ashe. The letter suggested that plans to publish a draft 48-state delisting rule should be abandoned.

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U.S. plans to drop gray wolves from endangered list

The planned ruling would eliminate protection for the top predators, but scientists and conservationists say the proposal is flawed.

April 25, 2013 | By Julie Cart, Los Angeles Times

Federal authorities intend to remove endangered species protections for all gray wolves in the Lower 48 states, carving out an exception for a small pocket of about 75 Mexican wolves in the wild in Arizona and New Mexico, according to a draft document obtained by The Times.

The sweeping rule by the U.S. Fish and Wildlife Service would eliminate protection for wolves 18 years after the government reestablished the predators in the West,



Figure 17. LA Times announces leak of preliminary wolf delisting draft.

See <http://articles.latimes.com/2013/apr/25/local/la-me-wolves-20130426>

3. Support from 72 Members of Congress

In light of the March 4th “Dear Colleague Letter,” Big Game Forever worked with Utah’s Congressional delegation and many members of Congress from other states on a “Dear Colleague Letter” in support of state management and regulation of wolf populations. On March 22nd, this letter, signed by 72 members of Congress in support of state management of wolves was sent to U.S. Fish and Wildlife Service Director Dan Ashe (see Exhibit 18).



Press Release

FOR IMMEDIATE RELEASE	CONTACTS:
March 25, 2013	Matthew Haraka (Hatch), 202-224-5251 Laura Mengelkamp (Barrasso), 202-224-6441 Christine D'Amico (Lummis), Spencer Pederson (Hastings), 202-226-9019

72 MEMBERS OF CONGRESS URGE U.S. FISH AND WILDLIFE SERVICE TO DELIST THE GRAY WOLF FROM THE ENDANGERED SPECIES ACT

WASHINGTON – A bipartisan group of 72 Members of Congress have written to the U.S. Fish and Wildlife Service (USFWS) to urge that the Agency delist the gray wolf from the Endangered Species Act (ESA) in the Continental United States. The letter was spearheaded by Sens. Orrin Hatch (R-UT) and J. Barrasso (R-WY), and Reps. Cynthia Lummis (R-WY) and Doc Hastings (R-WA), Chairman of the House Natural Resources Committee.

In the letter, the Members of Congress write that “[w]olves are not an endangered species and do not need federal protections. The full delisting of the species and the return of the management of wolf populations to State governments is long overdue. As you know, State governments are fully qualified to responsibly manage wolf populations and are able to meet both the needs of local communities and wildlife

Figure 18. Press Release on 72-Member “Dear Colleague” Letter.

4. Publication of 48-State Delisting Rule and Public Comment Period

On June 7, 2013, USFWS announced the new draft rule to delist Canadian Gray Wolves nationwide. The draft rule was published June 13, 2013. The draft rule will return management authority over Canadian Gray Wolves to the state of Utah and other states across America. As a result, state wildlife agencies will have the management flexibility needed to protect moose, elk and deer populations. It is important to understand that this action is the publication of a draft rule. Delisting does not occur until the final rule is approved and published in the federal register. Publication of the draft rule is a significant step in the right direction. The public comment period is now being conducted. The process of moving toward final publication of the delisting rule will take as long as one year.

USFWS seeks to delist wolves across Lower 48

BY JOE ALBERT ASSOCIATE EDITOR

Posted on June 13, 2013

St. Paul — Federal officials are declaring victory in their four-decade campaign to rescue the gray wolf, a predator the government once considered a nuisance and tried to exterminate.



The U.S. Fish and Wildlife Service last Friday proposed removing the remaining federal protections for the animals as an endangered species across the Lower 48 states. The exception would be in the southwestern U.S., where the recovery effort for Mexican gray wolves is ongoing.

Dan Ashe, USFWS director, said wolves can thrive and expand their territory without federal protection.

Figure 19. News article on 48-state wolf delisting.

See <http://www.outdoornews.com/june-2013/USFWS-seeks-to-delist-wolves-across-Lower-48/>

5. Time Frame and Work to Finalize 48-State Delisting

Finalizing the proposed 48-state wolf delisting of Canadian Gray Wolves will require a lot of work. We are encouraged by the continued progress in this effort as represented by the publication of a draft 48 state wolf-delisting rule. Finalizing the delisting rule may take a full year. Right now authority over wolf management in Utah lies in the hands of US Fish and Wildlife Service. Once the final rule becomes law, the Utah Wildlife Board, Utah Division of Wildlife Resources and the Utah legislature can ascertain the need for and responsible implementation of wolf management in the state of Utah.

Big Game Forever is hopeful that this will allow for responsible wolf management and conservation and protection of moose, elk, mule deer and other wildlife in the state of Utah. Here is a list of some of the major efforts still to be undertaken before the state of Utah has management authority over wolves:

- Ensuring the draft-delisting rule provides for restoration of full management authority to the State of Utah over Canadian Wolves;
- Assessing the impact that listing of Mexican Wolves (*Canis Lupus Baileyi*) as a separate subspecies will have on the state of Utah;
- Providing scientific support for the expanded delisting of Canadian

- Gray Wolves as part of the delisting process;
- Working with conservation-minded sportsmen and livestock producers to ensure strong public support for 48-state Canadian Wolf delisting;
- Outreach efforts to provide tens of thousands of public comments in support of expanded Canadian Wolf delisting;
- Monitoring public comment periods, deadlines and other legal requirements to avoid technical mistakes that could undermine the delisting decision;
- Assessing the likely lawsuit challenges to the final delisting rule;
- Ascertaining whether additional Congressional action is needed to ensure full-state management authority over wolves.

Finalizing the delisting rule is important to conservation of wildlife in the state of Utah. The rule will restore full management authority over Canadian Gray Wolves. This authority will ensure that Utah has the flexibility to protect multispecies conservation within its borders. Big Game Forever continues to work towards finalizing the draft delisting rule to ensure management flexibility and protection of Utah's moose, elk, deer and other wildlife. In addition, the decision to move forward with Canadian Wolf delisting is an important step for livestock producers, agriculture interests and outdoor recreation in the state of Utah.

F. Mexican Wolves

The pending administrative rule to delist Canadian Gray Wolves in the lower 48 states also includes language reclassifying the Mexican Wolves as a separate subspecies. For the foreseeable future, we anticipate that U.S. Fish and Wildlife Service's efforts on Mexican Wolves will be directed at efforts within the 10(j) distinct population boundary in the Blue Mountains of Arizona and New Mexico. However, it is possible that there may be efforts to expand of Mexican Wolves populations outside the boundary of the 10(j) area and even to other states. In the past, there has been significant pressure to allow large numbers of Mexican Wolves to inhabit Southern Utah. Mexican wolves are not indigenous to the state of Utah. In fact, 90 percent of original Mexican wolf range occurs in Mexico. Attempts to use the Endangered Species Act to mandate non-indigenous wildlife species outside of native range is a concerning development. Attempts to establish a Mexican wolf population in Southern Utah appears to run contrary to legal provisions of the Endangered Species Act. We will continue to monitor issues surrounding Mexican Wolf Conservation a

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**APPENDIX A:
TIMELINE OF WOLF GROWTH AND
LEGISLATIVE ACCOMPLISHMENTS**

The Introduction of the Canadian Gray Wolf

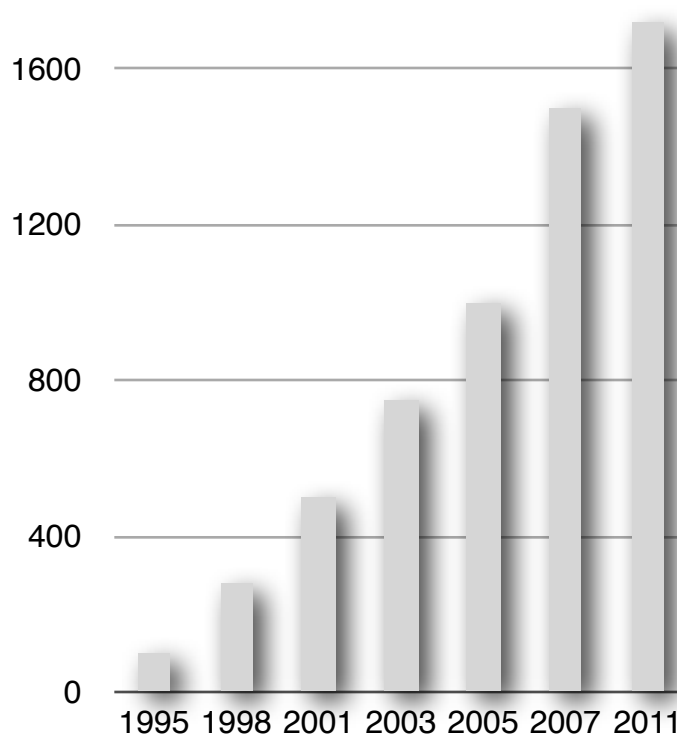
1995

29 Canadian Gray Wolves introduced in Northern Rockies



2001

Wolf population numbers exceed 500 wolves in the Northern Rockies.



2010

April

Formation of Big Game Forever.

May

Big Game Forever announces effort to pursue congressional wolf delisting.

September

S 3919 introduced by Senator Orrin Hatch.

“Recovery goals... equitably distributed wolf population containing at least 300 wolves and 30 breeding pairs for 3 consecutive years were reached in 2002.”

--USFWS

2005

Wolf population numbers exceed 1000 wolves in the Northern Rockies.



2007

Wolf population numbers exceed 1500 wolves in the Northern Rockies.

2006

Governor Huntsman and members of Utah's Congressional delegation send correspondence to USFWS requesting acceptance of Utah wolf management plans.

December

Congressional wolf delisting debated on floor of the US Senate.

July

HR 6028 introduced by Congressman Chet Edwards (D) Texas.

Canadian Gray Wolf Delisting Efforts

2011

January/February

HR 509 and S 249 American Big Game and Livestock Protection Act introduced with 24 co-sponsors.



February

Big Game Forever summit announcing unified effort of 55 co-sponsors to achieve delisting.

September

Governor Herbert requests that USFWS delist the remainder of Utah and explains that non-native Mexican Wolves will not be permitted in the state.

December

Delisting of Western Great Lakes Gray Wolf Distinct Population Segment is announced.

March

9th Federal Appellate Court in San Francisco rules that Congressional Action to delist wolves in the Northern Rockies is fully constitutional.

2013

March

72 members of Congress send "Dear Colleague Letter" to USFWS director Dan Ashe in support of expanded wolf delisting.

May

Final rule implementing 1713 is published by US Fish and Wildlife Service.

April

Congressman Mike Simpson includes section 1713 in Full-Year Appropriations Act with endorsement of Senator John Tester and Max Baucus. President Obama signs 1713 into law.

2012

February

USFWS 5-year recommendations of wolves suggest expanded delisting is supported by the science and policy underlying the endangered species act.

October

State of Wyoming Wolf Plan approved and delisting finalized.



June 13

USFWS publishes draft 48 state delisting and opens public comment period.

June 7

USFWS announced decision to delist Canadian Gray Wolves in the lower 48 states. Mexican Wolves listed as a separate subspecies.

**APPENDIX B:
FINANCIAL EXPENDITURES**

Big Game Forever
Contract Breakdown
June 2012 through May 2013

Income		
	State Contract	300,000
Expense		
	Supporting Services	-17337
	Program Services	
	Education and Science	-65354
	Public Outreach	-39829
	Direct Action	-43342
	Legislative and Legal	-134138
	Total Program Services	-282663
Total Expense		-300000
Net Income		0

Amount based on percentage of total profits and losses.

**APPENDIX C:
EXHIBITS**



EXHIBIT 1

Nonresident hunters cooler to Montana, Idaho

SEPTEMBER 02, 2012 12:00 AM • [RICH LANDERS THE SPOKESMAN-REVIEW](#)

Weather, wolves, politics and the economy are slamming a quadruple whammy on the budgets of fish and game agencies in Idaho and Montana.

Nonresidents are no longer clamoring for the quota of permits the states offer for their fabled deer and elk hunts despite the standout hunting opportunities.

Nonresidents are cash cows for state budgets. Just as they boost university tuition revenues, nonresidents pay up to 15 times more than residents for the privilege to hunt elk.

While some locals welcome less competition in their favorite hunting areas, local economies are feeling the pain, too. Hardest hit are rural towns where nonresident hunters book motel rooms, eat at restaurants and support numerous other businesses with out-of-area dollars.

Losses are huge in license revenue alone.

The Idaho Fish and Game Department watched \$3.5 million in license revenue vaporize last year because it could not sell all of its allotted nonresident deer and elk tags, according to Craig Wiedmeier, license division manager.

That amounts to a 4.5 percent divot in the department's already strapped \$77 million annual operating budget, which is funded almost entirely by hunting and fishing license fees.

Idaho's sales of nonresident deer and elk tags have steadily declined each year since 2008. The trend apparently hasn't bottomed out.

Last year, sales of nonresident Idaho deer tags were down 22 percent from 2010 and elk tag sales were down 23 percent, Wiedmeier said.

The number of tags sold this year is down about 18 percent from August 2011.

Montana is hurting, too. For the second time in 30 years, the state has a surplus of nonresident big-game combo licenses — tags that used to sell out by March 15.

At last count, Montana was still holding 795 unsold big-game combo licenses (from a 17,000 quota), 1,935 elk combo licenses and 1,921 deer combo licenses.

That amounts to a whopping \$3.36 million shortfall at this point, although the state is banking on selling more tags in the next two months.

"We normally get a spike in nonresident sales in September and even October, especially from Washington state," said Ron Aasheim, Montana Fish, Wildlife and Parks spokesman in Helena.

“But we’re still concerned. We’re talking about a lot of money.”

Before 2008, Idaho and Montana enjoyed high demand for their quotas of nonresident deer and elk tags. Sell-outs were the norm until the following occurred in the following two years:

- Wall Street and the mortgage banking industry tanked the nation’s economy.
- Winter weather hammered Idaho elk herds as well as Montana deer and antelope.
- Word of wolves ravaging deer and elk populations — sometimes exaggerated, sometimes not — spread through hunting communities.
- Politics compounded revenue problems by ignoring the economic climate.

Despite warnings from fish and game officials, Idaho’s legislature and Montana’s voters raised nonresident license fees, asking out-of-staters to pay more for less.

In 2009, Idaho lawmakers raised nonresident deer tags from \$259 to \$302 and bumped the elk tag from \$373 to \$417.

Fish and Game officials confirmed their assumptions about declining license sales in a 2009 survey of nonresident hunters, many of whom indicated the economy, fee increases and wolf impacts played into their decisions to forgo hunting in Idaho.

Montana voters created even more economic heartburn for their wildlife agency and local economies by approving an initiative that took a swipe at guides who were tying up hunting ground.

Initiative 161 eliminated outfitter sponsored big-game licenses that guaranteed big-spending nonresidents a chance to hunt in Montana. The outfitter combo big- game tags that sold for \$1,250 helped finance the state’s popular Block Management program that gives all hunters access to private land.

The Montana initiative also significantly raised prices of the nonresident big-game combination license from \$643 to \$944, the elk combo from \$593 to \$794 and the deer combo from \$343 to \$561.

Meanwhile, both states are trying to get out the message that they still have tremendous hunting opportunities.

For example, despite the impact of weather and wolves, Montana wildlife officials say elk populations in 70 percent of the state’s hunting units are at or above management objectives.

“In this economy, buying patterns have changed,” Idaho’s Wiedmeier said. “A lot more hunters wait to the last minute before making the decision to buy a license. It’s like they know they want to hunt in Idaho, but they want to be sure they can make it.”

EXHIBIT 2

Edward E. Bangs
U.S. Fish and Wildlife Service
585 Shepard Way, Helena, MT 59601
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Wolf recovery in the northwestern United States

Ed Bangs, U.S. Fish and Wildlife Service, Helena, Montana; Mike Jimenez, USFWS, Jackson, WY; Carolyn Sime, Montana Fish, Wildlife and Parks, Helena, MT; Jon Rachael, Idaho Department of Fish and Game, Boise, ID; Curt Mack, Nez Perce Tribe, Lapwai, ID; Doug Smith, National Park Service, Yellowstone National Park, WY; Kenneth Mills, Wyoming Game and Fish Department, Pinedale, WY; and Jeff Green, USDA APHIS, Wildlife Services, Denver, CO.

Abstract- Gray wolf (*Canis lupus*) populations were deliberately eliminated from the northern Rocky Mountains (NRM) of the northwestern United States by 1930. Naturally dispersing wolves from Canada first denned in Montana in 1986. In 1995 and 1996 wolves from western Canada were reintroduced to central Idaho and Yellowstone National Park, Wyoming by the U.S. Fish and Wildlife Service (Service) to accelerate recovery. In December 2009, there were at least 1,706 wolves in 242 packs and in April 2010 another >600 pups were born. Research demonstrates the NRM wolf population has very high genetic diversity as a result of management actions during recovery and that it will be maintained solely by natural dispersal. Wolves occupy over 110,000 square miles in the NRM and suitable habitat (largely forested mountainous public land) appears saturated with resident wolf packs. Wolf restoration initially proceeded with more benefits (public viewing and restoration of ecological processes in natural areas), and fewer problems (livestock and pet depredation and decreases in wild ungulate populations) than predicted. However, problems have increased since 2002 when the population first exceeded its minimum recovery goal. Since 1987, more than 1,301 cattle, 2,854 sheep, 142 dogs, 31 goats, 25 llamas, and 10 horses have been confirmed killed by wolves, perhaps 1/8th of the actual damage. Nearly \$2,000,000 has been paid by private and state wolf damage compensation funds. In addition to a wide variety of non-lethal tools, we relocated wolves 117 times and killed >1,259 to reduce conflicts. On May 4, 2009, the NRM Distinct Population Segment (DPS) of the gray wolf (Montana, Idaho, Wyoming, eastern Washington and Oregon, and a small part of southcentral Utah) was established and federal protections were removed. Wolves are now managed and hunted just like other resident wildlife, except in Wyoming which lacks a Service-approved state wolf management plan. While the NRM wolf population is biologically recovered, public opinion remains divisive and the legal and policy decisions made by the Service to not approve Wyoming's wolf plan and to delist wolves in the NRM are both being litigated in Federal District Courts in Wyoming and Montana.



ISSN:

Released May 12, 2011, by the National Agricultural Statistics Service (NASS), Agricultural Statistics Board, United States Department of Agriculture (USDA).

Cattle and Calf Death Losses

This report is released every five years as a cooperative effort between the National Agricultural Statistics Service and Animal and Plant Health Inspection Service – Wildlife Services and Veterinary Services. The information presented in this report is based on producer reports from the January 2011 Cattle survey and includes detailed percentage breakouts of cattle and calf losses by predators and non-predator causes as well as non-lethal control measures.

Cattle and calf losses from predators and non-predator causes in the United States totaled 3.99 million head (excluding Alaska) during 2010. This represents 4.3 percent of the 93.9 million cattle and calves in the United States at the beginning of 2010. Losses of cattle weighing more than 500 pounds totaled 1.73 million head or 43.4 percent of total losses. Calves weighing less than 500 pounds lost to all causes totaled 2.26 million head or 56.6 percent of total losses.

Cattle and calf losses from animal predators totaled nearly 220 thousand head during 2010. This represented 5.5 percent of the total deaths from all causes and resulted in a loss of \$98.5 million to farmers and ranchers. Coyotes and dogs caused the majority of cattle and calf predator losses accounting for 53.1 percent and 9.9 percent respectively.

Cattle and calf losses from non-predator causes totaled 3.77 million head or 94.5 percent of the total losses during 2010. Respiratory problems represented the leading cause of non-predator deaths, accounting for 28.0 percent, followed by digestive problems at 13.4 percent.

Non-lethal predator control measures cost farmers and ranchers throughout the United States \$188.5 million during 2010. Use of guard animals was the most common method at 36.9 percent. Exclusion fencing, frequent checking, and culling were the next most commonly used methods of preventing cattle and calf losses at 32.8 percent, 32.1 percent, and 28.9 percent respectively.

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Number of Head and Total Value of Cattle and Calf Death Loss by Cause – United States: 2010

[Totals may not add due to rounding]

Cause	Number of head	Percent of total	Total value
	(number)	(percent)	(1,000 dollars)
Predator			
Coyotes	116,700	53.1	48,185
Mountain lions and bobcats ¹	18,900	8.6	9,221
Dogs	21,800	9.9	10,067
Vultures	11,900	5.4	4,641
Wolves	8,100	3.7	3,646
Bears	2,800	1.3	1,415
Other predators	12,400	5.6	6,352
Unknown predators	27,300	12.4	14,948
Total predator	219,900	100.0	98,475
Non-predator			
Digestive problems	505,000	13.4	267,799
Respiratory problems	1,055,000	28.0	643,146
Metabolic problems	59,800	1.6	47,558
Mastitis	62,000	1.6	59,112
Lameness/injury	140,900	3.7	112,251
Other diseases	179,500	4.8	114,577
Weather related	489,000	13.0	274,092
Calving problems	494,000	13.1	274,670
Poisoning	36,100	0.9	26,817
Theft	15,100	0.4	9,309
Other non-predator	301,600	8.0	247,092
Unknown non-predator	435,000	11.5	276,476
Total non-predator	3,773,000	100.0	2,352,899
United States Total ²	3,992,900	100.0	2,451,374

¹ Includes cougars, pumas and lynx.

² Excludes Alaska.

Number of Head of Cattle and Calves Lost by Cause – States and United States: 2010

State	All causes		Predators		Non-predators	
	Cattle (head)	Calves (head)	Cattle (head)	Calves (head)	Cattle (head)	Calves (head)
Alabama	23,000	30,000	1,000	5,200	22,000	24,800
Arizona	20,000	18,000	2,200	2,100	17,800	15,900
Arkansas	35,000	40,000	1,900	4,800	33,100	35,200
California	100,000	135,000	1,400	8,200	98,600	126,800
Colorado	55,000	55,000	800	4,300	54,200	50,700
Connecticut	1,100	1,200	-	100	1,100	1,100
Delaware	400	500	-	-	400	500
Florida	23,000	31,000	900	5,400	22,100	25,600
Georgia	19,000	23,000	1,300	3,500	17,700	19,500
Hawaii	5,000	4,000	100	500	4,900	3,500
Idaho	42,000	51,000	1,900	4,200	40,100	46,800
Illinois	18,000	30,000	300	1,500	17,700	28,500
Indiana	13,000	22,000	100	800	12,900	21,200
Iowa	70,000	95,000	200	1,400	69,800	93,600
Kansas	125,000	80,000	800	3,900	124,200	76,100
Kentucky	44,000	68,000	1,200	9,500	42,800	58,500
Louisiana	18,000	19,000	1,800	4,600	16,200	14,400
Maine	1,900	2,700	-	300	1,900	2,400
Maryland	3,000	5,000	100	100	2,900	4,900
Massachusetts	1,000	1,000	-	-	1,000	1,000
Michigan	22,000	43,000	200	600	21,800	42,400
Minnesota	46,000	88,000	400	2,100	45,600	85,900
Mississippi	21,000	27,000	800	2,800	20,200	24,200
Missouri	65,000	125,000	700	6,500	64,300	118,500
Montana	23,000	57,000	1,000	4,200	22,000	52,800
Nebraska	110,000	85,000	200	2,200	109,800	82,800
Nevada	5,000	12,000	500	2,300	4,500	9,700
New Hampshire	800	800	-	-	800	800
New Jersey	500	700	-	100	500	600
New Mexico	22,000	35,000	3,300	6,600	18,700	28,400
New York	32,000	43,000	300	1,400	31,700	41,600
North Carolina	13,000	20,000	1,400	4,000	11,600	16,000
North Dakota	15,000	40,000	300	2,500	14,700	37,500
Ohio	21,000	29,000	500	2,300	20,500	26,700
Oklahoma	90,000	130,000	3,400	10,500	86,600	119,500
Oregon	20,000	35,000	600	3,200	19,400	31,800
Pennsylvania	35,000	43,000	100	600	34,900	42,400
Rhode Island	100	200	-	-	100	200
South Carolina	7,000	8,000	300	1,000	6,700	7,000
South Dakota	68,000	90,000	300	2,600	67,700	87,400
Tennessee	34,000	56,000	1,300	7,800	32,700	48,200
Texas	310,000	290,000	6,000	40,000	304,000	250,000
Utah	13,000	26,000	300	2,300	12,700	23,700
Vermont	6,000	8,000	100	200	5,900	7,800
Virginia	26,000	52,000	600	4,800	25,400	47,200
Washington	20,000	19,000	200	1,500	19,800	17,500
West Virginia	5,000	15,000	100	1,000	4,900	14,000
Wisconsin	75,000	140,000	500	3,100	74,500	136,900
Wyoming	11,000	30,000	400	3,500	10,600	26,500
United States ¹	1,733,800	2,259,100	39,800	180,100	1,694,000	2,079,000

- Represents zero.

¹ Excludes Alaska.

Total Value per Head and Total Value of Cattle and Calf Losses by Cause – States and United States: 2010

[Totals may not add due to rounding]

State	Total value per head		Total value predator losses		Total value non-predator losses	
	Cattle ¹	Calves ²	Cattle	Calves	Cattle	Calves
	(dollars)	(dollars)	(1,000 dollars)	(1,000 dollars)	(1,000 dollars)	(1,000 dollars)
Alabama	852	324	852	1,685	18,744	8,035
Arizona	790	354	1,738	743	14,062	5,629
Arkansas	807	339	1,533	1,627	26,712	11,933
California	923	348	1,292	2,854	91,008	44,126
Colorado	1,037	372	830	1,600	56,205	18,860
Connecticut	1,095	300	-	30	1,205	330
Delaware	843	312	-	-	337	156
Florida	766	333	689	1,798	16,929	8,525
Georgia	793	330	1,031	1,155	14,036	6,435
Hawaii	520	273	52	137	2,548	956
Idaho	967	354	1,837	1,487	38,777	16,567
Illinois	1,001	336	300	504	17,718	9,576
Indiana	955	321	96	257	12,320	6,805
Iowa	1,097	360	219	504	76,571	33,696
Kansas	1,017	378	814	1,474	126,311	28,766
Kentucky	871	330	1,045	3,135	37,279	19,305
Louisiana	871	318	1,568	1,463	14,110	4,579
Maine	879	300	-	90	1,670	720
Maryland	911	312	91	31	2,642	1,529
Massachusetts	824	300	-	-	824	300
Michigan	942	278	188	167	20,536	11,787
Minnesota	987	375	395	788	45,007	32,213
Mississippi	821	315	657	882	16,584	7,623
Missouri	997	357	698	2,321	64,107	42,305
Montana	1,058	384	1,058	1,613	23,276	20,275
Nebraska	1,128	393	226	865	123,854	32,540
Nevada	969	369	485	849	4,361	3,579
New Hampshire	973	300	-	-	778	240
New Jersey	918	249	-	25	459	149
New Mexico	894	354	2,950	2,336	16,718	10,054
New York	911	276	273	386	28,879	11,482
North Carolina	838	315	1,173	1,260	9,721	5,040
North Dakota	1,135	366	341	915	16,685	13,725
Ohio	908	321	454	738	18,614	8,571
Oklahoma	914	360	3,108	3,780	79,152	43,020
Oregon	972	345	583	1,104	18,857	10,971
Pennsylvania	996	300	100	180	34,760	12,720
Rhode Island	951	300	-	-	95	60
South Carolina	843	315	253	315	5,648	2,205
South Dakota	1,133	381	340	991	76,704	33,299
Tennessee	820	324	1,066	2,527	26,814	15,617
Texas	889	354	5,334	14,160	270,256	88,500
Utah	984	360	295	828	12,497	8,532
Vermont	842	300	84	60	4,968	2,340
Virginia	801	330	481	1,584	20,345	15,576
Washington	949	342	190	513	18,790	5,985
West Virginia	884	297	88	297	4,332	4,158
Wisconsin	949	423	475	1,311	70,701	57,909
Wyoming	1,094	396	438	1,386	11,596	10,494
United States ³	952	354	35,720	62,755	1,615,102	737,797

- Represents zero.

¹ Cattle value per head is based on a two-year straight average of the value of beef cows reported in the January 1 Cattle survey from 2010 and 2011.

² Calf value per head is based on the market year average calf price. An average weight of 300 pounds was used in all States.

³ Excludes Alaska. United States value per head for cattle and calves derived.

Percent of Total Cattle Predator Losses by Predator – States and United States: 2010

[Totals may not add due to rounding]

State	Coyotes	Mountain lions and bobcats ¹	Dogs	Vultures	Wolves	Bears	Other predators	Unknown predators
	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)
Alabama	38.3	-	49.9	3.4	-	-	-	8.4
Arizona	15.8	7.3	-	-	-	1.5	0.7	74.7
Arkansas	37.5	-	43.1	-	-	-	2.2	17.2
California	57.0	32.5	8.5	-	-	1.0	-	1.0
Colorado	17.7	4.0	0.8	-	-	21.4	47.6	8.5
Connecticut	-	-	-	-	-	-	-	-
Delaware	-	-	-	-	-	-	-	-
Florida	40.8	1.9	9.0	3.1	-	-	25.6	19.6
Georgia	7.0	-	14.1	0.1	-	-	71.5	7.3
Hawaii	-	-	67.2	-	-	-	14.8	18.0
Idaho	3.9	1.5	0.5	-	30.0	0.4	3.2	60.5
Illinois	66.5	17.4	-	-	-	-	16.1	-
Indiana	67.6	16.2	-	-	-	-	16.2	-
Iowa	38.0	7.1	26.1	-	-	-	-	28.8
Kansas	66.1	24.6	1.8	-	-	-	3.4	4.1
Kentucky	50.7	-	16.8	7.1	0.5	2.4	7.5	15.0
Louisiana	68.8	-	4.8	1.1	-	-	19.6	5.7
Maine	-	-	-	-	-	-	-	-
Maryland	-	-	-	-	-	-	-	100.0
Massachusetts	-	-	-	-	-	-	-	-
Michigan	59.5	-	25.0	-	-	-	15.5	-
Minnesota	52.1	5.4	7.0	-	16.8	-	-	18.7
Mississippi	79.3	-	17.2	-	-	-	3.5	-
Missouri	10.3	-	44.0	-	-	-	-	45.7
Montana	4.8	-	-	-	44.0	6.5	3.7	41.0
Nebraska	39.0	59.0	-	-	-	-	-	2.0
Nevada	4.7	17.3	-	-	-	-	-	78.0
New Hampshire	-	-	-	-	-	-	-	-
New Jersey	-	-	-	-	-	-	-	-
New Mexico	25.9	44.3	1.7	-	2.4	0.4	3.4	21.9
New York	7.3	-	5.9	-	-	-	-	86.8
North Carolina	26.1	-	23.1	-	-	6.8	-	44.0
North Dakota	85.8	-	-	-	-	-	-	14.2
Ohio	79.5	-	-	6.8	-	-	13.7	-
Oklahoma	35.7	6.8	19.5	7.8	-	-	13.6	16.6
Oregon	63.6	13.3	-	-	-	7.3	-	15.8
Pennsylvania	-	-	-	-	-	-	-	100.0
Rhode Island	-	-	-	-	-	-	-	-
South Carolina	65.8	-	6.3	-	-	-	25.5	2.4
South Dakota	72.0	24.0	-	4.0	-	-	-	-
Tennessee	62.1	-	26.4	-	-	-	-	11.5
Texas	22.2	27.7	6.5	6.0	-	0.1	11.3	26.2
Utah	44.0	1.9	-	-	-	42.8	0.4	10.9
Vermont	100.0	-	-	-	-	-	-	-
Virginia	31.7	-	5.9	7.8	-	0.8	1.7	52.1
Washington	80.7	7.5	-	-	-	-	-	11.8
West Virginia	49.5	-	-	-	-	18.4	-	32.1
Wisconsin	31.5	-	-	-	58.0	10.5	-	-
Wyoming	19.8	11.9	1.0	-	18.6	15.7	-	33.0
United States ²	34.4	12.1	11.3	2.3	3.8	1.9	9.3	24.9

- Represents zero or less than 0.1 percent.

¹ Includes cougars, pumas, and lynx.

² Excludes Alaska.

Percent of Total Calf Predator Losses by Predator – States and United States: 2010

[Totals may not add due to rounding]

State	Coyotes	Mountain lions and bobcats ¹	Dogs	Vultures	Wolves	Bears	Other predators	Unknown predators
	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)
Alabama	48.4	1.5	26.0	9.9	-	-	6.7	7.5
Arizona	38.3	31.9	5.7	-	12.7	3.4	2.5	5.5
Arkansas	38.7	3.2	30.6	13.8	-	-	7.1	6.6
California	75.7	11.7	4.3	-	-	0.1	2.3	5.9
Colorado	82.2	6.3	1.0	-	-	7.8	0.3	2.4
Connecticut	100.0	-	-	-	-	-	-	-
Delaware	-	-	-	-	-	-	-	-
Florida	77.4	-	0.5	8.7	-	-	6.2	7.2
Georgia	53.7	-	15.8	12.5	-	-	13.3	4.7
Hawaii	-	-	89.9	-	-	-	7.5	2.6
Idaho	26.9	4.3	3.3	0.3	47.4	0.7	3.0	14.1
Illinois	87.9	7.1	1.0	0.3	-	-	1.6	2.1
Indiana	71.8	-	26.8	1.4	-	-	-	-
Iowa	66.9	1.0	13.9	-	-	-	8.4	9.8
Kansas	71.2	7.9	13.8	-	-	-	-	7.1
Kentucky	79.0	0.4	8.1	2.5	0.4	0.4	1.3	7.9
Louisiana	81.7	-	6.1	6.9	-	-	3.0	2.3
Maine	14.0	-	-	-	-	-	86.0	-
Maryland	56.6	-	6.6	-	-	-	-	36.8
Massachusetts	-	-	-	-	-	-	-	-
Michigan	55.5	-	5.6	-	-	-	-	38.9
Minnesota	35.3	1.9	1.4	-	37.7	-	5.2	18.5
Mississippi	65.9	1.2	16.0	3.8	-	-	12.1	1.0
Missouri	29.5	14.4	33.2	3.8	-	2.2	1.5	15.4
Montana	46.9	5.2	-	-	20.3	2.3	1.6	23.7
Nebraska	59.4	37.5	-	-	-	-	-	3.1
Nevada	61.8	2.4	1.7	-	-	0.1	3.6	30.4
New Hampshire	-	-	-	-	-	-	-	-
New Jersey	59.4	-	-	32.8	-	7.8	-	-
New Mexico	65.2	16.4	6.3	-	-	1.3	3.6	7.2
New York	88.5	1.8	3.6	-	-	-	-	6.1
North Carolina	63.7	-	12.1	10.4	-	-	1.8	12.0
North Dakota	86.2	3.7	1.7	-	0.7	-	2.4	5.3
Ohio	90.0	-	1.4	1.7	-	-	6.9	-
Oklahoma	52.6	7.1	13.8	4.4	1.5	1.5	9.3	9.8
Oregon	70.0	8.7	0.5	-	7.7	1.0	8.7	3.4
Pennsylvania	66.7	-	1.9	1.5	-	-	-	29.9
Rhode Island	-	-	-	-	-	-	-	-
South Carolina	80.2	0.5	5.0	7.0	-	-	3.8	3.5
South Dakota	95.5	3.5	-	-	-	-	1.0	-
Tennessee	62.5	0.3	16.0	8.8	-	-	0.9	11.5
Texas	40.1	15.4	9.3	14.0	0.4	-	7.9	12.9
Utah	58.8	6.2	4.8	-	1.8	15.4	9.8	3.2
Vermont	95.2	-	-	-	-	-	-	4.8
Virginia	65.0	-	7.5	12.9	-	5.4	0.8	8.4
Washington	77.3	3.4	-	-	2.4	3.3	-	13.6
West Virginia	80.9	-	-	-	-	8.8	-	10.3
Wisconsin	42.0	3.2	-	0.1	47.5	0.9	-	6.3
Wyoming	46.5	11.5	1.7	-	14.6	7.7	3.3	14.7
United States ²	57.2	7.8	9.6	6.1	3.7	1.1	4.8	9.7

- Represents zero or less than 0.1 percent..

¹ Includes cougars, pumas, and lynx.

² Excludes Alaska.

Percent of Total Cattle Non-Predator Losses by Type – States and United States: 2010

[Totals may not add due to rounding]

State	Digestive problems	Respiratory problems	Metabolic problems	Mastitis	Lameness or injury	Other diseases
	(percent)	(percent)	(percent)	(percent)	(percent)	(percent)
Alabama	4.9	5.3	2.6	0.7	3.9	5.9
Arizona	8.6	10.9	0.5	3.1	5.0	1.1
Arkansas	8.1	13.6	1.2	1.1	1.2	11.0
California	7.9	27.3	3.9	10.6	11.0	5.6
Colorado	18.2	39.7	1.6	2.0	5.3	7.1
Connecticut	13.9	11.1	8.5	23.0	13.2	5.5
Delaware	8.9	2.7	1.5	21.6	6.2	6.2
Florida	5.9	10.8	3.8	5.3	6.8	2.3
Georgia	4.6	12.5	3.1	2.5	4.6	7.0
Hawaii	1.0	0.6	0.3	-	0.6	2.2
Idaho	13.4	25.6	5.6	7.6	9.9	8.1
Illinois	14.0	25.6	4.5	3.2	10.5	3.9
Indiana	10.9	20.9	6.7	3.8	8.9	2.4
Iowa	10.0	45.5	1.5	2.3	6.8	3.8
Kansas	5.2	63.8	0.3	0.7	1.8	2.9
Kentucky	9.9	35.7	1.0	1.1	3.3	1.9
Louisiana	4.1	11.6	0.2	1.1	4.8	5.6
Maine	5.6	30.5	16.0	6.5	20.9	2.7
Maryland	9.7	6.5	6.4	7.5	9.1	5.3
Massachusetts	9.6	8.1	13.0	16.8	6.9	0.2
Michigan	11.4	27.1	7.6	9.2	9.1	6.0
Minnesota	13.2	24.2	5.1	6.8	8.4	4.6
Mississippi	5.1	14.3	1.7	0.7	3.9	3.3
Missouri	4.5	11.5	1.5	1.0	5.0	8.3
Montana	6.6	16.9	0.7	0.5	5.1	4.7
Nebraska	9.3	39.2	0.4	0.3	4.2	2.0
Nevada	8.0	11.0	4.3	3.7	8.1	6.0
New Hampshire	8.5	6.2	9.0	7.5	11.6	9.9
New Jersey	2.7	7.1	8.3	0.8	7.9	2.7
New Mexico	19.8	18.2	2.9	17.7	2.7	7.2
New York	11.3	11.5	8.4	13.3	17.7	4.5
North Carolina	4.6	11.3	5.6	3.0	6.1	4.3
North Dakota	9.7	24.7	0.7	0.2	3.0	4.2
Ohio	13.0	25.7	5.7	6.3	12.7	3.9
Oklahoma	4.7	28.3	0.6	0.5	3.9	6.8
Oregon	9.9	9.9	4.5	5.0	12.4	3.6
Pennsylvania	10.1	14.3	6.1	16.8	13.2	9.8
Rhode Island	36.6	-	3.6	3.6	13.4	5.3
South Carolina	19.8	6.5	1.7	4.2	3.2	4.0
South Dakota	12.6	31.1	2.7	1.9	5.4	5.2
Tennessee	5.1	11.6	1.6	1.3	5.1	5.2
Texas	7.3	22.1	1.2	1.2	2.8	4.8
Utah	12.6	19.3	5.9	3.8	6.5	2.8
Vermont	14.0	10.0	6.6	16.7	12.8	9.5
Virginia	4.3	12.4	2.5	2.8	7.8	6.3
Washington	10.7	25.5	3.9	8.1	8.6	6.7
West Virginia	7.3	9.2	2.1	1.3	4.6	5.6
Wisconsin	10.8	17.3	8.2	9.4	17.5	5.0
Wyoming	5.2	11.7	1.6	1.4	3.0	5.5
United States ¹	8.7	26.5	2.6	3.7	6.1	5.0

See footnote(s) at end of table.

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Percent of Total Cattle Non-Predator Losses by Type – States and United States: 2010 (continued)

[Totals may not add due to rounding]

State	Weather related (percent)	Calving problems (percent)	Poisoning (percent)	Theft (percent)	Other non-predator (percent)	Unknown non-predator (percent)
Alabama	16.4	16.8	3.1	1.3	25.1	14.0
Arizona	8.5	6.7	1.9	0.1	6.1	47.5
Arkansas	16.3	12.1	6.3	0.1	19.3	9.7
California	1.5	10.2	-	0.2	12.9	8.9
Colorado	5.2	3.3	2.3	0.1	5.7	9.5
Connecticut	0.7	9.7	4.3	0.6	4.9	4.6
Delaware	-	20.1	-	-	10.8	22.0
Florida	18.5	17.6	1.5	0.1	20.7	6.7
Georgia	3.4	21.8	0.3	-	26.4	13.8
Hawaii	74.4	6.5	0.1	2.5	9.8	2.0
Idaho	3.1	9.0	2.6	0.1	9.7	5.3
Illinois	11.4	9.4	0.9	-	12.5	4.1
Indiana	1.8	15.1	0.5	0.9	13.5	14.6
Iowa	8.5	7.1	0.6	-	7.2	6.7
Kansas	13.0	3.2	0.3	0.3	4.3	4.2
Kentucky	6.5	8.8	1.7	-	14.5	15.6
Louisiana	17.1	15.7	4.2	-	19.9	15.7
Maine	-	6.7	-	-	5.1	6.0
Maryland	1.6	12.8	0.3	-	22.0	18.8
Massachusetts	1.4	16.6	4.7	2.4	10.7	9.6
Michigan	1.5	8.6	-	-	7.7	11.8
Minnesota	5.3	7.7	1.2	-	14.3	9.2
Mississippi	17.1	17.4	0.7	0.6	21.6	13.6
Missouri	20.7	14.9	1.0	1.2	20.0	10.4
Montana	9.7	7.1	3.6	1.1	19.7	24.3
Nebraska	17.9	4.8	0.4	0.2	7.2	14.1
Nevada	1.5	4.2	6.8	9.4	9.5	27.5
New Hampshire	-	18.5	-	-	16.0	12.8
New Jersey	21.3	9.4	-	-	39.2	0.6
New Mexico	3.2	7.2	1.8	1.1	5.3	12.9
New York	1.6	11.0	2.3	0.2	10.5	7.7
North Carolina	10.9	21.3	0.5	1.0	21.0	10.4
North Dakota	16.0	2.4	0.4	0.4	22.4	15.9
Ohio	2.4	14.7	0.2	0.1	10.8	4.5
Oklahoma	11.1	10.4	0.4	1.8	18.6	12.9
Oregon	3.3	8.4	1.7	0.1	29.7	11.5
Pennsylvania	1.3	10.1	0.3	-	9.7	8.3
Rhode Island	-	6.3	-	-	31.2	-
South Carolina	10.4	18.4	1.4	0.2	20.0	10.2
South Dakota	13.1	5.9	3.1	0.1	13.3	5.6
Tennessee	7.9	16.8	1.9	0.7	28.1	14.7
Texas	10.8	12.2	1.4	0.2	17.4	18.6
Utah	6.2	4.8	3.7	1.4	13.6	19.4
Vermont	0.5	10.8	0.9	-	7.2	11.0
Virginia	19.4	14.3	2.5	-	17.3	10.4
Washington	3.0	6.8	-	0.1	13.8	12.8
West Virginia	28.2	18.4	2.7	2.1	9.6	8.9
Wisconsin	3.1	10.9	1.3	-	8.8	7.7
Wyoming	15.2	6.6	7.5	1.3	17.0	24.0
United States ¹	9.9	9.8	1.4	0.4	13.8	12.1

- Represents zero or less than 0.1 percent..

¹ Excludes Alaska.

Percent of Total Calf Non-Predator Losses by Type – States and United States: 2010

[Totals may not add due to rounding]

State	Digestive problems	Respiratory problems	Metabolic problems	Lameness or injury	Other diseases
	(percent)	(percent)	(percent)	(percent)	(percent)
Alabama	5.0	12.7	2.5	2.8	4.7
Arizona	15.0	25.2	-	1.1	6.2
Arkansas	4.3	24.7	0.1	1.3	4.9
California	24.1	46.6	2.1	1.6	5.8
Colorado	18.4	30.8	0.2	1.2	2.6
Connecticut	38.8	20.5	0.4	1.1	6.0
Delaware	21.4	18.9	2.4	-	16.0
Florida	12.4	14.1	2.0	2.7	14.4
Georgia	8.1	16.4	0.5	1.0	2.6
Hawaii	5.6	4.7	-	2.6	4.3
Idaho	24.9	33.9	1.8	3.0	5.5
Illinois	18.1	25.8	0.3	2.8	5.2
Indiana	25.6	29.5	0.7	0.5	1.5
Iowa	21.0	30.7	0.5	1.3	1.7
Kansas	8.3	35.4	0.3	1.5	2.2
Kentucky	14.8	21.0	0.1	2.1	5.9
Louisiana	4.9	22.5	0.1	0.4	3.7
Maine	24.8	30.5	4.4	6.5	2.0
Maryland	14.6	13.4	0.6	3.8	6.9
Massachusetts	21.8	15.0	-	10.0	7.1
Michigan	30.1	41.7	0.1	1.4	2.9
Minnesota	27.7	31.6	1.3	2.6	2.8
Mississippi	5.7	24.7	0.5	2.8	1.5
Missouri	10.1	24.8	0.2	1.4	2.1
Montana	14.3	13.6	0.1	0.7	1.2
Nebraska	15.9	22.6	0.5	0.9	2.2
Nevada	12.1	21.6	-	0.7	0.9
New Hampshire	35.9	34.6	3.8	0.7	0.4
New Jersey	6.0	10.2	-	-	5.1
New Mexico	15.1	33.1	1.3	2.9	3.8
New York	32.9	31.8	2.4	3.2	7.6
North Carolina	9.4	18.7	2.6	2.8	6.7
North Dakota	14.5	28.6	0.4	0.8	3.0
Ohio	27.2	28.5	0.5	3.0	4.6
Oklahoma	4.3	35.1	0.8	2.0	6.4
Oregon	18.4	31.2	1.1	1.6	3.8
Pennsylvania	25.3	39.0	0.4	1.3	4.3
Rhode Island	39.0	22.0	-	-	-
South Carolina	24.4	10.7	1.5	0.5	2.8
South Dakota	12.8	29.2	0.3	0.4	0.9
Tennessee	14.4	21.0	0.6	2.6	6.6
Texas	11.8	28.2	0.5	2.2	9.2
Utah	23.4	25.7	0.5	0.9	2.1
Vermont	38.6	28.4	1.6	1.9	2.3
Virginia	9.9	12.7	0.2	1.8	3.8
Washington	19.4	31.8	0.8	2.8	4.9
West Virginia	8.0	12.7	-	2.6	4.2
Wisconsin	38.1	37.5	1.3	2.0	4.3
Wyoming	9.3	18.3	0.1	0.4	3.9
United States ¹	17.2	29.1	0.8	1.8	4.5

See footnote(s) at end of table.

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Percent of Total Calf Non-Predator Losses by Type – States and United States: 2010 (continued)

[Totals may not add due to rounding]

State	Weather related (percent)	Calving problems (percent)	Poisoning (percent)	Theft (percent)	Other non-predator (percent)	Unknown non-predator (percent)
Alabama	20.5	22.0	0.2	0.7	7.1	21.8
Arizona	9.3	12.1	0.2	3.1	3.6	24.2
Arkansas	16.6	20.1	8.5	-	5.9	13.6
California	3.6	7.0	0.1	0.1	1.9	7.1
Colorado	15.8	17.1	2.4	0.2	4.1	7.2
Connecticut	1.6	7.3	-	-	4.2	20.1
Delaware	-	35.4	-	-	-	5.9
Florida	11.0	29.2	0.4	0.1	0.3	13.4
Georgia	7.0	35.6	2.6	-	3.7	22.5
Hawaii	66.5	5.9	-	1.2	4.3	4.9
Idaho	5.4	20.5	0.1	0.2	1.0	3.7
Illinois	13.7	20.5	-	-	8.6	5.0
Indiana	7.3	13.4	0.1	-	6.1	15.3
Iowa	12.5	19.2	0.6	-	4.1	8.4
Kansas	24.6	15.3	0.1	0.5	2.4	9.4
Kentucky	19.4	13.5	0.7	0.6	3.5	18.4
Louisiana	23.4	22.8	3.1	2.0	5.4	11.7
Maine	11.4	10.9	-	-	1.3	8.2
Maryland	32.8	9.4	-	-	5.9	12.6
Massachusetts	10.3	12.5	-	-	14.7	8.6
Michigan	5.0	5.6	-	0.2	4.3	8.7
Minnesota	7.6	16.4	0.9	-	1.9	7.2
Mississippi	12.7	31.1	0.4	0.6	2.1	17.9
Missouri	28.8	20.7	0.1	-	2.2	9.6
Montana	27.1	22.4	1.3	2.3	1.6	15.4
Nebraska	28.0	23.2	0.3	-	1.3	5.1
Nevada	9.2	7.5	0.7	-	-	47.3
New Hampshire	-	19.0	1.1	-	0.5	4.0
New Jersey	21.6	27.2	-	-	12.5	17.4
New Mexico	15.1	6.0	1.1	3.2	4.5	13.9
New York	1.7	10.9	0.2	0.3	4.1	4.9
North Carolina	17.7	16.8	0.3	0.4	3.6	21.0
North Dakota	26.3	17.7	0.2	0.1	2.8	5.6
Ohio	8.3	24.7	-	-	0.6	2.6
Oklahoma	15.0	17.8	0.7	1.5	4.6	11.8
Oregon	10.5	19.2	0.2	-	2.8	11.2
Pennsylvania	2.5	12.9	0.6	-	3.6	10.1
Rhode Island	4.9	29.2	-	-	4.9	-
South Carolina	3.8	23.9	0.3	-	1.2	30.9
South Dakota	36.8	15.6	0.1	0.1	0.6	3.2
Tennessee	11.0	26.8	0.6	0.5	6.0	9.9
Texas	10.9	11.5	0.5	0.4	3.8	21.0
Utah	21.3	7.7	0.2	2.2	2.1	13.9
Vermont	1.6	9.5	-	-	2.2	13.9
Virginia	30.0	15.5	0.3	-	12.1	13.7
Washington	3.7	17.1	0.1	-	3.2	16.2
West Virginia	52.6	12.4	-	0.6	2.2	4.7
Wisconsin	5.5	5.7	0.3	-	1.6	3.7
Wyoming	29.0	25.0	0.5	0.4	2.6	10.5
United States ¹	15.4	15.8	0.6	0.4	3.3	11.1

- Represents zero or less than 0.1 percent.

¹ Excludes Alaska.

Percent of Operations using Non-Lethal Methods to Prevent Losses of Cattle and Calves to Predators by Method— States and United States: 2010

[Use of multiple non-lethal methods will result in percentages summing to greater than 100]

State	Guard animals	Exclusion fencing	Herding	Night penning	Fright tactics
	(percent)	(percent)	(percent)	(percent)	(percent)
Alabama	53.0	32.1	1.2	1.5	1.4
Arizona	26.8	8.5	81.8	53.4	0.1
Arkansas	51.7	15.0	0.3	11.1	3.2
California	29.8	74.6	1.6	0.5	1.4
Colorado	27.5	22.6	1.7	28.5	2.7
Connecticut	59.0	35.2	1.2	1.2	-
Delaware	-	-	-	-	-
Florida	37.4	14.1	2.8	2.3	0.5
Georgia	49.2	31.9	1.9	0.6	-
Hawaii	0.8	80.6	0.4	-	2.1
Idaho	21.8	19.6	10.9	12.7	12.8
Illinois	39.9	42.5	2.9	20.6	2.7
Indiana	16.4	36.8	2.3	18.0	4.8
Iowa	46.5	22.3	-	6.6	-
Kansas	19.1	10.3	7.1	-	8.3
Kentucky	36.9	52.2	2.2	1.7	0.2
Louisiana	31.0	38.5	7.9	-	2.0
Maine	46.5	85.7	-	7.6	-
Maryland	-	80.5	-	-	-
Massachusetts	26.7	93.1	1.2	22.7	0.5
Michigan	38.6	23.3	-	2.8	0.8
Minnesota	59.0	24.9	5.2	12.8	6.7
Mississippi	72.4	17.2	-	-	-
Missouri	35.9	31.2	6.0	4.8	-
Montana	34.6	3.1	12.7	19.8	4.4
Nebraska	24.5	48.1	1.7	5.1	2.7
Nevada	58.1	-	-	-	-
New Hampshire	4.0	59.6	5.2	13.2	-
New Jersey	0.8	94.1	-	17.8	19.3
New Mexico	38.0	25.3	5.7	11.5	0.1
New York	23.8	51.0	9.3	4.9	2.0
North Carolina	64.0	36.2	0.7	0.5	0.4
North Dakota	38.6	19.2	1.5	1.0	16.4
Ohio	30.1	59.0	2.0	22.7	0.7
Oklahoma	41.8	24.7	8.9	3.6	3.2
Oregon	27.3	24.4	1.7	7.2	1.9
Pennsylvania	6.3	78.4	5.6	5.7	2.0
Rhode Island	10.9	94.5	5.5	13.1	-
South Carolina	16.5	65.7	7.3	-	0.5
South Dakota	39.9	16.9	0.6	14.6	4.5
Tennessee	33.9	33.9	4.6	4.2	0.5
Texas	50.2	24.1	4.7	1.2	1.3
Utah	17.9	79.2	6.9	0.5	0.4
Vermont	37.3	82.7	4.5	4.5	-
Virginia	36.8	17.8	10.1	6.0	5.1
Washington	45.7	32.2	1.6	0.4	10.7
West Virginia	47.0	47.3	15.3	9.9	0.1
Wisconsin	27.0	41.3	5.4	22.1	5.0
Wyoming	19.8	23.5	22.7	19.4	3.5
United States ¹	36.9	32.8	5.3	6.6	2.5

See footnote(s) at end of table.

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Percent of Operations using Non-Lethal Methods to Prevent Losses of Cattle and Calves to Predators by Method— States and United States: 2010 (continued)

[Use of multiple non-lethal methods will result in percentages summing to greater than 100]

State	Livestock carcass removal	Culling	Frequent checks	Other non-lethal
	(percent)	(percent)	(percent)	(percent)
Alabama	17.2	20.4	14.2	2.4
Arizona	0.7	5.4	46.8	0.6
Arkansas	7.8	46.6	22.5	-
California	26.6	5.2	20.3	7.3
Colorado	21.1	18.6	36.8	17.6
Connecticut	1.2	-	-	5.9
Delaware	-	-	-	100.0
Florida	74.2	68.5	80.6	0.4
Georgia	25.1	34.9	21.0	9.2
Hawaii	2.1	12.8	9.9	4.5
Idaho	28.8	36.3	66.4	13.4
Illinois	38.5	28.1	13.7	4.2
Indiana	40.1	31.3	35.3	4.3
Iowa	22.8	30.7	32.3	23.9
Kansas	45.4	40.6	41.4	1.4
Kentucky	14.2	14.2	18.1	4.8
Louisiana	17.9	19.7	24.5	18.9
Maine	-	-	-	-
Maryland	14.0	32.4	29.3	1.3
Massachusetts	-	-	-	-
Michigan	15.4	24.7	14.5	11.2
Minnesota	17.7	14.7	23.1	3.7
Mississippi	0.7	0.7	4.1	14.0
Missouri	18.8	44.4	15.3	0.1
Montana	36.9	30.1	26.6	17.1
Nebraska	63.7	72.7	64.9	11.6
Nevada	17.1	23.3	36.2	-
New Hampshire	4.0	3.8	28.5	1.1
New Jersey	2.9	8.3	20.7	0.8
New Mexico	13.5	9.2	37.6	0.9
New York	11.5	26.5	19.3	2.0
North Carolina	10.7	2.6	9.3	-
North Dakota	20.8	30.8	26.6	11.5
Ohio	22.6	19.8	44.4	4.4
Oklahoma	18.2	24.7	16.7	14.3
Oregon	12.9	12.6	60.9	5.9
Pennsylvania	17.5	21.2	15.2	7.4
Rhode Island	18.5	13.1	18.5	-
South Carolina	28.3	26.6	39.0	1.0
South Dakota	12.1	18.8	37.7	15.3
Tennessee	25.3	22.0	45.0	7.6
Texas	8.1	31.4	29.6	7.2
Utah	12.6	21.9	17.6	50.8
Vermont	4.5	12.7	4.5	-
Virginia	34.3	47.9	37.7	14.8
Washington	1.3	2.6	2.2	11.4
West Virginia	10.2	33.8	15.2	13.9
Wisconsin	19.0	22.4	31.4	6.6
Wyoming	42.9	28.3	47.0	8.3
United States ¹	23.9	28.9	32.1	7.0

- Represents zero or less than 0.1 percent.

¹ Excludes Alaska.

Statistical Methodology

Survey Procedures: A random sample of United States producers were contacted during the January Cattle Inventory survey to provide data for these estimates. Survey procedures ensured that all cattle producers, regardless of size, had a chance to be included in the survey. Large producers were sampled more heavily than small operations. Data were collected from about 40,000 operators during the first half of January by mail, telephone, and face-to-face personal interviews and 78 percent of the reports were usable.

Estimating Procedures: These estimates of death loss were prepared by the Livestock Branch of the National Agricultural Statistics Service using producer data from the January 2011 Cattle survey. Cattle and calf inventory estimates were published in the *Cattle* report released on January 28, 2011 while total cattle and calf death losses from all causes were published in the *Meat Animals Production, Disposition and Income* report released on April 28, 2011. In setting the predator and non-predator loss estimates, first total predator and non-predator losses were estimated first as a percent of total losses, then specific predator and non-predator losses were estimated as a percent of total predator and non-predator losses. Value estimates were rounded to the nearest \$1,000.

Revision Policy: Revisions to previous estimates are made to improve current estimates. Previous year estimates are subject to revision when current estimates are made. Estimates of losses from all causes are subject to revision in next year's Meat Animals Production, Disposition and Income report. No revisions to predator and non-predator loss estimates are planned.

Reliability: Since all cattle operators are not included in the sample, survey estimates are subject to sampling variability. Survey results are also subject to non-sampling errors such as omissions, duplications, and mistakes in reporting, recording, and processing the data. The effects of these errors cannot be measured directly. They are minimized through rigid quality controls in the data collection process and through a careful review of all reported data for consistency and reasonableness.

Terms and Definitions

Cattle includes all cows, bulls, steers, and heifers weighing over 500 pounds. This includes beef and milk breeds as well as cattle on feed.

Calves include beef and milk breed steers, heifers, and bulls weighing less than 500 pounds.

Information Contacts

Listed below are the commodity specialists in the Livestock Branch of the National Agricultural Statistics Service to contact for additional information. E-mail inquiries may be sent to nass@nass.usda.gov

Dan Kerestes, Chief, Livestock Branch	(202) 720-3570
Scott Hollis, Head, Livestock Section	(202) 690-2424
Travis Averill – Dairy Products Prices	(202) 690-2168
Sherry Bertramsen – Livestock Slaughter	(515) 284-4340
Doug Bounds – Hogs and Pigs	(202) 720-3106
Jason Hardegree – Cattle, Cattle on Feed	(202) 720-3040
Mike Miller – Milk Production and Milk Cows	(202) 720-3278
Everett Olbert – Sheep and Goats	(202) 720-4751
Lorie Warren – Dairy Products	(202) 690-3236

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- Printed reports may be purchased from the National Technical Information Service (NTIS) by calling toll-free (800) 999-6779, or (703) 605-6220 if calling from outside the United States or Canada. Accepted methods of payment are Visa, MasterCard, check, or money order.

For more information on NASS surveys and reports, call the NASS Agricultural Statistics Hotline at (800) 727-9540, 7:30 a.m. to 4:00 p.m. ET, or e-mail: nass@nass.usda.gov.

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EXHIBIT 4

Report: Wolves cost Idaho big bucks

Study estimates hunting revenue from elk killed by wolves

By William L. Spence of the Tribune

Friday, February 20, 2009

BOISE - An updated economic analysis indicates Idaho could be losing \$7 million to \$24 million per year in hunting revenue due to the introduction of wolves.

The Idaho Department of Fish and Game provided the analysis at the request of Sen. Gary Schroeder, R-Moscow. It updates a 1994 environmental impact statement related to the introduction of gray wolves in Yellowstone.

"We've gone through this type of analysis before with chinook salmon," said Assistant Director Sharon Kiefer. "It helps illustrate for the public and the Legislature that there are economic costs to foregone opportunities."

The 1994 study assumed a statewide wolf population of about 100 animals. It estimated they would kill 1,650 ungulates per year, of which 70 percent were deer and 30 percent elk, and went on to say that "a reduction in big game animals available for harvest directly affects the available hunting opportunities. Reduced hunting opportunities translates into a reduced number of hunters and hunter days spent in the field."

Fish and Game updated the 1994 study using the current wolf population estimate of 824. Based on more recent research, it assumed 70 percent of the ungulates killed would be elk. It then extrapolated the depredation figures and estimated that Idaho wolves kill about 9,517 elk per year.

The updated study provides four estimates of the economic value of that lost resource. As outlined in a letter to Schroeder, they are:

Harvest value: The economic value of each harvested elk in Idaho is about \$8,000, including direct and indirect benefits. Consequently, if those 9,517 elk had been available to hunters, typically about 20 percent of them, or 1,903 animals, would have been harvested - representing an economic loss of about \$15.2 million.

Animal value: For the purposes of assessing damages, the Legislature has set the value of an illegally taken elk at \$750. Based on that figure, the 9,517 elk killed by wolves would be worth about \$7.1 million.

Reduced hunting opportunity (2): A 1986 U.S. Forest Service publication indicated that one day of elk hunting generated \$39.10 in economic activity. The 1994 environmental impact statement used that figure to estimate that 100 wolves would cost the state between \$572,000 and \$857,000, based on 14,619 to 21,928 days in lost hunting opportunities.

After adjusting the 1986 figure to 2008 dollars, and assuming a linear relationship between reduced hunting opportunities and wolf population, the updated study estimated the current cost of lost hunting days at between \$7 million and \$11 million.

Using a second estimate of \$127.40 per day cited by another study, the opportunity cost ranged from \$15 million to \$24 million.

"I think this at least gives us some data with some science behind it," Schroeder said of the updated study. "The two main points are that we have a lot more wolves than the biologists ever thought we'd have, and they were wrong about them eating more deer than elk.

"The question is, as wolf numbers increase, are we going to have to curtail hunting opportunities? Overall, I like seeing economic activity, because it drives tax revenue. Anytime I see something that drives business away, that's important to me."

Schroeder asked other organizations, such as guides and outfitters and tourism groups, to provide their perspective on this issue, but he hasn't heard back from them yet.

Fish and Game said it hasn't seen a significant decline in the sale of big game tags over the past decade, but it has no way of knowing if tag sales would have increased in the absence of wolves.

Kiefer said the 1994 study also used some unrealistic assumptions that would tend to inflate the calculated costs. Those assumptions were maintained in the updated study, she said, but as more specific data is collected, the cost estimates can be refined.

Spence may be contacted at bspence@lmtribune.com or (208) 848-2274.

State wolf population nearly doubles in 1 year

By *NICHOLAS K. GERANIOS Associated Press* | Published: Feb 15, 2013 at 2:28 PM PDT (2013-02-15T21:28:14Z) | Last Updated: Feb 15, 2013 at 2:51 PM PDT (2013-02-15T21:51:0Z)



FILE - In this July 16, 2004, file photo is a gray wolf at the Wildlife Science Center in Forest Lake, Minn. (AP Photo/Dawn Vilella, file)

SPOKANE, Wash. (AP) - The number of gray wolves in Washington nearly doubled in the past year, according to a new survey released Friday by the state Department of Fish and Wildlife.

The survey found at least 51 wolves in nine packs in Washington state, including five successful breeding pairs. The 2011 study documented just 27 wolves, five wolf packs and three breeding pairs.

Wildlife wolf program director Nate Pamplin said the actual number of wolves is likely much higher, since lone wolves often go uncounted and those that

roam Washington but do not den here are not included in the survey. Biologists already suspect there are two additional wolf packs in the state.

Using estimates of the average pack size in other western states, Pamplin said there could easily be as many as 100 wolves in Washington

"The survey shows that our state's wolf population is growing quickly," Pamplin said in a press release. "That growth appears to be the result of both natural reproduction and the continuing immigration of wolves from Canada and neighboring states."

The recovery of wolves in Washington state is a heated topic. While many environmental groups hail the development, advocates for ranchers blame wolves for killing livestock. Several bills intended to improve wolf management are pending in the Legislature, including a tongue-in-cheek proposal to import wolves from rural parts of Eastern Washington to populous Western Washington.

A wolf pack is defined as two or more wolves traveling together. A successful breeding pair is defined as an adult male and female with at least two pups that survive until the end of the calendar year.

One of the nine packs represented in the survey is the infamous Wedge pack, which now has two confirmed members in northeastern Washington. Last summer, the Department of Fish and Wildlife killed most members of that pack to end a series of attacks on an area rancher's cattle that left at least six calves dead and 10 other animals injured.

Pamplin said biologists do not know whether the two wolves living near the Canadian border in Stevens County are members of the original Wedge pack or whether they are new arrivals from inside or outside the state.

"Either way, we were confident that wolves would repopulate that area," he said. "We really hope to prevent the kind of situation we faced with the Wedge pack last summer by working with ranchers to use non-lethal methods to protect their livestock."

The gray wolf is listed by the state as an endangered species throughout Washington and is federally listed as endangered in the western two-thirds of the state. Once common, wolves were eliminated in most western states during the past century because they preyed on livestock.

Under the state's Wolf Conservation and Management Plan, wolves can be removed from the state's endangered species list once 15 successful breeding pairs are documented for three consecutive years among three designated wolf-recovery regions.

EXHIBIT 6*The Voice of Fish & Wildlife Agencies*[Home](#)[About](#)[Members](#)[Committees](#)[Focus Areas](#)[Events](#)**Success Stories**[AFWA Press Releases](#)

June 7, 2013

Statement from the President of the Association of Fish & Wildlife Agencies in Support of the U.S. Fish & Wildlife Service's Proposal to Delist Gray Wolves

The Association of Fish & Wildlife Agencies commends the U.S. Fish and Wildlife Service for announcing its proposal to de-list the gray wolf from the federal Endangered Species list and we congratulate the Service on the success of its cooperative recovery efforts.

The strength of the Endangered Species Act lies in the conservation and delisting of a species and return of its management to the public trust of the states. State fish and wildlife agencies have a strong record of managing species under their authority and science-based management actions by these agencies will ensure the conservation of this iconic wolf species for future generations.

The Association encourages the Service to continue to work closely with state and international partners in the remaining work ahead to conserve other species including the Mexican wolf in the Southwest.

Jeff Vonk

2012-2013 President of the Association of Fish & Wildlife Agencies
Secretary of the South Dakota Department of Game, Fish & Parks



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Wisconsin Department of Natural Resources **EXHIBIT 7**

Midwest wildlife officials want gray wolf removed from endangered species list

Weekly News Article Published: August 10, 2010 by the [Central Office](#)

Wisconsin offers new web-based alerts of wolf activity

MADISON – Administrators from the natural resource agencies in 13 Midwestern states and three Canadian provinces have signed a joint resolution urging the U.S. Department of the Interior’s Fish and Wildlife Service to remove the [gray wolf](#) from the federal endangered species list.

“Wisconsin, Minnesota and Michigan all have achieved the primary goal of the Endangered Species Act, and that is sustainable wolf populations,” said Wisconsin Department of Natural Resources Secretary Matt Frank. “It’s clear in our minds that now is the time to turn over management of the wolf to the respective state natural resource management agencies.”

The resolution was inked at a recent Board of Directors meeting of the Midwest Association of Fish and Wildlife Agencies. The association represents Wisconsin, Michigan, Minnesota, Iowa, Illinois, Indiana, Ohio, North Dakota, South Dakota, Kentucky, Nebraska, Kansas and Missouri and the Canadian provinces of Alberta, Ontario and Saskatchewan. All states and provinces signed the resolution, including those with no known gray wolf populations at this time.

With the growth of the wolf population in Wisconsin and Michigan, there have been some problems with wolves killing livestock, pets and hunting dogs. Although owners of livestock and hunting dogs have been compensated for their losses, transferring management of wolves to state natural resource agencies will allow better control of the population and greater protections for livestock and pet owners.

“Overall, support for recovery of the wolf in the Midwest has been strong, but as the population continues to grow states need authority to manage wolves within their borders, including the ability to remove problem wolves, if broad public support for wolves is to continue,” Frank said.

In April 2010, Wisconsin submitted a state petition to the Department of the Interior requesting the wolf be removed from the endangered species list in Wisconsin. Wisconsin’s petition joined a similar action by Minnesota filed in March 2010. Wisconsin’s estimated wolf population at the end of the 2009-2010 winter was more than 700.

“Wisconsin has worked cooperatively with the Department of the Interior on wolf recovery for more than 30 years and has fully supported Interior’s recent efforts to delist the gray wolf,” said Frank. “We believe, and scientific evidence supports, that delisting and transferring management of the wolf to Wisconsin is timely and will lead to improved management through effective action on problem wolves.”

To aid citizens in avoiding wolf depredations, DNR biologists have created a new [wolf depredation](#) alert system that sends an email alert to subscribers with a link to details and a caution area map as soon as a depredation can be verified. The new web-based alert has more than 3,400 subscribers. Among them are hunters who began training hunting dogs on July 1.

EXHIBIT 8

At its winter meetings in Tuscon, Arizona, the Western Association of Fish and Wildlife Agencies voted 17-0, with Montana abstaining (don't know why yet), to draft a letter and a resolution to Interior Secretary Ken Salazar requesting management of wolves be turned over to the states.

January 21, 2011

The Honorable Kenneth L. Salazar, Secretary
U.S. Department of the Interior
1849 C. Street, N.W.
Washington, D.C. 20240

Dear Secretary Salazar:

At its recent mid-winter meeting in Tucson, the Western Association of Fish and Wildlife Agencies' (Association) directors discussed – at length – the current situation involving gray wolf delisting. Those discussions led to the development and eventual passage (17-0, with Montana abstaining) of the attached resolution titled Delist the Gray Wolf and Restore Management to the States. The language of the resolution expresses the collective view of member agencies. At its core, the resolution – without ambiguity – clearly states the Association's support for and endorsement of immediate delisting of gray wolves in the WAFWA member states from the Endangered Species Act, ".....either through legislative or administrative means, and that this species be managed by the respective State wildlife agencies".

Founded in 1922, the Association represents 23 states and Canadian provinces, spanning from Alaska to Saskatchewan to Texas to Hawaii. The Association is a strong advocate of the rights of states and provinces to manage fish and wildlife within their borders. The Association has been a key organization in promoting the principles of sound resource management and the building of partnerships at the regional, national and international levels in order to enhance wildlife conservation efforts and the protection of associated habitats in the public interest. Our mission statement reads, "Delivering Conservation Through Information Exchange and Working Partnerships."

Given the Association's long history and stellar conservation record, the resolution – in sum – reflects the all too common and unacceptable level of frustration that directors are currently experiencing when it comes to the status of the gray wolf in the West. It is the sincere hope of our member agencies that a way forward can be found, and found very soon – one that removes ESA protection for the gray wolf and returns management to the respective States.

We appreciate your serious consideration of the Association's position on this important resource issue. Feel free to contact me if you have any questions.

Sincerely,

Joe Maurier
WAFWA President

WAWFA Resolution Adopted in Convention
Tucson, Arizona
January 9, 2011

DELIST THE GRAY WOLF AND RESTORE MANAGEMENT TO THE STATES

WHEREAS, the northern Rocky Mountain distinct population segment of gray wolves exceeded the U.S. Fish and Wildlife Service recovery level of thirty or more breeding pairs in 2002; and

WHEREAS, population estimates as of 2009 include at least 1,700 animals well distributed among Idaho, Montana, and Wyoming; and

WHEREAS, the remarkable increase in gray wolf populations was only possible because of the historic management and stewardship of ungulates by state fish and wildlife agencies; and

WHEREAS, a primary purpose of the Endangered Species Act (ESA) is to “provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section.”; and

WHEREAS, the primary purpose of the ESA has clearly been achieved for the gray wolf, and gray wolves have recovered in the States of Idaho, Montana, and Wyoming; and

WHEREAS, a lack of delisting, given the species has met recovery goals, can result in an erosion of public acceptance of wolves and the ESA; and

WHEREAS, State wildlife agencies are the competent authorities to manage resident species for their sustained use and enjoyment; and

WHEREAS, the overall aim of the ESA is to recover species such that the species can be managed by the appropriate entity. State wildlife agencies are the appropriate entities to assume management of the gray wolf as a resident species; and

WHEREAS, delays in federal decision-making, induced partly by citizen-suit litigation over virtually all aspects of Mexican gray wolf recovery, have, after 34 years of protection under the ESA, including 12 years of reintroduction efforts, resulted in failure to recover the Mexican gray wolf; and

WHEREAS, the States of Arizona and New Mexico, the White Mountain Apache Tribe, various local governments and local stakeholders are willing and able to use incentives and interdiction measures without being encumbered by the gridlock resulting from federal listing, to increase the Mexican gray wolf population to levels in both states that, coupled with conservation efforts in Mexico, would establish and maintain a rangewide population of Mexican gray wolves that is self-sustaining and managed at levels sufficient to meet scientifically-valid population objectives.

NOW, THEREFORE, BE IT RESOLVED that the Western Association of Fish and Wildlife Agencies supports and endorses immediate delisting of gray wolves in the WAFWA member states from the ESA, either through legislative or administrative means, and that this species be managed by the respective State wildlife agencies.



EXHIBIT 9

Office of the Governor

State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

March 6, 2006

Gale Norton
Secretary of the Interior
United States Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Subject: Advanced Notice of Proposed Rulemaking for Delisting of Northern Rocky Mountain Gray Wolves

Dear Secretary Norton,

My purpose in writing is to express disappointment in the proposed boundary of the Northern Rocky Mountain (NRM) Distinct Populations Segment (DPS) for the Gray wolf and urge you, and the U.S. Fish and Wildlife Service (USFWS), to consider an alternative boundary.

On January 10, 2006, I sent you a letter requesting the entire State of Utah be included in the proposal to create an NRM DPS, and wolves within it be delisted. This request was consistent with the previously proposed boundary for a Western Gray Wolf DPS (65 FR 43450, July 13, 2000). In addition, the Utah Division of Wildlife Resources (UDWR) submitted comments through the formal process making the same request. To date we have not received a response from your office or the USFWS. Nor does it appear that the USFWS addressed the comments we submitted.

We do not believe that the DPS boundary currently being proposed is consistent with either the requirement for discreteness of a DPS or statements made by the USFWS in their 90-day finding on the Wyoming petition, which initiated the delisting proposal (70 FR 61770, October 26, 2005). According to USFWS policy a DPS may be considered discrete if it satisfies one of the following conditions: 1) It is markedly separated from other populations as a consequence of physical, physiological, ecological or behavioral factors; and/or 2) It is delimited by international governmental boundaries within which differences in control of exploitation, management of habitat, conservation status, or regulatory mechanisms exist that are significant in light of section 4(a) (1) (D) ("the adequacy of existing regulatory mechanisms") of the ESA (61 FR 4722, February 7, 1996).

The Wyoming petition makes three arguments for discreteness including differences in management among populations in the United States and Canada, physiological differences between populations, and geographic and ecological factors separating populations. In its 90-day finding, the USFWS agreed that each of these arguments was consistent with its own data and information (70 FR 61770, October 26, 2005). We take no issue with the differences in management or the physiological differences put forward in the Wyoming petition or the USFWS evaluation of these contentions and we believe that these are valid. We also believe there are geographic barriers separating the NRM wolf population from other populations, however, we do not believe there are geographic barriers separating the majority of Utah from the NRM wolf population. Nor do we believe that the current boundary proposal represents a discrete geographic barrier.

In the 90-day finding on the Wyoming petition the USFWS states: “we believe that the existing geographic isolation of wolf populations far exceeds the Vertebrate Populations Policy’s criterion for discreteness” (68 FR 15818, April 1, 2003). The USFWS supported this statement based on the results of suitable habitat modeling published in scientific journals by Carroll et al. (2006) and Oakleaf et al. (in press) (70 FR 61770, October 26, 2005). Both of these publications clearly identify dispersal corridors of suitable habitat connecting the NRM wolf population with Utah (Figures 1 and 2) and Carroll et al. (2006) shows suitable habitat continuing throughout most of Utah (Figure 2).

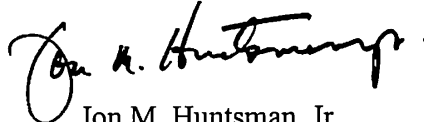
Based on the findings of Carroll et al. (2006) and Oakleaf et al. (in press) we propose the following boundary for the NRM DPS, which we believe is consistent with the USFWS policy regarding the creation of a DPS and satisfies the requirement for discreteness. Beginning at the Utah-Idaho Border we propose that the boundary of the NRM DPS follow I-84 south to I-15, then south on I-15 to the Utah - Arizona Border, then east on this border to the Colorado River, and then east and north along the Colorado River to the Utah - Colorado Border (Figure 3). Our justification for this boundary proposal is as follows: 1) this area consists of suitable wolf habitat that is directly connected to the NRM wolf population (Carroll et al. 2006), and 2) we believe the physical characteristics of the Colorado River corridor through this area which includes the Grand Canyon, Lake Powell and Cataract Canyon represent a substantial barrier separating the NRM wolf population from the Mexican wolf population in central Arizona and New Mexico.

It is also important to recognize that Utah is not part of the historic range of the Mexican wolf (Figure 4) and therefore should not be subject to recovery efforts related to it. It is crucial that any boundary adjustments, whether for the NRM DPS or for the Mexican Wolf Nonessential Experimental Population Area, not result in inadvertent full protection for wolves (through “similarity of appearance” or other rule interpretations) that were intended to have lesser protection, whether in the context of a delisted population or an experimental population.

If our proposed boundary were to be adopted there is no reason to believe that wolves dispersing to Utah would not be managed responsibly. The Utah Wildlife Board passed the Utah Wolf Management Plan on June 9, 2005. This plan outlines how wolves will be managed in Utah and is similar to the current 4(d) rule under which wolves are being managed in the 10(j) area encompassing Idaho, Montana and Wyoming. In addition to a species specific management plan, wolves are also protected under State code and administrative rules. We believe that the existing regulatory mechanisms in Utah are adequate in light of section 4(a) (1) (D) ("the adequacy of existing regulatory mechanisms") of the ESA.

Thank you for taking the time to consider this request. We look forward to your response and the results of the upcoming meeting between USFWS Director Dale Hall, UDWR Director Jim Karpowitz and members of Utah's congressional delegation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon M. Huntsman, Jr.", written in a cursive style.

Jon M. Huntsman, Jr.
Governor

cc: Dale Hall

Literature Cited:

Carroll, C. M. K. Phillips, C. A. Lopez-Gonzalez, and N. H. Schumaker. 2006. Defining recovery goals and strategies for endangered species: the wolf as a case study. *Bioscience* 56:25-37.

Oakleaf, J. K., D. L. Murray, J. R. Oakleaf, E. E. Bangs, C. M. Mack, D. W. Smith, J. A. Fontaine, M. D. Jimenez, T. J. Meier and C. C. Niemeyer. In Press. Habitat selection by recolonizing wolves in the northern rocky mountains of the United States. *Journal of Wildlife Management*. In Press

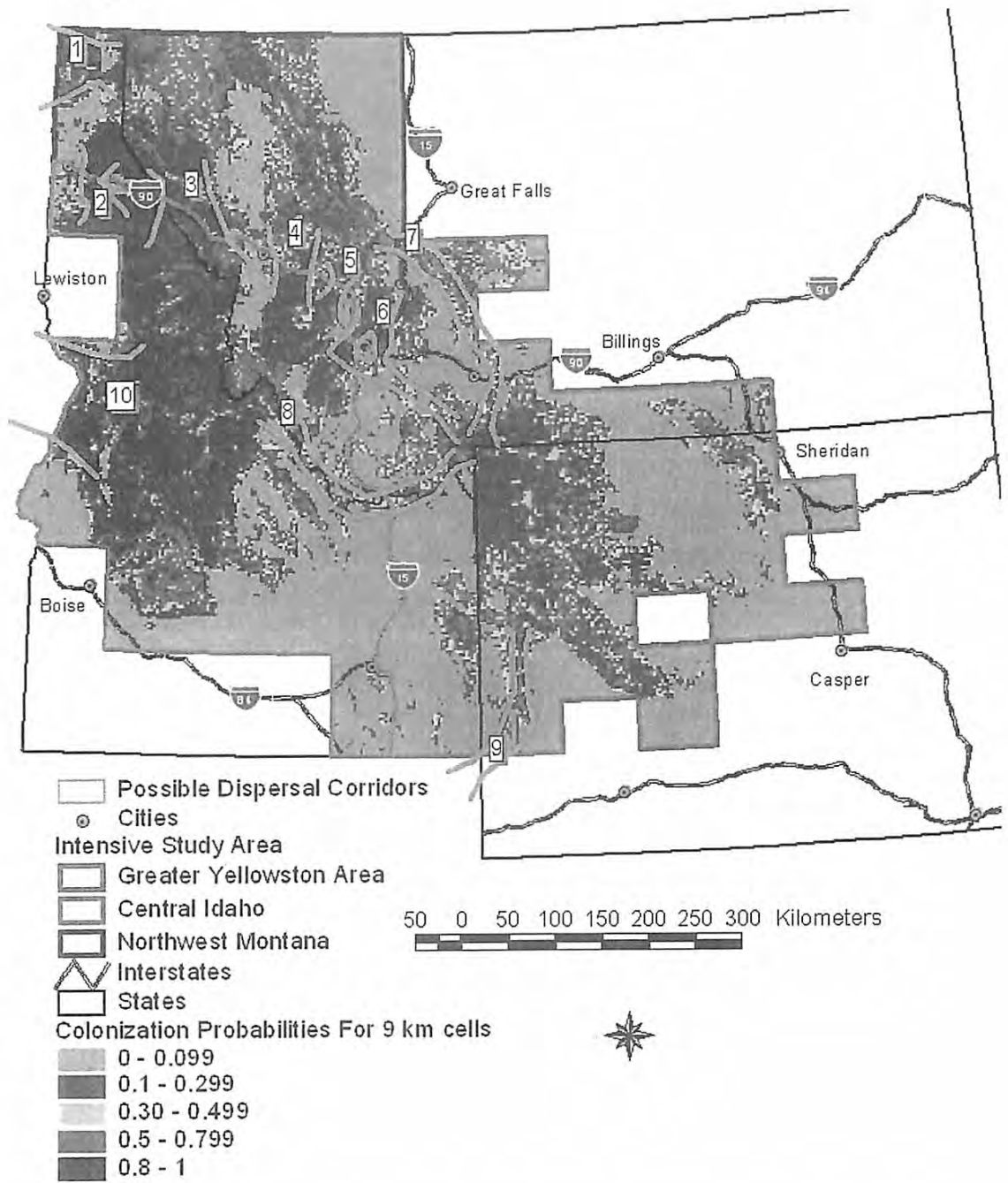


Figure 1. Suitable wolf habitat in the northern rocky mountains and dispersal corridors identified by Oakleaf et al. (in press) (adapted from Oakleaf et al. in press)

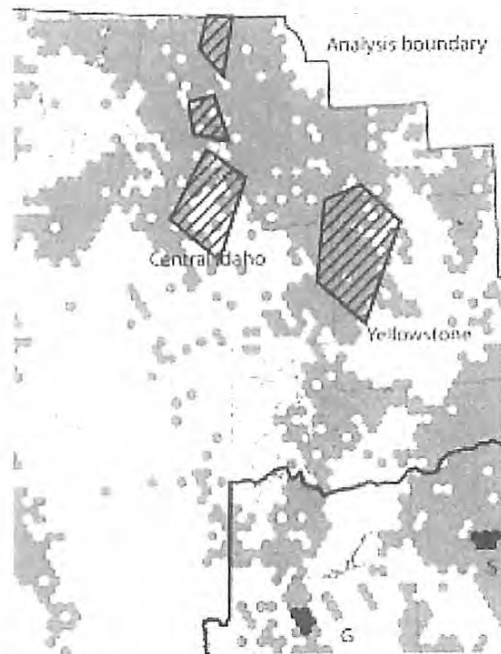


Figure 2. Map of occupied (cross hatched areas) and suitable (shaded areas) wolf habitat in the intermountain region, identifying suitable wolf habitat in Utah that is directly connected to the northern rocky mountain wolf population (Adapted from Carroll et al. 2006).

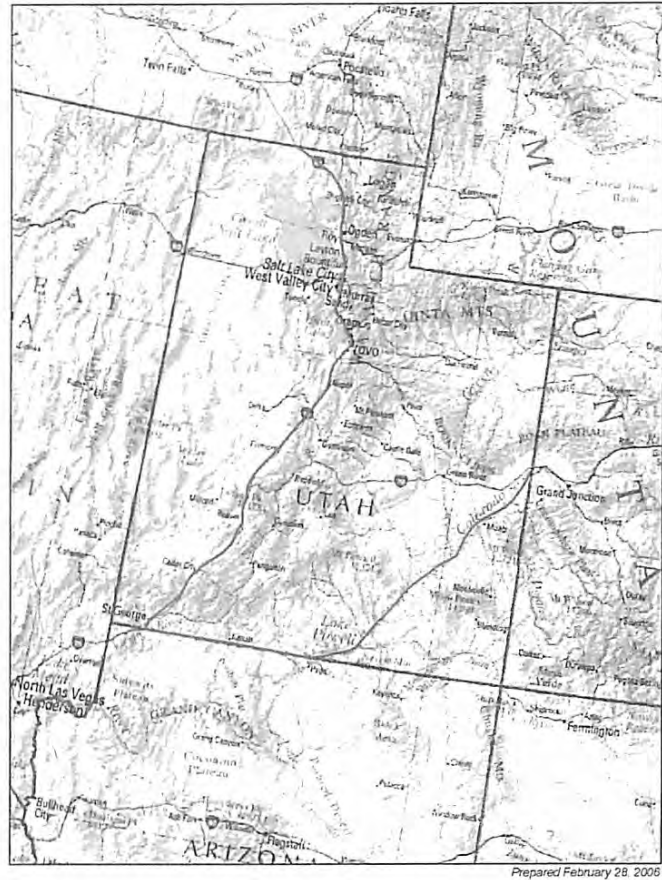


Figure 3. Proposed boundary for a northern rocky mountain distinct population segment for the gray wolf, which includes suitable wolf habitat in Utah that is directly connected to the NRM wolf population.

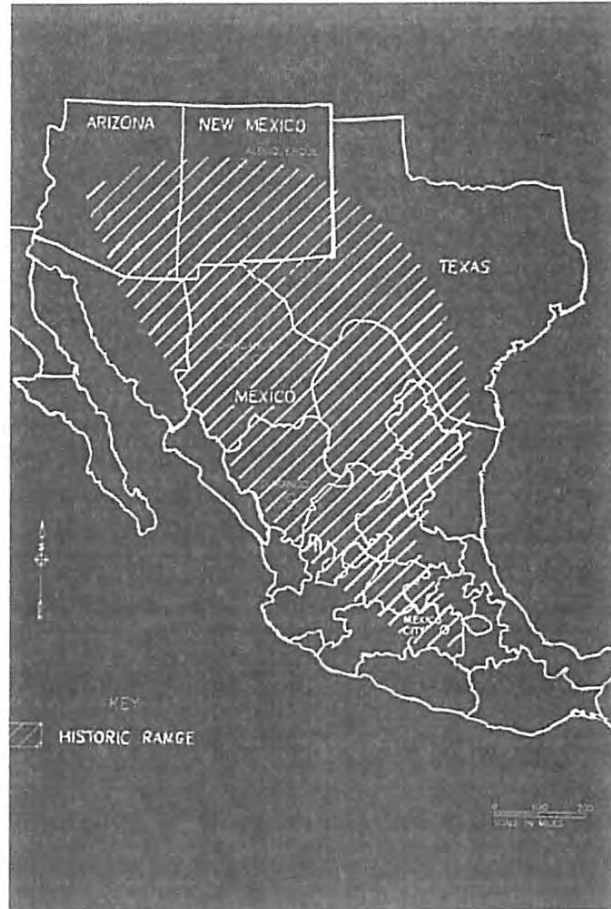


Figure 4. Historic range of the Mexican wolf

EXHIBIT 10



STATE OF UTAH

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

JON M. HUNTSMAN, JR.
GOVERNOR

GARY R. HERBERT
LIEUTENANT GOVERNOR

November 30, 2007

P. Lynn Scarlett, Deputy Secretary
U. S. Department of the Interior
1849 C Street, NW
Washington, D. C. 20240

Dear Secretary Scarlett:

The purpose of this letter is to inquire about the progress of de-listing wolves under the Endangered Species Act (ESA) in the State of Utah.

As you may recall, during a meeting last January with Utah Department of Natural Resources Executive Director Styler, it was agreed that if the Utah Wolf Management Plan was determined to be adequate, a delisting process, parallel to that being undertaken for the Northern Rocky Mountain (NRM) population would take place in Utah. The Utah Wolf Management Plan was submitted to the U. S. Fish and Wildlife Service (Service) Regional Director Mitch King in late January 2007. To date, we have received no communication about the status of this review. Meanwhile, it appears the delisting of the NRM population is moving forward. We respectfully request for the Service and the Department of the Interior to expedite the review of Utah's plan and start a similar delisting process for Utah.

Now that it is determined that wolves in the NRM are recovered, it makes ecological and economical sense to include Utah in the delisting process. The Service stated it has no plans to recover wolves in Utah. Furthermore, the Service noted that suitable wolf habitat in Utah occurs in isolated and fragmented sections, and is connected to the NRM habitat (see attached for details). A wolf finding its way to Utah would most certainly come from the NRM, a potentially delisted population.

Please respond to this inquiry with a plan, including a timeline, for how the Department of the Interior and the Service plan to proceed with the delisting of wolves in Utah. If you need additional information, please contact Michael Styler, Executive Director of the Utah Department of Natural Resources at 801-538-7201 or mikestyler@utah.gov. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Jon M. Huntsman, Jr." with a stylized flourish at the end.

Jon M. Huntsman, Jr.
Governor

cc: Michael Styler

EXHIBIT 11



STATE OF UTAH

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

GARY R. HERBERT
GOVERNOR

GREG BELL
LIEUTENANT GOVERNOR

February 25, 2010

RECEIVED
MAR 1 / 2010
WILDLIFE DIRECTOR'S
OFFICE

The Honorable Ken Salazar
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Subject: Review of the Utah Wolf Management Plan and Delisting of Wolves in Utah

Dear Secretary Salazar,

This letter serves to renew our request to have the Utah Wolf Management Plan officially reviewed by the U.S. Fish and Wildlife Service (Service) and to have wolves in all of Utah removed from the protection of the Endangered Species Act. This issue has been ongoing for several years and former Governor Jon Huntsman sent two letters to your predecessor (Gale Norton) and one to former Deputy Secretary Lynn Scarlett regarding the status of wolves in Utah. These letters received no response. Copies of the letter are attached for your reference.

Delisting of the Northern Rocky Mountain (NRM) wolf population in only a small portion of northern Utah, as is currently the case, presents a serious dilemma. The Utah Wildlife Board approved the Utah Wolf Management Plan in 2005. This plan was intended for implementation when all of the State of Utah was delisted; however, this plan cannot be fully implemented given the current situation. The management of wolf conflicts is untenable, because the Utah Division of Wildlife Resources (Division) lacks authority to respond to conflicts in most of the state. Consequently, the Utah Legislature has recently passed a law requiring the Division to *"manage wolves to prevent the establishment of a viable pack in all areas of the State where the wolf is not listed as threatened or endangered under the Endangered Species Act until the wolf is completely delisted under the act and removed from federal control in the entire state"*. As soon as delisting is accomplished in the entire state, the Utah Wolf Management Plan will be fully implemented.

To alleviate this situation, we urge the Service and the current administration of the Department of the Interior to honor the commitments made by then Interior Deputy Secretary, Lynn Scarlett, during a meeting in January 2007 with Utah Department of Natural Resources, Executive Director, Mike Styler. In this meeting, Ms. Scarlett promised to expedite a review of Utah's wolf management plan and to initiate a process to delist wolves in all of Utah. The Utah Wolf Management Plan was submitted to the director of the Mountain-Prairie Region of the Service shortly after this meeting. To date (3-years later), we have yet to receive any communication about the status of this review despite several inquiries.

We believe that wolves in Utah should be removed from the protections of the Endangered Species Act for the following reasons:

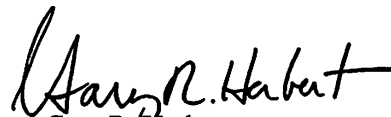
1. Utah has a Wolf Management Plan as a result of a rigorous public process that is fair and based on sound biological and social principles.
2. The Service has no intention to actively recover wolves in Utah through reintroductions or any other means (Ed Bangs, Wolf Recovery Coordinator, U.S. Fish and Wildlife Service, Pers. Communication). As such, it seems inconceivable that the Service would create the dilemma described above by delisting only a small portion of Utah and retaining management authority for the majority of the state with no intentions of pursuing recovery.
3. As noted in the final rule to delist the NRM wolf population and two recently published studies (Oakleaf et al. 2006 and Carrol et al. 2006), the potentially suitable wolf habitat in Utah is fragmented and isolated and therefore will not contribute to wolf recovery. Given this, delisting Utah is analogous to the inclusion of unsuitable habitat in the eastern portions of Montana and Wyoming and southern Idaho in the NRM delisting.
4. As recognized in the final rule to delist the NRM wolf population, Utah has adequate regulatory mechanisms in place in the form of state code, administrative rule, and a species management plan to ensure that any wolves that might disperse into Utah would have adequate legal protection.

Given these factors we hope you will agree that the only viable way forward is for the Department of the Interior and the Service to honor its previous commitment to expedite the review of the Utah Wolf Management Plan and initiate a process to delist wolves in Utah.

We respectfully request that the Service respond to this inquiry with a plan, including a timeline, describing how your administration will proceed with delisting wolves in Utah. If you need additional information, please contact Mr. Mike Styler, Executive Director, Utah Department of Natural Resources at (801) 538-7201 or mikestyler@utah.gov.

Thank you for your consideration.

Sincerely,


Gary R. Herbert
Governor

cc: Mike Styler, Executive Director, Utah Department of Natural Resources
James Karpowitz, Director, Utah Division of Wildlife Resources

EXHIBIT 12



STATE OF UTAH

GARY R. HERBERT
GOVERNOR

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

GREG BELL
LIEUTENANT GOVERNOR

September 22, 2011

Ken Salazar, Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Salazar:

I am writing in regard to the on-going efforts by the Fish and Wildlife Service to list and develop a recovery plan for the Mexican wolf and delist the remainder of wolves in the United States. The State of Utah is participating on the Mexican wolf recovery team and we have serious concerns about the apparent direction the Service is taking. Under the ESA, the Service can protect the Mexican wolf as either a *distinct population segment* ("DPS") or as a *subspecies*. All of the states (Utah, Arizona, and Colorado) participating on the Mexican wolf recovery team support listing the wolf as a DPS rather than as a subspecies.

Despite the obvious advantages of a DPS listing over a subspecies listing, the Service remains inexplicably resistant to the concept. Thus far, the Service maintains it must list the Mexican wolf as a subspecies to ensure the greatest degree of management flexibility and legal defensibility. It further resists all efforts by the participating states to exclude Utah and Colorado from the Mexican wolf recovery equation, despite the lack of evidence that either state was within its core historic range. The only explanation they give is that Utah and Colorado have unoccupied wolf habitat, and therefore must contribute to the recovery of the Mexican wolf, even though the wolves that once occurred in Southern Utah and Colorado were a separate subspecies.

The State of Utah's position is twofold: 1) delist wolves in the remaining portions of the State; and 2) list and successfully recover the Mexican wolf in compliance with ESA and using the best scientific evidence available. The unavoidable conclusion is that the Mexican wolf must be listed, managed and protected by means of a distinct population segment that is confined to the core historic range of the subspecies. A more detailed letter explaining our position is being sent to Service Director Dan Ashe by the Utah Department of Natural Resources.

The State of Utah will vigorously resist any effort by the Service to: 1) leave wolves listed in the State, 2) list the Mexican wolf as a subspecies, or 3) include Utah within any distinct population segment created to protect wolves under the ESA.

Sincerely,

A handwritten signature in black ink that reads "Gary R. Herbert".

Gary R. Herbert
Governor

EXHIBIT 13

Enrolled Copy

S.B. 36

WOLF MANAGEMENT

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: Curtis Oda

LONG TITLE

General Description:

This bill addresses the management of the wolf in the state.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ makes legislative findings and declarations concerning the wolf;
- ▶ provides for the Division of Wildlife Resources to request federal removal of wolves found within areas of the state where the wolf is listed as endangered or threatened;
- ▶ requires the division to manage the wolf to avoid the establishment of a viable pack of wolves within the areas of the state where the wolf is not listed as endangered or threatened;
- ▶ allows the division to make administrative rules concerning the management of wolves; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

23-29-101, Utah Code Annotated 1953

30 23-29-102, Utah Code Annotated 1953

31 23-29-103, Utah Code Annotated 1953

32 23-29-201, Utah Code Annotated 1953

33 23-29-202, Utah Code Annotated 1953

34

35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section 23-29-101 is enacted to read:

37 **CHAPTER 29. WOLF MANAGEMENT ACT**

38 **Part 1. General Provisions**

39 **23-29-101. Title.**

40 This chapter is known as the "Wolf Management Act."

41 Section 2. Section 23-29-102 is enacted to read:

42 **23-29-102. Definitions.**

43 As used in this chapter:

44 (1) "Service" means the United States Fish and Wildlife Service.

45 (2) "Wolf" means the species *Canis lupus*.

46 Section 3. Section 23-29-103 is enacted to read:

47 **23-29-103. Legislative findings and declarations.**

48 (1) Section 23-14-1 appoints the division as trustee and custodian of protected wildlife

49 in the state.

50 (2) The wolf is listed as endangered under the federal Endangered Species Act

51 throughout the greater portion of the state.

52 (3) The service is the federal agency charged with responsibility to administer the

53 Endangered Species Act.

54 (4) The service acknowledges that Utah is not critical to the recovery of wolves and

55 that it does not intend to actively recover wolves in the state.

56 (5) The division prepared a wolf management plan outlining its management

57 objectives for the wolf in Utah when the wolf was delisted and removed from federal control.

58 (6) The wolf management plan prepared by the division was formally submitted to the
59 service in 2007 for approval.

60 (7) The service has neither approved, denied, nor otherwise commented on the plan
61 since receiving it in 2007.

62 (8) The state formally requested, in writing on multiple occasions, that the service
63 delist the wolf throughout Utah, and the service has failed to acknowledge or otherwise
64 respond to any of the requests.

65 (9) The state cannot adequately or effectively manage wolves on a pack level in the
66 small area of the state where the species is currently delisted without significantly harming
67 other vital state interests, including livestock and big game populations.

68 (10) It is the policy of the state to legally advocate and facilitate the delisting of wolves
69 in Utah under the Endangered Species Act and to return wolf management authority to the
70 state.

71 Section 4. Section **23-29-201** is enacted to read:

72 **Part 2. Wolf Management**

73 **23-29-201. Wolf management.**

74 (1) The division shall contact the service upon discovering a wolf in any area of the
75 state where wolves are listed as threatened or endangered under the Endangered Species Act
76 and request immediate removal of the animal from the state.

77 (2) The division shall manage wolves to prevent the establishment of a viable pack in
78 all areas of the state where the wolf is not listed as threatened or endangered under the
79 Endangered Species Act until the wolf is completely delisted under the act and removed from
80 federal control in the entire state.

81 (3) Subsections (1) and (2) do not apply to wolves lawfully held in captivity and
82 restrained.

83 Section 5. Section **23-29-202** is enacted to read:

84 **23-29-202. Rulemaking.**

85 The division may make administrative rules in accordance with Title 63G, Chapter 3.

86 Utah Administrative Rulemaking Act. to manage the wolf in accordance with this chapter.

NATURAL INTELLIGENCE

Pack Man

Obsessive biologist Rick McIntyre has some peculiar ideas about America's most controversial predator

RICK MCINTYRE unhinges his convertible wool mitten and grips the plastic handle of an antenna that looks like it was snapped off an old TV. He lifts it high above his head, then out to the farthest reach of his arm, listening for the crude radiotelemetry receiver to beep. When it does, his focus tunnels toward the source of the signal.

On this cold early morning in March, the beep is weak, and yet it signifies something powerful to McIntyre, because it's coming from a radio collar wrapped around the neck of a female wolf known as 690—the last collared survivor of the legendary Druid Peak wolf pack of Yellowstone National Park. Formed out of the second group of gray wolves reintroduced in 1996 after a nearly 70-year absence from the park, the Druids—named after a mountain—have starred in three major nature documentaries and countless amateur videos, since their terri-

tory, primarily the ten-mile-long Lamar Valley, so nicely overlaps with tourist habitat.

As a biological technician for the Yellowstone Wolf Project, McIntyre, 61, has observed the pack's ebbs and flows since the beginning. In the first four years, he missed a few days; he wasn't a year-round employee and was working winters at Big Bend National Park, in Texas. But since June 12, 2000, for more than 3,500 consecutive days, McIntyre has risen before sunrise, filled a thermos with coffee, packed some snacks and gear, and hopped into his canary-yellow Nissan Xterra for the 30-minute commute from his cabin into Yellowstone to observe the wolves.

By his own choosing, McIntyre is one of the lowest-ranking members of the Yellowstone Wolf Project, but he is certainly one of its most important. He has observed more hours of wolf behavior over the past decade than anyone in the program and has developed some profound theories about the predator's character and instincts. He has also become the ruddy face of wolf science to Yellowstone tourists. As the park's director of planning told me, "Rick is as known as the wolves."

McIntyre has long obsessed over the Druids, which reached a peak of 37 wolves in 2001, making it the largest pack ever recorded anywhere. (The average size of Yellowstone's

11 current packs is eight wolves.) But by the early months of 2010, researchers were seeing the Druids less and less often. When wolf 690's last living sister, White Line, died a few days before I arrived in the park, 690, a black female afflicted with the skin disease mange, became the last known Druid. If she were to die, the era of the Druids would be over, an event McIntyre likened to "the fall of the Roman Empire."

Doug Smith, a wildlife-biology Ph.D. and the head of the Yellowstone Wolf Project, had recently observed 690 from the air during a survey and described her as "wandering around aimlessly," saying she "looked terrible." He felt bad—for the loss of the pack but more so for McIntyre, who he said followed the Druids "like a soap opera."

"One reason that Rick is so attached to them," said Smith, "and I mean this as a slight joke, is that they're his family."

GIVEN THE VITRIOLIC debate over the hunting of wolves since they were removed from the Endangered Species List in 2008, you might guess that the Druids were brought down in a spray of bullets. You'd be wrong.

Gray wolves were "delisted" in the Northern Rockies in 2008, and by 2009 Idaho and Montana had set up hunting seasons outside of Yellowstone and Grand





Teton national parks. (In Wyoming, the issue was tied up in courts.) With ranchers already allowed to kill wolves that harass cattle and sheep, conservationists claimed the predators would be driven back to the brink of extinction.

It hasn't played out that way. That's partly because states had to meet federal guidelines designed to maintain a sustainable population. But it's mostly because the reintroduction program worked so well. According to Ed Bangs, the Northern Rocky Mountains Wolf Recovery coordinator for the U.S. Fish and Wildlife Service, wolf numbers have reached a point at which there's no longer a need to worry about them. He estimates that there are at least 1,700 wolves in the West, connected and interbreeding with another 12,000 in the Canadian Rockies. Last year, hunters reported 206 wolf kills—the real number may have been much higher—yet the overall population actually increased 4 percent. Bangs insists it's good policy to manage wolves like bears and mountain lions, both of which are hunted to control population growth. Part of the logic here is that hunters will kill the least shy animals, the ones most likely to range into human habitat. Over time, hunting will reinforce an innate distrust of people that will only help future populations.

"Did the Endangered Species Act do its job to restore wolves?" Bangs asks. "Big time. But is it the best tool to manage wolves once the population is recovered? No way." To Bangs, the wolves are back, and "you couldn't get rid of them now except with a massive government poisoning campaign."

Meanwhile, in August, a federal judge decided that since Wyoming has yet to craft an acceptable management plan—the state's Fish and Game Department wants to allow unregulated killing in most areas—all Rockies wolves need to go back on the Endangered Species List. In response, some enraged state officials called for more aggressive means of population control, such as gassing pups in their dens.

For McIntyre, the ruling provides a reprieve from having his research subjects stuffed and mounted. (Hunters have shot at least three radio-collared wolves that wandered outside the park, including 527, the alpha female of the Cottonwood Creek pack, another tourist favorite.) Still, Yellowstone wolves are in dramatic decline. From a high of 174 wolves in 2003, the population is now thought to be less than 100. Why?

One of the biggest factors, says Smith, is the elk, which are more formidable now that the wolves have had 15 years to prey on the weak. Bangs adds that the decline was "absolutely predictable—we knew it would happen." The place was "overrun with grandma elk." Once those elk were culled, the herds got stronger, kills became more difficult, and it was harder for a wolf to survive. Some packs have resorted to hunting bison, at great peril.

The current population is probably "a longer-term sustainable number," Smith admits. Data show that the average pack size is down, and with less game available, wolf-on-wolf violence has increased due to battles over hunting grounds. The number-one killer of adult Yellowstone wolves over the past year? Wolves.

Whether or not this is unusual, whether the end of the Druids and a shrinking Yellowstone wolf population are part of a natural cycle, to McIntyre these open-ended questions are the reason to keep watching, every day. "What we're trying to do is to use the time that we spend in the field to really understand what *normal* behavior of wolves is like in the wild," he says.

YELLOWSTONE'S WOLF population is the first to be observed day after day, without interruption. "All the time we are seeing new facets of wolf behavior," McIntyre tells me one day at his cabin. "This is by far the best place in the world to watch it."

As 690 and White Line lived out their days, they grew increasingly desperate. Shortly before my visit, they killed a coyote,

"One reason that Rick is so attached to the wolves," said Doug Smith, "and I mean this as a slight joke, is that they're his family."

and White Line ate it. "We'd never seen that before," McIntyre says. (Wolves had been known to kill coyotes only because of competition.) A few days later, White Line was killed herself, likely by a mountain lion.

McIntyre agrees with Smith that the smaller, harder elk population is a major cause of the decline of Yellowstone's wolves, though he thinks that, in the case of the Druids, "the basic reason was a string of bad luck." One precipitous event was the death of their alpha female, 569, in a 2009 battle with a rival pack. "That set off a chain of events," he says,

including the alpha male known as 480 "abdicated his position and leaving the pack." The Druids, like many of the park's wolves, also suffered a devastating bout of mange, especially the pups. None of the Druids's 2009 offspring survived into the fall. "We're thinking an experience like that really affects the cohesion of the pack," he says.

Since he began his streak in 2000, McIntyre has been to a single town outside of Montana (Cody, Wyoming) and made only a few trips to malls, to see movies. From sunup to sundown, it's all wolves, save for the occasional nap. He is either observing them, helping tourists locate them and understand what they're doing, or preventing tourists from bothering them. When he gets home, he settles into a rolling chair at his desk and begins transcribing dictated field observations. To date, McIntyre has compiled more than 8,000 single-spaced pages of meticulous notes (e.g., "755 stands up, yawns, and lies back down"), many of them printed and bound in three-ring binders. "He was very proud a couple years ago," says Smith. "He

had hit more words than the Bible."

A commonly cited positive of the wolf's return to Yellowstone is that it enlivened the ecology of the park. One study found that woody plants like aspen and willow were dying off during the seven decades the predators were absent and the elk population boomed. When the wolves came back in 1995, the elk could no longer lazily chew away all the aspen and willow chutes. Plants and trees rebounded, songbird numbers grew, and beaver colonies boomed.

McIntyre's relentless observations can



NATURAL INTELLIGENCE

support such ecological hypotheses. But more interesting, his incessant exposure to a recurring cast of wolves he can identify on sight allows him to make more creative speculations about wolf biology. One individual that left an indelible impression was Wolf 21, the longtime alpha male of the Druids. "He was a big, tough guy but also had a very gentle nature with his family," McIntyre tells me one afternoon while staring into a spotting scope over the Yellowstone River. He speaks slowly and methodically and has the gentle air and wispy white hair and mustache of Captain Kangaroo. "Wolf 21's idea of a fair fight was six against one, with him being the one. And he never lost." But he had a heart. According to McIntyre, 21 would always spare the life of a defeated rival.

One spring, one of 21's younger siblings was sick. "Maybe blind, maybe just developmentally disabled. It didn't know how to feed itself," McIntyre says. He warns me, "I get emotional telling this story," then goes on to say that when 21 would deliver food to the brood, he made it a point to sit with this sick wolf. This is not a typical event in the wild, where the strong are favored.

McIntyre believes 21's actions help explain why dogs tend to devote extra attention to a sick or depressed person. "We relate that behavior to dogs; we recognize that they're good at that," he says. "But what we don't recognize is that it's a behavior that seems to come from wild wolves."

If you visit McIntyre's cabin, you'll find—in addition to shelves of wrestling videos and stacks of sixties British acid-rock CDs—a bronze statue of Wolf 21. There's also a photo

of one of 21's nephews, 302, nicknamed Casanova for his promiscuous lifestyle. "He arrived from another pack in 2003 and immediately began to woo a number of 21's daughters," McIntyre says. When 21 chased him off, he'd run just far enough to ensure his own safety but not so far that the females couldn't wander off to mate with him. On occasion, 21 needed to send a message and "would beat him up but not kill him."

Wolf 21 died in 2004, at age nine—old for a wild wolf. "He wandered off and curled up under a tree, looking like he had just gone to sleep," says McIntyre. The death affected McIntyre, he says, much as the death of a human friend would. Following 21's death, Casanova finally made something of himself, helping lead the Druid pack for a period.

One of McIntyre's more compelling theories is that domesticated dogs inherited their recently proven ability to detect cancer in humans from wolves. "Let's say a young wolf participates in a hunt and the pack kills an elk," he says. "As that wolf is feeding, it's noticing that this elk smells a little funny. Maybe a year later that wolf is leading a hunt. He detects in the air that same scent on another elk and makes a special effort to test that one. Maybe the scent was cancer. In the mind of the wolf, the important thing was this elk that we killed so easily a year ago smelled the same as that elk over there ..." he trails off.

"What's fascinating to me," he continues, "is that a skill that developed evolutionarily as a way to help wolves survive in the wild—their descendants, the modern dog, can use it to aid human beings."

THE END OF THE DRUIDS isn't the end of McIntyre's work. "We have this ongoing series of stories to keep track of," he says as he leads me on an afternoon hike in search of the Blacktail pack, one of the park's largest. Not quite ready to let go of the Druids, he points out that the Blacktails were formed by 302 in his final year, "so you could say it's an extension of Druid pack."

To me, every boulder and dirt pile looks like a wolf, but it's nearing sunset and we've yet to actually see one. Radio collars have teased us all day with beeps of varying intensity. Then McIntyre points to a line of dots moving across the landscape, perhaps three miles away: nine wolves, noses down, on a trail. He smiles: "The last day I know that no one saw a wolf in Yellowstone was February 8, 2001."

As he often does, McIntyre goes into a detailed genealogy of the Blacktails, ticking off ages of the distant shapes. "When I was up in Denali"—where McIntyre worked as a seasonal naturalist for 15 summers, starting in 1976—"you were excited just to see a wolf," he says. "You didn't know any of this stuff."

Whereas many packs rise and fall in a few years, the Druids ruled the most fecund swath of Yellowstone for 13. By thriving for so long, the Druids spread their powerful genes throughout the Yellowstone ecosystem. The individuals that survive what may well be a natural downsizing of the population are stronger for it. Maybe, in a more ecologically stable Yellowstone, we'll never again see such a reign. ○

JOSH DEAN WROTE ABOUT ELEPHANT POLO IN NOVEMBER 2009.



Should the Wolf Be Delisted?

On April 1, 2003, the U.S. Fish and Wildlife Service (USFWS) published a final rule on the status of the gray wolf in the contiguous 48 states. This new rule, promulgated under the Endangered Species Act, down-listed the wolf from endangered to threatened in most of the United States. That same day, the USFWS also published an advanced notice of rule making indicating that it was moving toward complete removal of all federal protection of the gray wolf except in the Southwest. The following articles present important viewpoints from two veterans of the debate on how best to enhance recovery of wolf populations.

Mary Sloan

Editor's Note: As is true with all International Wolf articles, the opinions expressed in the following two articles are those of the authors and do not imply any endorsement by the International Wolf Center. We present them in the interest of stimulating informed thought.

Why I Support Federal Wolf Delisting

by L. DAVID MECH

A large black wolf poked out of the conifers in Yellowstone National Park's Lamar Valley, followed single file by 16 pack-mates. They trod down an open hillside and crossed the road, in full view of dozens of elated park visitors. This Druid Peak pack is part of a population of some 750 wolves that now inhabit the West, primarily in Wyoming, Montana and Idaho.

To the south, a reintroduced and growing population of 35 to 50 wolves occupies Arizona and New Mexico. Farther east, over 3,000 wolves inhabit Minnesota, Wisconsin and Michigan. All these wolves represent a vibrant and dramatic tribute to the success of the Endangered Species Act (ESA). If there were ever

any doubt as to whether wolves would recover in the 48 states, the numbers and distribution of these wolves should dispel that. In both the West and Midwest, wolf numbers far exceed those prescribed for recovery by federal wolf recovery teams.

Thus the U.S. Fish and Wildlife Service (USFWS) wants to "delist" the wolf, or remove it from the endangered species list, except in the Southwest, where recovery efforts are still underway. Delisting would end federal protection for wolves in the delisted areas and return wolf

management to individual states. To ensure that state management would not reduce wolf populations below the prescribed recovery levels, the USFWS examined the wolf management plans for each relevant state and asked several wolf biologists to review them. For the first five years after delisting, the wolf populations will be closely monitored to make sure they remain secure. Anytime a population dropped below recovery level during those five years or after, the USFWS could quickly relist it and reimpose federal protection.

Nevertheless, several wolf advocacy organizations oppose federal delisting of the wolf. Although specific reasons vary, generally these organiza-

In both the West and Midwest, wolf numbers far exceed those prescribed for recovery by federal wolf recovery teams.



Wolves Are Still in Need of Federal Protection

by RICK DUNCAN
and ANNE MAHLE

The U.S. Fish and Wildlife Service's April 1 rule on the status of the gray wolf sent a clear message: the Bush administration is done with wolves. The recovery of the gray wolf, for this administration, is complete. Seventeen conservation groups, however, view the gray wolf's status and the legal mandates of the Endangered Species Act (ESA) differently. Led by Defenders of Wildlife, they have sued the USFWS over the rule, seeking to have the agency return to the drawing board. Their message is equally clear: recovery is incomplete, and the obligation and need to protect wolves persists.

The wolf has done well under the protection of the ESA. Since passage of the act in 1973, the number of wolves in the lower 48 states has increased threefold from under a thousand in Minnesota alone, to approximately 3,600 wolves in six states. The current wolf population remains well below the estimated presettlement population of up to 400,000 animals continentwide. Recovery is incomplete, and without federal oversight, it won't happen.

Why continue with the active protection and recovery of gray wolves? Three reasons: the ESA requires recovery efforts to continue, wolves provide ecological and

economic benefits, and there is an ethical imperative to protect and recover gray wolves.

U.S. law mandates that the USFWS protect, conserve and recover species that are listed as either endangered or threatened under the ESA. In its 30-year existence, the protections afforded by the act have slowed and in some instances radically reversed species' path toward extinction. But the act not only prohibits certain actions but also requires the federal government to ensure that listed species and the habitat on which they depend are protected and to actively recover species.

tions prefer the stricter protection of the ESA, they want to see the wolf restored to an even larger area of the 48 states than at present, and they do not think that will happen if the wolf is delisted. Regarding the areas to which the wolf should be restored, I sympathize. It would be great to know that wolves inhabit all of the United States' wilderness areas and wherever else they do not conflict too much with human interests.

However, the ESA is for saving species from extinction. With the wolf's current numbers and distribution, as well as the states' management plans, the wolf clearly is no

longer in danger. Thus the government has an ethical, if not a legal, obligation to delist the species.

There is also a strong political need to delist the wolf or any species when it has recovered. The ESA is highly controversial in Congress, and its detractors regularly claim that it is too socially and financially expensive and fails to work. One contingent lies in wait to gut the ESA, saying that because too many species are placed on the endangered species list but none ever taken off, the act is useless.

The wolf is one of the most controversial of all animals, so society may never allow the species to live

everywhere or in every wilderness. Even in Minnesota,

where wolves were never exterminated and the public is used to dealing with them, about half the citizens want the wolf restricted to the wilderness and not allowed throughout the state.

When the USFWS planned the wolf's recovery in the 48 states, it did so through appointing recovery

With the wolf's current numbers and distribution, as well as the states' management plans, the wolf clearly is no longer in danger.



Through systematic poisoning, bounty hunting and persistent persecution by humans, wolves were removed from the American West and nearly all of Mexico.

It is through this recovery mandate that the USFWS undertook the successful reintroduction of wolves to the Yellowstone ecoregion and central Idaho. Formal recovery programs also aided the natural recolonization of Wisconsin and the Upper Peninsula of Michigan by wolves. These successes do not equate to recovery of the gray wolf on a national level.

In addition to a legal obligation to recover the gray wolf, scientific research demonstrates that the restoration of wolves helps restore balance within entire ecosystems. Nowhere has this been more evident than in the Yellowstone ecoregion. There, the reintroduction of wolves has changed the behavior of the

park's elk population, moving them away from creek and river basins, which in turn allows streambed habitat to thrive, resulting in healthier trout streams, and more habitat for beavers and songbirds. Other animals such as badgers, bears and eagles benefit from the "leftovers" of wolf kills, which provide a more reliable year-round food base.

Throughout the country, there remain many geographic regions, including Colorado, Oregon, northern Maine, Vermont, New Hampshire, northern New York, northern California, Washington and Utah, where the recovery of wolves is ecologically appropriate. In addition, the presence of wolves brings economic benefits to the surrounding

Recovery is incomplete, and without federal oversight, it won't happen.

communities. For example, Ely, Minnesota, located at the edge of the Boundary Waters Canoe Area Wilderness and in the heart of wolf country in northern Minnesota, receives between \$18 million and \$27 million tourism dollars a year.

Finally, there is an ethical imperative to continue protection and recovery of the gray wolf. The

teams of wolf experts and conservation administrators and charging them with devising wolf recovery plans for the West, Midwest and Southwest (as well as for the red wolf in the Southeast). Wolf advocacy groups and the rest of the public were allowed to review these plans and offer suggestions for improving them.

No one disputed the proposed numbers or distribution of the wolves in the recovery goals. No peer-reviewed scientific articles criticized the plans. No group claimed that restoring the wolf to Wyoming, Idaho, Montana, Minnesota, Wisconsin and Michigan was insufficient to recover the wolf from endangerment. In effect, this general accord with the USFWS's wolf recovery plans amounted to a tacit agreement between wolf advocates and the USFWS that if wolves reached recovery goals, the animal

should be delisted. Anti-wolf folks, however, long ago claimed that wolf advocates would never let the government delist the wolf.

To oppose wolf delisting now that wolves have recovered would play straight into the hands of the ESA detractors and those opposing wolf recovery. It would fuel the animosity toward the ESA and toward the listing of new controversial species.

When Congress next considers reauthorizing the ESA, this opposition could help weaken or kill the

act. And it could foster a backlash against the restored wolf populations.

Thus it is time now to celebrate the success of the ESA in recovering the wolf, not for overreaching and jeopardizing not only the great gains that have been made through this act but also the act itself.

Dave Mech is a senior research scientist for the U.S. Geological Survey and founder and vice chair of the International Wolf Center. He has studied wolves for 45 years and published several books and many articles about them.

Scientific research demonstrates that the restoration of wolves helps restore balance within entire ecosystems.



primary cause of the gray wolf's near extinction was the direct acts of federal and state governments. Acting through the USFWS and its predecessor, the Bureau of Biological Survey, we engaged in a total assault on wolves. Pervasive societal fear of wolves, stoked by government agencies, created an ecological nightmare for the gray wolf. Through systematic poisoning, bounty hunting and persistent persecution by humans, wolves were removed from the American West and nearly all of Mexico. Wolves, regardless of their resiliency, stood no chance against strychnine. This history of intentional destruction of wolves by government agencies places an ethical imperative on wolf recovery.

In the 21st century, there is still a need for wolf protection because, regrettably, we have not made the societal commitment to the treatment of the wolf as a nongame animal that is required before "downlisting" or "delisting" of the wolf can be justified. Bounty statutes still exist, ready to spring back to life in many states if ESA protections are removed, and punitive state management plans are waiting in the wings for federal protection to be removed. As Verlyn Klinkenborg observed recently in a *New York Times* editorial on wolves, "The only possibility for wildness—

for a landscape with wolves—is in how we withhold ourselves in order to make room for it." We aren't yet at the point where we dare trust ourselves to live with wolves without the federal protection that has brought the species back from the brink of extinction. ■

Rick Duncan and Anne Mahle are attorneys at Faegre & Benson in Minneapolis, Minnesota. They are representing Defenders of Wildlife and the 16 other conservation groups in Defenders of Wildlife, et al. v. Norton, the case challenging the U.S. Fish and Wildlife Service's April 1, 2003, rule regarding the status of the gray wolf.

EXHIBIT 16



UNITED STATES SENATE
WASHINGTON, D. C.

ORRIN G. HATCH
UTAH

May 9, 2011

Mr. Ryan Benson
Sportsman for Fish & Wildlife - Big Game Forever
4331 S. Hidden Hollow Drive
Bountiful, Utah 84010

Dear Ryan:

I was very pleased to hear last week's announcement by the USFWS to now implement their final rule on gray wolf delisting in Northern Rocky Mountain DPS areas. This comes at the heels of the tremendous work you have consumed yourself in over the past year. Your efforts have been instrumental in pushing this issue to the National stage, and bringing it to the point where a congressional delisting has become a reality.

While Utah's needs are not completely met, I look at last week's announcement as a small victory, only to lead us forward in this great cause.

Thank you for all of your work. Please express my appreciation to your family. I know of all the sacrifice and work they have put in during this year as well. Wonderful job! I look forward to working together in the future.

Sincerely,

A handwritten signature in blue ink that reads "Orrin Hatch". The signature is fluid and cursive, with a large initial "O".

Orrin G. Hatch
United States Senator

OGH:mjj

ROB BISHOP
1ST DISTRICT, UTAH

123 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-0453

324 25TH STREET
SUITE 1017
OGDEN, UT 84401
(801) 625-0107

6 NORTH MAIN STREET
BRIGHAM CITY, UT 84302
(435) 734-2270

EXHIBIT 17



Congress of the United States
House of Representatives
Washington, DC 20515-4401

June 28, 2013

COMMITTEE ON
ARMED SERVICES

COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN, SUBCOMMITTEE ON
PUBLIC LANDS AND ENVIRONMENTAL
REGULATION

COMMITTEE ON RULES

CONGRESSIONAL WESTERN CAUCUS
IMMEDIATE PAST CHAIRMAN

10TH AMENDMENT TASKFORCE
CHAIRMAN

Ryan Benson
Big Game Forever
4331 S. Hidden Hollow Drive
Bountiful, UT 84010

Dear Ryan:

The delisting of the Northern Gray Wolf by the US Fish and Wildlife Service was a great development for the state of Utah. I am appreciative of your work to ensure that state of Utah has full management flexibility as wolf populations expand. Protection of our state's wildlife, livestock and multiple use will be more secure because of your efforts.

The work by Big Game Forever earlier this year on the "Dear Colleague Letter" from 72 members of Congress in support of expanded wolf delisting was one of many important developments over the last three years.

Clearly the science shows that state management of wolves is the answer to these challenges presented by unmanaged wolves. I appreciate your support and hard work to educate and unite members of Congress from across the country on the importance of regulation of gray wolf numbers by Utah and other states.

Regards,

A handwritten signature in blue ink, appearing to read "Rob Bishop".

Rob Bishop
Member of Congress

EXHIBIT 18

Congress of the United States Washington, DC 20510

March 22nd, 2013

The Honorable Dan Ashe
Director
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Director Ashe:

We understand the U.S. Fish and Wildlife Service (USFWS) is in the process of reviewing the Endangered Species Act (ESA) recovery status of the gray wolf in the lower 48 States and is preparing to announce the delisting of the species. We support the nationwide delisting of wolves and urge you to move as quickly as possible on making this a reality. We were supportive of the USFWS decision in 2009 when most wolves were delisted in the Northern Rocky Mountains, again in 2011 when wolves in the Great Lake States were delisted, and the 2012 delisting in Wyoming. It is unfortunate that these decisions were met with lawsuits from environmental activists.

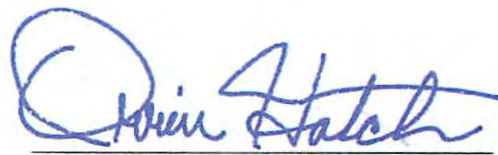
Wolves are not an endangered species and do not merit federal protections. The full delisting of the species and the return of the management of wolf populations to State governments is long overdue. As you know, State governments are fully qualified to responsibly manage wolf populations and are able to meet both the needs of local communities and wildlife populations.

Unmanaged wolves are devastating to livestock and indigenous wildlife. Currently State wildlife officials have their hands tied any time wolves are involved. They need to be able to respond to the needs of their native wildlife without being burdened by the impediments of the federal bureaucracy created by the ESA. During the four decades that wolves have had ESA protections, there has been an uncontrolled and unmanaged growth of wolf populations resulting in devastating impacts on hunting and ranching in America as well as tragic damages to historically strong and healthy herds of moose, elk, big horn sheep, and mule deer.

As you consider these much needed changes to federal protections with regard to the gray wolf, we urge you to expand the delisting of the species to all of the lower 48 states. It is critical that the states be given the ability to properly manage all of the species within their boundaries.

Sincerely,

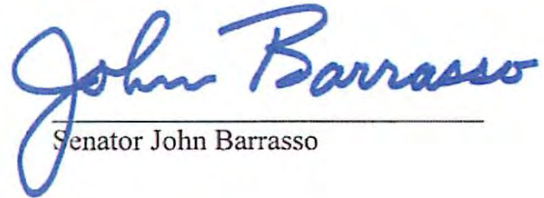

Representative Cynthia Lummis


Senator Orrin Hatch

The Honorable Dan Ashe
Page Two
March 22nd, 2013



Representative Doc Hastings



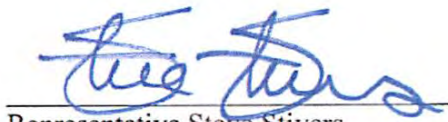
Senator John Barrasso




Representative Rob Bishop



Senator Heidi Heitkamp



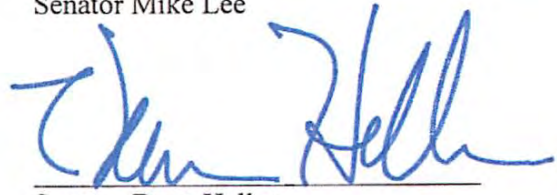
Representative Steve Stivers



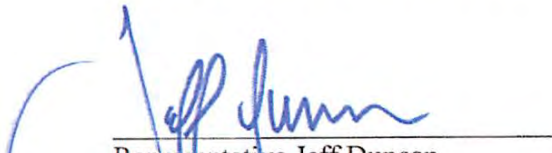
Senator Mike Lee



Representative Marsha Blackburn



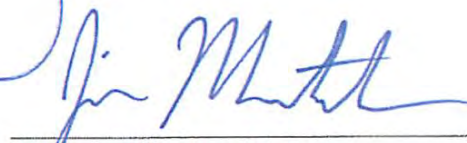
Senator Dean Heller




Representative Jeff Duncan



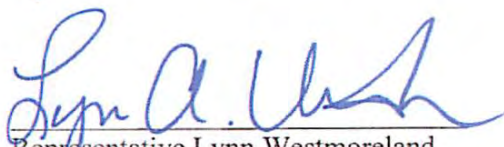
Senator Mike Enzi



Representative Jim Matheson



Senator John Thune

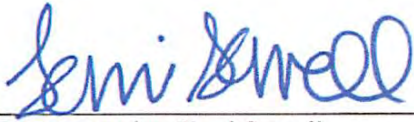


Representative Lynn Westmoreland



Senator Joe Manchin

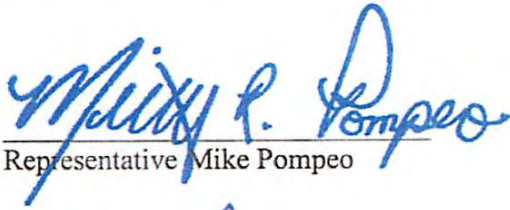
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Representative Terri Sewell



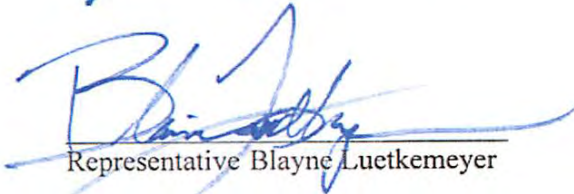
Senator Mike Crapo



Representative Mike Pompeo



Senator James Risch



Representative Blayne Luetkemeyer




Senator David Vitter



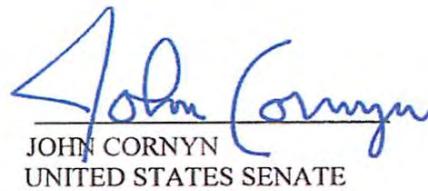
Representative Steve Southerland



Senator Lisa Murkowski



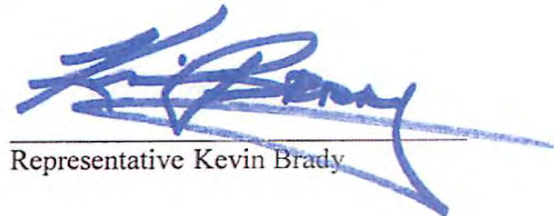
Representative Stephen Fincher



JOHN CORNYN
UNITED STATES SENATE

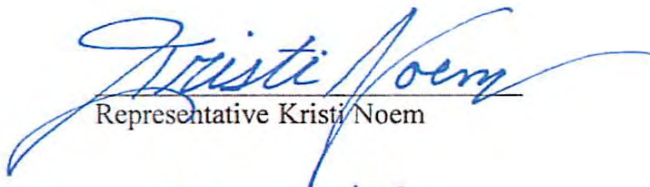


Representative Collin Peterson

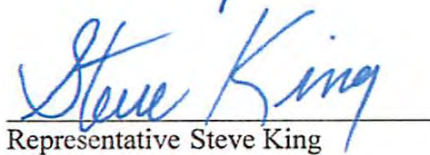


Representative Kevin Brady

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Representative Kristi Noem



Representative Steve King



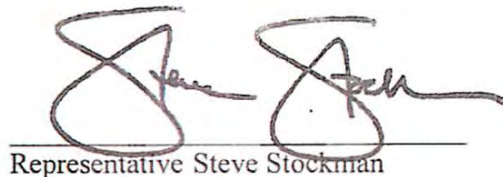
Representative Steve Scalise



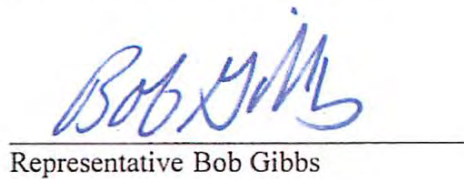
Representative Kevin Cramer



Representative Rob Wittman



Representative Steve Stockman



Representative Bob Gibbs

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Representative ~~Bill~~ Johnson

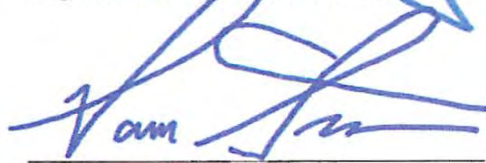

Representative Jason Chaffetz


Representative Chris Stewart

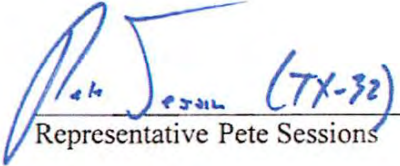

Representative Kenny Marchant



Representative Howard Coble

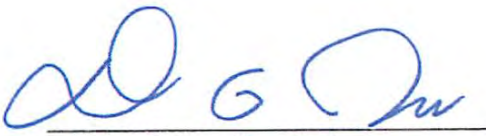

Representative Mike Conaway

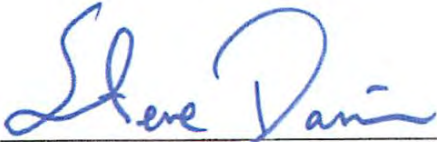

Representative Sam Graves

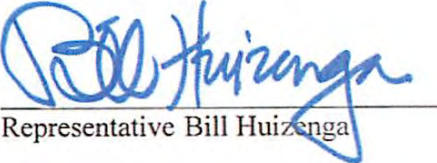
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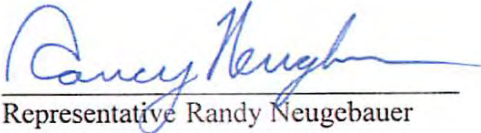

Representative Pete Sessions


Representative Marlin Stutzman


Representative Dennis Ross


Representative Steven Daines


Representative Bill Huizenga

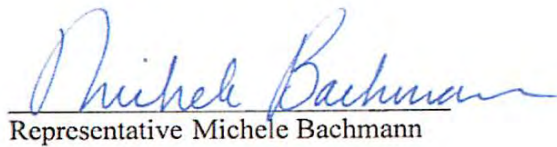

Representative Randy Neugebauer

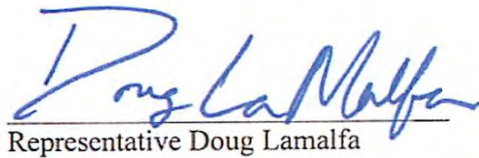

Representative Dan Benishek

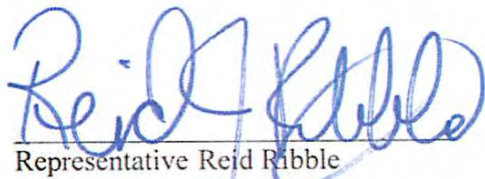
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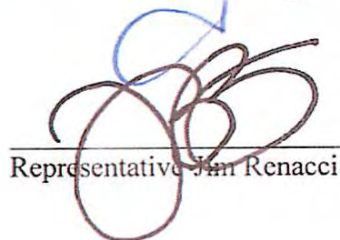

Representative Candice Miller

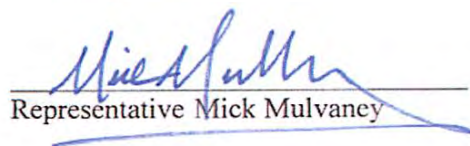

Representative Don Young


Representative Michele Bachmann


Representative Doug Lamalfa


Representative Reid Ribble


Representative Jim Renacci


Representative Mick Mulvaney

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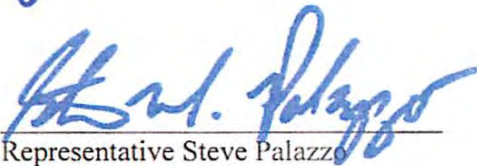
Representative Ron DeSantis



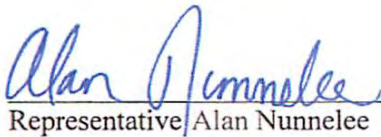
Representative David Schweikert



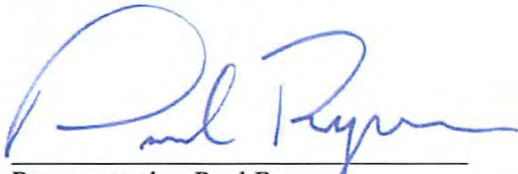
Representative John Kline



Representative Steve Palazzo



Representative Alan Nunnelee



Representative Paul Ryan

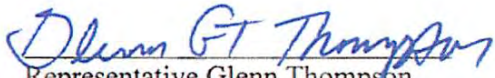


Representative Adrian Smith

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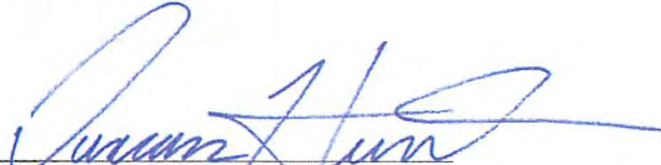
Representative Tom Cole


Representative Glenn Thompson

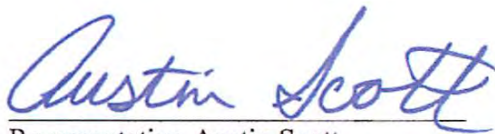
Representative Jeff Miller


Representative Patrick McHenry

Representative Tim Walz




Representative Duncan Hunter



Representative Austin Scott

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Representative Bob Latta


Representative Randy Weber