



TOM TIFFANY

STATE SENATOR • 12TH SENATE DISTRICT

Testimony on Senate Bill 602 Senate Committee on Sporting Heritage, Mining and Forestry January 16, 2018

Thank you members of the Senate Committee on Sporting Heritage, Mining and Forestry for hearing Senate Bill 602 related to state management of wolves.

Senate Bill 602 would simply make it illegal for law enforcement to enforce state or federal law relating to management of wolves in Wisconsin. It also does not allow the DNR to expend any funds relating to wolf management other than paying claims under the endangered resources program for damage caused by wolves. In 2011, Idaho Governor Butch Otter issued an executive order stating that the Idaho Department of Fish and Game would no longer monitor wolf populations, investigate illegal wolf killings, or reimburse farmers whose livestock have been killed by wolves. As a result of this executive order, the federal government de-listed the wolf in Idaho.

The Great Lakes Gray wolf has a long history in Wisconsin, both within the environment and judicially; having shifted from endangered and back by judges over the past quarter century. The wolf brings both a feeling of optimism and frustration depending on the person.

The gray wolf has made a successful comeback in Wisconsin thanks to the efforts of our Department of Natural Resources (DNR) working in conjunction with the United States Fish and Wildlife Service (USFWS) under the authority of the Endangered Species Act (ESA). In the latest estimate, the wolf population has increased to a record 925 animals in the winter of 2016-'17, according to the DNR. With numbers that high we are going to continue to see conflicts between humans and wolves, some disastrous.

The ESA can point to wolves as a success story but with success comes a responsibility. The ESA was designed to protect those species with such low numbers, they could not survive without invention. The ESA is not designed to be used as a judicial shield with which to protect animals that have overrun a great swath of this state and have endangered the lives of residents. The gray wolf is no longer at that point of extinction, it has been recovered and it is time to write the final chapter of this success story. It is time to return the wolf to state management and if the Federal government won't lead, it is time for Wisconsin to give Lady Freedom a nudge in the right direction.

Again, thank you members of the Senate Committee on Sporting Heritage, Mining and Forestry for allowing me to testify on Senate Bill 602. I would appreciate your support.

Thank you.

Tom Tiffany
Wisconsin State Senate
12th Senate District

Wisconsin Bowhunters Association Testimony on Senate Bill 602

The Wisconsin Bowhunters Association has a long history of actively supporting the delisting of wolves and return of their management to Wisconsin state authorities. We support wolf hunting and trapping seasons to maintain their numbers at the statewide population goal as defined in the Wisconsin wolf management plan.

We also appreciate and understand the frustration of legislators representing hunters, farmers, dog owners, hikers and all our citizens that continue to suffer from an overpopulation of wolves in our state. Like other groups, we have encouraged our members to contact their national legislators to enact a law that would prevent radical courts from overruling the recommendations of the experts at the US Fish and Wildlife Service. And while such legislation has continually been promised for the Great Lakes population of wolves, it has yet to be enacted. However, we continue to support efforts to expedite that process.

While we recognize that AB712 is intended to further stimulate that process, we have concerns over other unintended consequences that could prove counterproductive to the goal of returning effective management of wolves to the state.

Specifically, without continued state monitoring of the wolf population and dynamics, we are concerned that Wisconsin will not have the current data and the unquestionable scientific basis to manage wolves to the established goal once they are finally delisted. Also, should this remain in the courts, those that support unlimited wolf protection will cite this legislation as evidence that Wisconsin may not be willing to manage wolves at a sustainable level.

Again, Wisconsin Bowhunters Association supports the intent of this bill to prompt national legislation to delist wolves and return management of the Great Lakes wolf population to the states, while also disallowing courts from overruling the judgements of the experts at the US Fish and Wildlife Service. However we feel that some provisions of this bill have the potential to produce the opposite effect.

Submitted by Bill McCrary
Legislative Liaison
Wisconsin Bowhunters Association
January 16, 2018



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Chairman Tiffany and Senate Sporting Heritage, Mining and Forestry Committee members

I am Al Shook Vice Chair of the Wisconsin Conservation Congress (WCC) and I would like to thank you for the opportunity to come before you today and testify on behalf of the WCC in support of AB 712 / SB 602.

Since the Assembly hearing last week there has been a lot of misinformation put out in the media. This legislation does not turn a blind eye on someone who would illegally kill or "poach" wolves. It simply put the burden of enforcing those issues on the federal wardens vs. state Conservation Wardens. The WCC is very supportive of ethical sporting activities and if this legislation didn't meet that standard we would not be supporting it. Please don't allow this misinformation to be part of any decisions on this matter.

The WCC District Leadership Council met January 5th and 6th and discussed this proposed legislation at the request of the WCC Wolf Committee. It is rather frustrating that we are here today and have to deal with this issue which we feel should have been resolved on a Federal level a long time ago. During our discussion it was brought to our attention that there are certain risks in moving forward with this legislation. If this legislation works quickly to leverage the federal government to delist the wolf, and once again allow Wisconsin to manage our wolf population there is little to no concern that we will lose any valuable information about population and pack distribution estimates. However, we are also aware that if it takes several years or more before the federal government moves to delist the wolf to allow Wisconsin to once again manage our wolf populations there are certain risks that we may face. This could include the federal government forcing Wisconsin to harvest at a less aggressive pace due to the fact we won't have any accurate population estimates. For these same reasons it could open additional avenues for litigation since there will be some loss of information regarding the size of the population and distribution of wolf packs. However, since Wisconsin currently has one of the most accurate population models used in our nation these risks could be somewhat minimal.

The WCC takes very seriously the feedback we receive from citizens of this state on many resource issues. We have heard from many concerns citizens, sportsmen and women of their concerns with Wisconsin not having the ability to manage our wolf population. The WCC is of the opinion these risks are worth taking and for that reason the WCC supports this legislation.

As established by Wisconsin State Statutes, the Wisconsin Conservation Congress is officially recognized as the only natural resources advisory body in the state where citizens elect delegates to represent their interests on natural resources issues on a local and statewide level to the Natural Resources Board and the Department of Natural Resources. Their mission is to represent the citizens of Wisconsin by working with the Natural Resources Board and the Department of Natural Resources to effectively manage Wisconsin's greatest asset, our abundant natural resources, for present and future generations to enjoy.

Wisconsin's Green Fire Testimony to

Senate Committee on Natural Resources & Energy

Regarding SB 602

Good morning and thank you for the opportunity to provide information on Senate Bill 602. My name is Jerry Bartelt and I am speaking on behalf of Wisconsin's Green Fire – Voices for Conservation. Wisconsin Green Fire is a non-profit, non-partisan organization dedicated to providing science-based, natural resource management information to Wisconsin's decision makers. Our membership has extensive experience in resource management, environmental law and policy, scientific research, and education. Our members have backgrounds in government, non-governmental organizations, universities and colleges and the private sector.

Green Fire is very aware of the frustration that exists with current law that, because of a December 2014 court decision, has reclassified gray wolves in Wisconsin as federally endangered and preempted state management authority. Green Fire supports federal delisting as quickly as possible. Wolves are recovered in Wisconsin. We have a science-based wolf management plan and skilled conservation staff to implement this plan for a healthy and sustainable wolf population.

The authors of SB 602 indicate this bill was introduced in frustration due to a lack of federal action to address the problems caused by the court decision. We have prepared an analysis of the conservation science and resource management impacts that will result if SB 602 is enacted. A copy of the analysis is attached to our testimony.

There are two pathways for federal delisting to occur. The first involves Congressional action like what occurred in Western states, where Congress directed the USFWS to delist those wolf populations and further precluded judicial review of the USFWS action. Legislation to require delisting of the Western Great Lake Wolf Population has been introduced but hasn't yet passed out of Congress. The second delisting pathway involves the lengthy normal process of rule-making by USFWS where each step of the process is subject to litigation.

SB 602 will not compel either Congress or the USFWS to take delisting action. It will, however, cause negative impacts to our state and may well make it tougher for our congressional delegation to convince their colleagues to advance the pending legislation.

SB 602 prohibits DNR from expending funds for managing wolves other than for paying claims for damage caused by wolves. This would require DNR to stop:

- All activities to gather information on wolf population abundance and distribution. This would include winter populations estimates, Snap Shot Wisconsin wolf monitoring, and any public informational outreach relating to the wolf populations;
- Terminate contracts with USDA-WIS to provide wolf damage abatement assistance to landowners in Wisconsin and stop publishing wolf depredation alert maps that alert landowners and hunters to problem areas;

- Examining wolves to screen for diseases that can impact other species and domestic livestock;
- Researching the impact of wolves on re-introduced elk populations at Clam Lake and Black River Falls, or improvements to population estimating procedures; and
- Convening the department's wolf advisory committee to share program updates, as well as, re-starting the long overdue update of the 1999 Wolf Management Plan.

Stopping these important work activities will hurt landowners seeking to avoid wolf damage, damage our knowledge base of the size and distribution of the wolf population at a time we need it for updates to the wolf management plan and to inform future wolf harvest quota decisions, as well as weaken our ability to provide solid support to federal decisions on the recovery of Wisconsin wolves.

SB 602 also prohibits law enforcement officers in Wisconsin from enforcing laws relating to the management of wolves or the illegal killing of wolves in Wisconsin. This provision will send a very telling message across the country about our state's willingness to conserve wolves, making it harder to convince undecided members of Congress to support delisting. This provision has other negative impacts here in Wisconsin.

- The public expect fair and uniform treatment from our law enforcement officers who have taken an oath of office to uphold the laws of the state. Forcing our conservation wardens to walk away from a violation puts them in a terrible position and jeopardizes the public trust they have worked hard to earn.
- This provision creates a ready-made alibi that can be used as a legal defense for violations involving other species. "No sir Judge, I wasn't hunting bobcats out of season, I was hunting wolves." It would also create legal confusion around the use of poison baits to kill wolves that kill the neighbor's dog, or a bear.
- Our enforcement officers would be prevented from coming to the aid of a federal LE officer in need if that officer was enforcing a wolf violation.
- This provision would make it illegal for wardens to investigate fraudulent wolf damage claims.

Finally, our analysis finds that SB 602 by restricting and expressly prohibiting DNR's ability to properly conserve Wisconsin's wolf populations creates the risk for additional litigation over management authority for fish and wildlife within the Ceded Territory of Wisconsin, as well as, creates the risk that Wisconsin will not meet the eligibility requirements needed to receive federal Pittman-Robertson funding which totaled \$19 million in FY17.

As I indicated at the start of my testimony, Wisconsin's Green Fire understands the frustration the current federal classification is causing. We believe wolves should be delisted and returned to state management. We support responsible efforts to pass federal legislation. Wisconsin should be well positioned to achieve this. Rep. Paul Ryan is Speaker of the House and can have great influence in getting the legislation acted upon. Both of Wisconsin's Senators have indicated support for the legislation and can offer a bipartisan voice to fellow senator's from around the country. Wisconsin's Green Fire offers our assistance to your committee and our federal delegation to work toward passage.

Thank you for time and attention.

A policy analysis of Senate Bill 602 and Assembly Bill 712, legislation to limit Wisconsin Department of Natural Resources conservation and management of gray wolves

December 14, 2017

Legislation Description

The following is an excerpt of the analysis of Senate Bill 602 (SB 602) and companion bill Assembly Bill 712 (AB 712) by the Legislative Reference Bureau (LRB).

"This bill makes changes to the laws regulating wolf hunting and the laws authorizing funding for wolf management activities. Under current law, the Department of Natural Resources is required to allow the hunting and trapping of wolves if the wolf is not listed on the U.S. list of endangered and threatened species and is not listed on the state endangered list. This bill prohibits a law enforcement officer from enforcing a federal or state law that relates to the management of the wolf population in this state or that prohibits the killing of wolves in Wisconsin. The bill prohibits the Department of Natural Resources (DNR) from expending any funds for the purpose of managing the wolf population in this state other than for the purpose of making payments under the endangered resources program to persons who apply for reimbursement for certain damage caused by wolves or protecting private property, including domestic cattle from wolf depredation. The bill prohibits DNR from taking any action to inform or support federal law enforcement officers regarding the enforcement of any federal or state law relating to wolves. The bill specifies that these prohibitions apply only if wolves are listed on the U.S. list of endangered and threatened species. Under the bill, if wolves are removed from that list, the prohibitions in the bill will no longer apply".

IMPACTS SUMMARY

Science

- Positive
- Neutral
- Negative

Natural Resource Management

- Positive
- Neutral
- Negative

Impact Synopsis

This legislative proposal would eliminate DNR research, monitoring and management of gray wolves not directly related to wolf depredation until federal delisting occurs. Scientific work that would be eliminated includes annual wolf population monitoring and winter population estimates, radio-collaring of wolves, and monitoring of diseases in the wolf population. Research into wolf monitoring cost efficiency and improved population estimate procedures would stop. This legislation complicates the work of law enforcement officers, raises the risk of future litigation with Wisconsin's Chippewa Tribes over co-management status, and could jeopardize Wisconsin's continued eligibility to receive federal Pittman-Robertson funding.

Federal Delisting Timetable

This legislation would remain in effect until the US Fish and Wildlife Service (USFWS) removes wolves from the federal endangered or threatened species lists. There are two scenarios under which federal action could occur:

1. The first would be congressional passage of legislation requiring USFWS to delist the Western Great Lakes gray wolf population and preventing judicial review of the delisting. This would cause an estimated 1-year disruption in Wisconsin's wolf conservation work.
2. The second, and likely more time consuming option, would be that Congress doesn't act and the USFWS restarts a delisting process from scratch. An estimated 4-5 year disruption could occur under the normal USFWS delisting process. The history of litigation in similar wolf management actions by USFWS suggests significant time may lapse before delisting is completed. This would create a multi-year gap in scientific data collection and conservation.

Science Impacts

Since 1980 the DNR has developed annual estimates of Wisconsin's wolf population. Current accurate population estimates allow Wisconsin to assess how wolf population levels relate to number of depredations (livestock, pets, etc.) and deer population trends. Data on individual wolves, especially pack members, is critical to understanding the impacts and efficacy of management actions such as wolf harvest seasons and depredation removals, and serves to guide future management decisions.

Under the proposed legislation monitoring of wolf populations would be affected as follows:

1. Replacement of wolf radio-collars whose battery life is expiring would NOT be authorized, reducing DNR's ability to track mortality, pack movement, dispersion, and related depredation.
2. Elk herd mortality research would be impacted by the inability to collar or replace collars on wolves within elk range. DNR currently can track interactions between radio-collared elk and wolves.
3. Monitoring diseases in wolves would be discontinued. Some of these diseases are known to impact other wildlife species or domestic animals.
4. Winter track surveys or work with citizen scientists on data collection could no longer be coordinated with DNR staff/experts. Two major aspects of citizen wolf monitoring are as follows:
 - a. Since 1995, the WDNR has trained, guided, and used data from volunteer carnivore trackers. Interruption of this program would reduce citizen science opportunities in Wisconsin, and eliminate a source of wolf population data for the WDNR. Though the program was started in 1995, it took several years after establishment for trackers to gain the expertise to assure and maximize data quality. Disruption of this program may require several years for re-establishment and reduce support from volunteers.
 - b. Wisconsin has launched SnapShot Wisconsin, a citizen science monitoring effort using trail cameras, to track wildlife species occurrence and abundance in our state. Wolf images captured in this effort provide information on annual reproduction and geographic distribution of wolves. This bill would prevent DNR spending time or funds to process any wolf images collected by Snapshot Wisconsin participants until wolves are federally delisted. Delayed processing of wolf images would delay discovery of new wolf pack territories and assessment of pup production.
5. DNR's Office of Applied Research has been conducting research to improve Wisconsin's wolf population monitoring methods for zone-specific population estimates, where harvest levels can be set to allow more precise wolf population management. This research would be eliminated under the proposed legislation.

Management Impacts

DNR wolf management would be directly affected by this proposed law. Tools used by DNR to responsibly manage wolves include enforcing laws, partnering with other jurisdictions, and using citizen monitoring to broaden population data. Examples include the following:

Implications for law enforcement

Prohibiting enforcement of laws relating to wolf management (such as illegal killing of wolves) by Wisconsin law enforcement officers will impact state, and in some instances, tribal conservation wardens, county sheriff deputies and local police officers. The following are some of these potential impacts (next page).

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Implications for law enforcement (continued)

- 1) Officers take an oath of office to enforce the law; this proposal would put law enforcement officers in the position of selectively enforcing laws.
- 2) The language in the bill prevents officers from "knowingly" enforcing or "attempting" to enforce the law. These terms are subjective and leave a gray area for interpretation by officers and the public. For instance, it would make investigations very difficult when an offense involved both wolves and other species.
- 3) This inability to enforce laws will create complex violation scenarios in which DNR would be restricted from taking action. Such as:
 - a) Violators avoiding prosecution for hunting/trapping violations for other species by claiming to be in pursuit of wolves.
 - b) Poison baits set to kill wolves that are also harming domestic pets, livestock or other species of wildlife.
 - c) Use of trap and snare types that are not legal for use in Wisconsin.
 - d) This legislation would also prohibit an officer from coming to the aid of a federal warden enforcing a wolf-related law.
 - e) Law enforcement strives for public confidence that they enforce all laws fairly and evenly. This legislation requires that they look the other way on wolf violations, effectively sanctioning illegal behavior and eroding public support for law enforcement.

Impairs wolf depredation abatement

Wolf depredation abatement services are provided by USDA-APHIS-Wildlife Services in Wisconsin under cooperative agreements with DNR. DNR provides the financial support for these services. Under these bills, financial support would halt. Installation of new non-lethal depredation abatement materials such as fladry flagging and electric fences, as well as maintenance of installed materials would be stopped. The cessation of radio-collaring would end the use of radio activated guard boxes that can detect the presence of a nearby radio-collared wolf and emit a strobe light and sounds to deter wolf depredations.

Raises risk for co-management litigation

This proposed legislation has the potential to result in litigation with Wisconsin's Chippewa tribes. During the original court case that defined treaty rights in Wisconsin, the tribes sought co-management status for the fish and wildlife resources within the ceded territory. Under co-management, both the DNR and the tribes would share veto authority over proposed fish and wildlife regulations and policies within the ceded territory. The federal court decided against the tribes on this issue and placed management authority with DNR. This legislation prevents DNR wardens from enforcing federal laws relating to wolves and prevents DNR from performing basic population monitoring activities. If enacted, this legislation would provide the basis for the tribes to re-litigate the co-management question based on changed circumstances. The tribes could argue that the State of Wisconsin is not fulfilling its public trust obligations in conserving Wisconsin wolf populations.

Reduces validity and trust in Wisconsin's wolf management plans

USFWS federal delisting of wolf populations in Wisconsin will require a finding that all impacted states have science-based wolf management and conservation plans in place. This legislation will create doubts at the federal level and amongst wolf advocacy groups that Wisconsin is committed to the long-term conservation of wolf populations. This legislation will be pointed to as a sign that Wisconsin's management system can't be trusted by future litigants. Wisconsin's 37-year data set and annual population estimates have made it possible to examine the impact of Wisconsin's wolves on prey populations and track annual variability of depredations. It also documents resiliency of wolves to mortality from harvest seasons, disease and harsh winters. This dataset allowed USFWS' original delisting determination. This dataset would be relied on in any future determination to delist Wisconsin wolves and is needed to

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guide decisions on annual harvest quotas for future hunting and trapping seasons. Interrupting the continuity of this dataset weakens the scientific basis for future management decisions.

Wisconsin's annual population estimates involve significant volunteer citizen effort. Wolf tracking volunteers attend training to identify wolf sign and learn proper data collection methods. Volunteers conducted roughly half of the 14,167 wolf tracking miles during winter 2016-17. If DNR is precluded from monitoring wolves, it is unlikely sufficiently trained volunteers would be able to cover the areas currently monitored by DNR personnel. DNR could lose valuable volunteer-collected data, and would need extra volunteer recruitment and training when they resume wolf management. DNR staff would be prohibited from cooperating with, and/or, notifying neighboring states when a wolf radio-collared outside of Wisconsin is identified within our state borders. This would erode the cooperation states expect as they collectively seek to manage wildlife populations.

Fiscal impacts & loss of federal wildlife conservation funding

This legislation would jeopardize Wisconsin's ability to receive federal Wildlife Restoration Grants commonly referred to as Pittman Robertson (PR) funds. If enacted, the legislation would prevent enforcement of the illegal killing of wolves, as well as scientific population monitoring and management by DNR. Wisconsin's eligibility for these funds is contingent on DNR having the legal authority to properly manage wildlife populations within the state. It is likely that the USFWS would need to review WDNR's ability to properly manage Wisconsin's gray wolf population. A negative finding would result in Wisconsin's loss of these important PR-funds.

Pittman-Robertson grants, Wisconsin's share of the federal excise taxes on hunting equipment, are used to monitor wildlife populations, undertake research, and manage wildlife habitat for a wide range of species. In 2017, Wisconsin received over \$19 million grant dollars which was nearly 14% of the total revenue to the state's Fish & Wildlife Account. Loss of these grant funds would require DNR to lay off staff and eliminate wildlife management activities.

To date the DNR has invested staff resources and funding in citizen science initiatives cited in this paper. These programs help reduce the costs of wolf monitoring and management. Lack of continuity in citizen science training will reduce the effectiveness of volunteers and would increase start up costs in the future.

About Wisconsin's Green Fire

Wisconsin's Green Fire: Voices in Conservation (WGF) is a newly formed independent nonpartisan organization. WGF supports the conservation legacy of Wisconsin by promoting science-based management of its natural resources. Members represent extensive experience in natural resource management, environmental law and policy, scientific research, and education. Members have backgrounds in government, non-governmental organizations, universities and colleges and the private sector. More information about WGF can be found at www.wigreenfire.org.

Wisconsin's Green Fire

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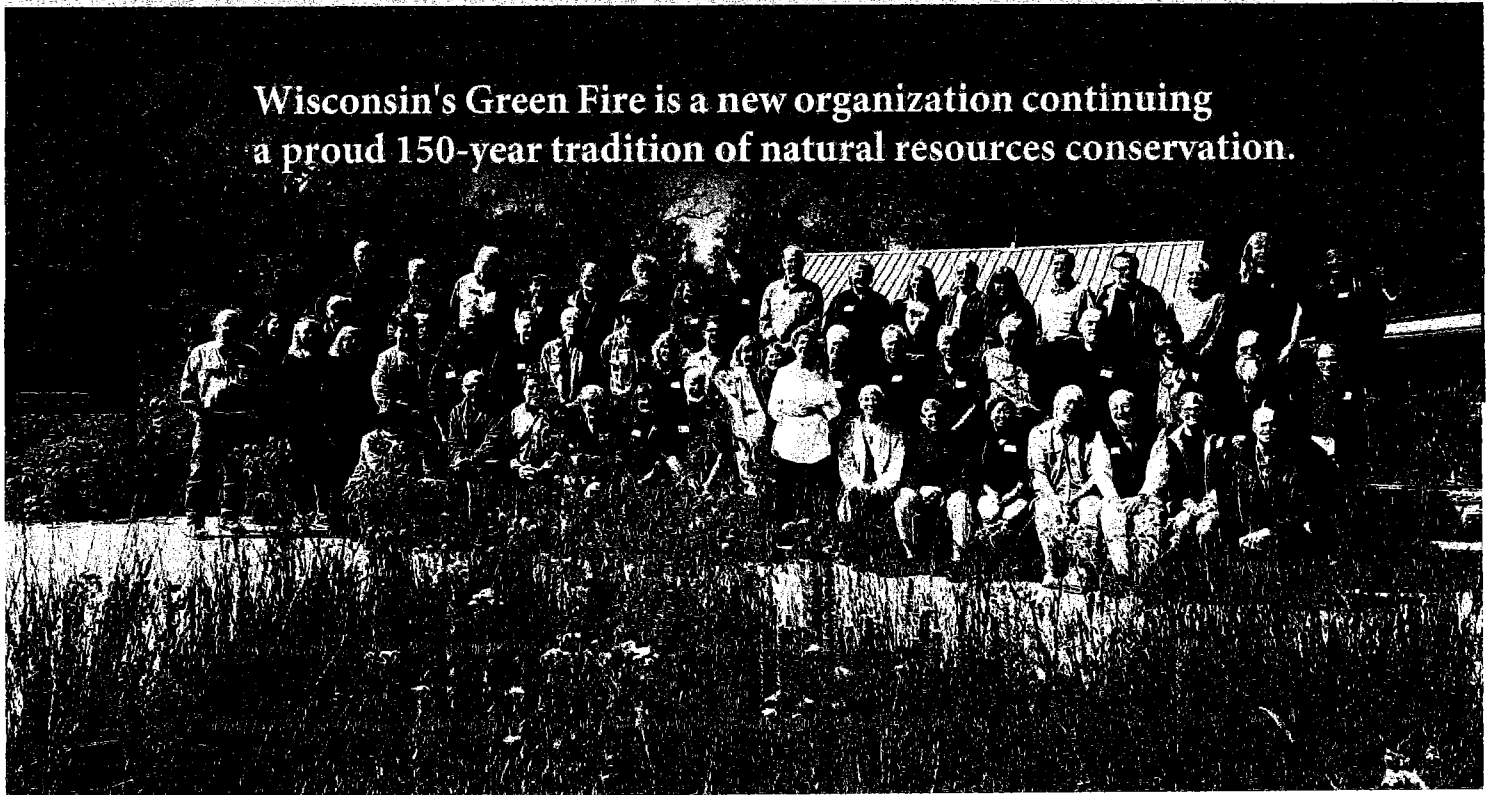
Website: www.wigreenfire.org


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Restoring our Conservation Legacy

Wisconsin's Green Fire *Voices for Conservation*

Wisconsin's Green Fire is a new organization continuing a proud 150-year tradition of natural resources conservation.

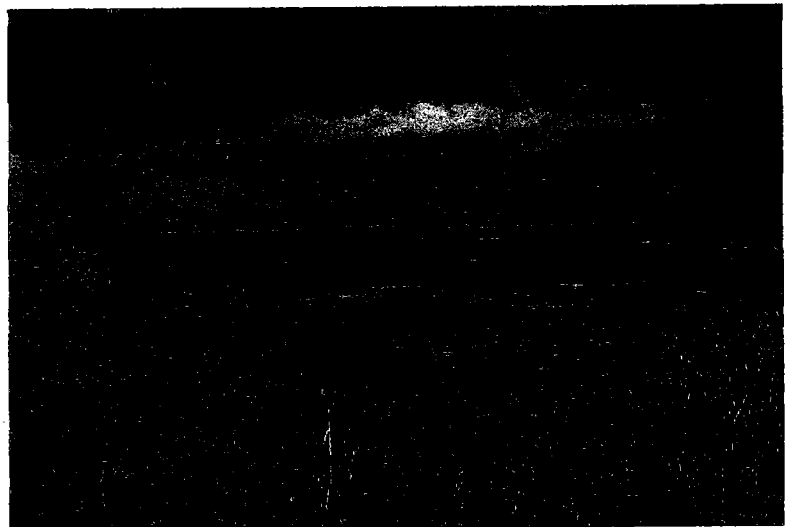


 For more than 150 years Wisconsin was a national leader in caring for our natural resources through conservation and science-based management.

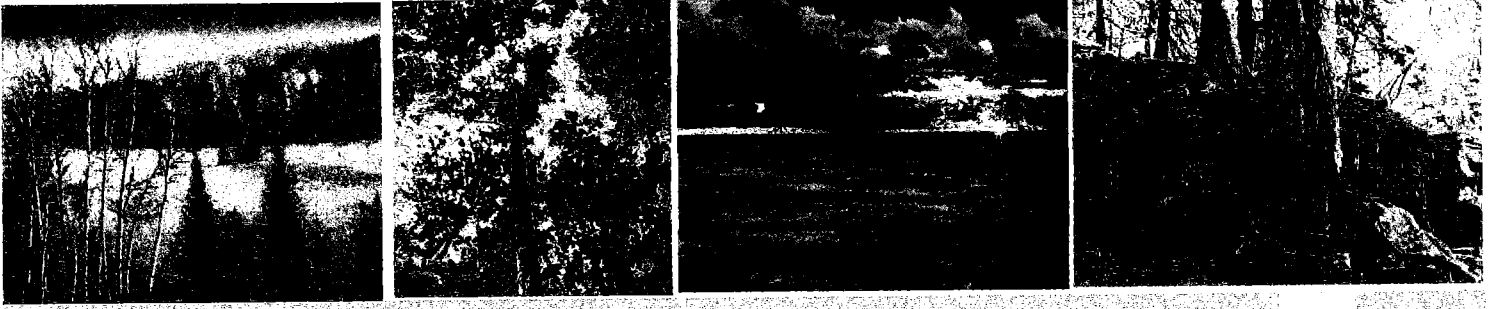
Today, **Wisconsin's Green Fire** (WGF) continues our conservation heritage by working to restore the role of sound science and professional knowledge in natural resource policy and management. *We're unique because our work is grounded by the collective experience of our members.*

WGF members are wildlife biologists, fisheries scientists, water quality experts, ecologists, foresters, engineers, land protection specialists, attorneys, and citizens from public agencies, academia, and private practice who collectively share over **2500** years of experience, from Kenosha to Superior.

Unfortunately, in today's polarized political climate the role for science in natural resources is being further diminished, season after season.



Wisconsin's Green Fire is Restoring our Proud Tradition of Conservation and Sound Science in Natural Resources



Wisconsin's Green Fire brings sound science and hard-earned field-experience to understanding and managing our natural resources. In the face of growing impacts from climate change, invasive species, threats to clean air, clean water, and natural habitats, and the elimination of science from our public agencies, *the need for an organization like Wisconsin's Green Fire has never been greater.*

Your support will help us:

- Ensure that public policy, laws, and natural resource management are informed by scientific understanding and transparent public process.
- Serve as a non-partisan source of science-based information to policy makers, public agencies, and the public.
- Focus the un-paralleled scientific, legal and hands-on expertise of respected conservation professionals in water resources, fisheries, wildlife, forests, wild habitats, clean air, climate change, and natural resources stewardship in today's policy debates.
- Help restore Wisconsin's tradition of natural resources conservation through far-sighted environmental policy that assures long-term community prosperity and ethical stewardship of natural resources.

Wisconsin's Green Fire and our members are working hard to restore our tradition of science and public trust in natural resources.

You can be a part of restoring that tradition.

Can you make a contribution to Green Fire today so we count you among our strongest supporters?

Contributions can be directed at any time to the address at right, or please contact us at WIGreenFire@gmail.com to discuss other ways you can support our efforts.

*Your contribution before December 31st will be especially critical for our new organization in allowing us to effectively respond to current issues and emerging threats to our natural resources. **THANK YOU!***

Wisconsin's Green Fire

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Response to Legislative Bill SB602/AB 712 by the Timber Wolf Alliance

Chair Tiffany, Members of the Committee on Sporting Heritage, Mining and Forestry and Sponsors of SB602:

My name is Adrian Wydeven, and I am the chair of the advisory council for the Timber Wolf Alliance (TWA) of Northland College, Ashland, Wisconsin. TWA would like to respond on the proposed bill.

(SB602 proposes to discontinue funding for wolf management and to make it illegal for state law enforcement officers to enforce laws related to the management or killing of wolves, while wolves remain listed as a federally threatened or endangered species in the state.)

The **Timber Wolf Alliance** is an organization committed to using science-based information to promote human co-existence with wolves and ecologically-functional wolf populations in areas of suitable habitat across Wisconsin and Michigan. We have the following concerns about this bill:

- 1) **Discontinuing Wolf Population Data Gathering:** Since 1979, the Wisconsin Department of Natural Resources has continuously monitored the state's wolf population. This data base has been essential for wolf conservation planning and management, including the establishment of wolf hunting and trapping seasons, and responding to wolf depredations. The population information is the foundation of science-based decisions about the management of the wolf population and about the future status of wolves at both the federal- and state-level. Cessation of monitoring activities would prevent sound, science-based decision making in the future.
- 2) **Weakening of a Positive Relationship with the United States Fish & Wildlife Service:** The Wisconsin Department of Natural Resources and the USFWS have cultivated a long-term, positive partnership focused on recovering wolves in Wisconsin, and since 2000, the USFWS has supported the delisting of wolves in our region. This bill's prohibition on the enforcement of state or federal laws related to the management or killing of wolves would seriously undermine this partnership and wolf management activities in the state.
- 3) **Disregarding Tribal Concerns in Wolf Conservation:** The wolf plays an important role in the culture of all Wisconsin Indian Tribes, and the lack of wolf protection that would result from this bill would jeopardize the maintenance and protection of wolf packs on ceded and tribal lands.
- 4) **Undermining Support for Delisting the Wolf in the Great Lakes Region:** Sponsors of SB602 indicated the intent of the bill is to encourage Wisconsin's U.S. Senators and House of Representative members to take action on delisting the wolf in the Great Lakes region. However, we believe that the bill is likely to undermine support for delisting. The proposed bill would abdicate responsibility for managing wolves, a public-trust wildlife species of international significance. The bill undermines support for delisting because it would fail to demonstrate that Wisconsin is prepared to assume stewardship of the wolf population. Plus Wisconsin's U.S. Senators and Representatives have already expressed public support for delisting.

Research conducted by the WDNR show that citizens of Wisconsin support a sustainable wolf population in the state. The Alliance welcomes any opportunity to share our educational and expert resources with the Legislature as it considers legislation that impacts the State's wolf population. The Timber Wolf Alliance believes that it is important for the Wisconsin legislature to fulfill its responsibility for managing wolves as a public trust resource by supporting wolf management practices that are scientifically sound, culturally sensitive, and publicly supported.

Respectfully submitted,

Adrian P. Wydeven,
Chair of the Timber Wolf Alliance, Advisory Council
January 16, 2018.

Wisconsin Wildlife Federation Testimony on Senate Bill 602

Chairman Tiffany and Members of the Senate Sporting Heritage, Mining and Forestry Committee, thank you for the opportunity to testify today "For Information Purposes" on Senate Bill 602 which prohibits the Wisconsin DNR from conducting certain wolf management activities in the state until wolves are removed from the Federal Endangered Species.

We are here today to strongly reaffirm the position of the Wisconsin Wildlife Federation that wolves have to be removed from the list in the **immediate future!** The Federation has been one of the strongest groups investing its time and money over the last 10 years to obtain that delisting. We have worked heavily on all four rulemaking efforts by the Fish and Wildlife Service to delist the wolf. We have worked alone and in close concert with other conservation organizations, agricultural groups and landowners to make it happen. Our members have written hundreds of letters, emails and on-line comments and attended several hearings and meetings to push our Federal legislators and the Department of the Interior to get it done. On three occasions we met with the Director of the US Fish and Wildlife Service personally on wolf delisting. Our biggest effort was that during the last Federal delisting process, Federation staff and Board members went to every city, town and crossroads of northern Wisconsin and obtained 36,537 signatures of northern Wisconsin citizens on a petition to remove the wolf from the Federal Endangered Species list. Then I and another Board member took copies of the petitions and presented them to the Secretary of the Interior and each member of our Congressional delegation.

Today we would to raise questions about whether this bill will help or actually hurt the delisting process and secondly present some other ideas on how the Legislature and the Governor and others here today can substantially raise the heat in Washington and get the delisting done in the very near future.

There are only two ways that the wolves can be delisted: 1. through the US Fish and Wildlife Service current rulemaking process or 2. through federal legislation. We have all seen through the past litigation on the wolf delisting rules and in past Congressional debates that the anti-wolf delisting groups continually raise the argument that Wisconsin will not properly manage the wolf population if wolves are delisted. Those arguments have been successfully batted down by the US Fish and Wildlife Service and the DNR because of continued successful wolf management by the state in difficult circumstances. And because of that, courts have upheld Wisconsin's ability to properly manage wolves. The courts have always held against the delisting for reasons other than inadequacy of state management capability and willingness.

We raise the concern to you that this bill will likely give the anti-delisting groups Exhibit A illustrating that the state cannot be trusted to adequately protect wolves when they are delisted. They will most definitely use this bill in litigation and lobbying in the halls of Congress. **Our bottom line on this bill is that this Legislature should not take action that will provide ammunition to the Humane Society of the United States and other similar groups.**

We have two suggestions to you as Legislators. One is that the Legislature immediately adopt a Joint Resolution to the US Congress pushing for swift passage of the bipartisan delisting legislation. Secondly, that you all individually as legislators get on the phone and call Speaker Paul Ryan along with our two US Senators. We know Speaker Ryan is an avid sportsman, understands the issue well and supports delisting. He is however one of the two most powerful members of the US Congress and has inordinate power to make delisting happen this year. The wolf delisting bill does not cost any money and does not harm any other state. The Speaker should insist that the delisting be immediately attached to a must pass bill in the Congress and get it on the President's desk. He and our Senators need to hear directly from each and every one of you and thousands of Wisconsin citizens.

The Federation is doing its part. Attached to this testimony is a flier that we are getting out to all of our members, our 200 sports clubs, other conservation organizations and agricultural groups asking them to call Speaker Ryan, Senator Johnson, Senator Baldwin and Representative Sean Duffy asking them to make the delisting happen now. We ask for your assistance and support in this effort. We have copies of the flier available for all in attendance. Thank you.

Submitted by Ralph Fritsch
Representing the
Wisconsin Wildlife Federation
January 16, 2018

**Are you Tired of Congress Failing to Remove the Wolf from
the Endangered Species List in Wisconsin?**

If so, take action by calling the following Wisconsin Federal Legislators:

- 1. Representative Paul Ryan, Speaker of the House of Representatives:
202-225-3031---The Speaker of the House has extraordinary
authority over what legislation passes the Congress**
- 2. Senator Ron Johnson----202-224-5323**
- 3. Senator Tammy Baldwin---202-2245653**
- 4. Representative Sean Duffy---202-225-3365
Rep. Duffy represents the District with the most wolves in Wisconsin**

**These individuals work for Wisconsin citizens. It is time to make sure that they
are doing everything they can on your behalf to pass legislation removing the
wolf from the Endangered Species list in Wisconsin**



WISCONSIN
INDEPENDENT
BUSINESSSES, INC.

WIB AGRI-BUSINESS COALITION

P.O. Box 2135

Madison, WI 53701 • (608) 255-0373

January 16, 2018

TO: Members
Senate Committee on Sporting Heritage, Mining and Forestry

FR: Brian Dake
Legislative Director
WIB Agri-Business Coalition

RE: 2017 Senate Bill (SB) 602 relating to: enforcement of federal and state laws relating to the management of the wolf population and to the killing of wolves and expenditure of funds for wolf management purposes

Chairman Tiffany and committee members my name is Brian Dake, Legislative Director for the WIB Agri-Business Coalition. Thank you for the opportunity to testify in support of 2017 Senate Bill (SB) 602.

By way of background, the WIB Agri-Business Coalition (ABC) represents approximately 4,000 farmers throughout the state. The diversity of our membership mirrors the diversity that exists in Wisconsin agriculture – a mixture of small, medium and large family-owned and operated crop, dairy and livestock farms.

A little more than four years ago, a federal district court judge “relisted” wolves in the Upper Midwest on the Endangered Species List. Shortly thereafter, the Wisconsin Department of Natural Resources (DNR) issued the following relevant guidance for Wisconsin farmers:

- Permits which allow lethal removal of wolves issued to landowners experiencing wolf problems are no longer valid;
- Wisconsin's law allowing landowners to shoot wolves that are in the act of depredating domestic animals on private property are no longer in force; and

- Farmers experiencing wolf problems should contact the USDA - Wildlife Service for investigation and wolf management assistance.

We viewed this judicial ruling as a temporary setback.

After all, the United States Fish and Wildlife Service (USFWS) spent more than twelve years reviewing the DNR wolf management plan before granting its approval. Surely, a higher court or Congress would not ignore the peer-reviewed scientific studies and decades of population data which indicate that Wisconsin's wolf population is far from endangered and can be properly managed at the state level.

We were wrong.

On August 1, 2017, the United States Court of Appeals for the District of Columbia Circuit unanimously upheld the lower court ruling. And, as we sit here today, bipartisan legislation that would restore Wisconsin's ability to manage the growing wolf population is bottled up in Congress.

Wisconsin farmers are suffering the consequences of this federal inaction. Confirmed and probable wolf depredations of livestock continue to rise. Verified wolf harassment or threats to livestock are increasing as well. Attached is a copy of DNR Wolf Depredation Reports in 2017.

In the absence of state-based wolf management, more livestock will be killed, threatened or harassed by wolves in 2018 and beyond. Partial financial compensation for the loss of livestock resulting from wolf depredation is of little consolation - a point that was confirmed by numerous farmers who testified at last year's Great Lakes Wolf Summit.

Wisconsin's wolf population needs to be properly managed at the state level and that requires federal government approval. The provisions of 2017 Senate Bill 602 are patterned after the actions taken by the State of Idaho to regain its authority to manage its wolf population. We hope passage of this legislation will produce the same outcome for the State of Wisconsin.

We respectfully ask for your support of 2017 Senate Bill 602. Thank you in advance for your consideration of our request.

Wolf Depredation Reports in 2017

- Confirmed and probable wolf depredations
- Verified wolf harassment or threats
- Unconfirmed depredation or complaints
- Confirmed non-wolf depredation or complaints

Confirmed and probable wolf depredations

WS#	Date	Type	Livestock	Chronic Farms	Pet Hunting	Animal or Property Involved	County	Confirmation Status
Waupun 01-2017	01/17/2017	HUNTING			X	1 Hunting Dog (Plot)	Clark	Confirmed Wolf Depredation
RHL 5-2017	03/03/2017	LIVESTOCK X		X		1 Beef calf (Hereford)	Bayfield	Probable Wolf Depredation
Waupun 04-2017	04/04/2017	LIVESTOCK X				1 Beef calf (Angus)	Portage	Probable Wolf Depredation
RHL 8-2017	04/06/2017	LIVESTOCK X				1 Adult beef cow (injured) 1 beef calf (killed)	Douglas	Confirmed Wolf Depredation
RHL 9-2017	04/23/2017	LIVESTOCK X				1 Beef calf (Hereford)	Taylor	Probable Wolf Depredation
RHL 10-2017	04/27/2017	LIVESTOCK X				2 Adult sheep (Hampshire)	Dunn	Confirmed Wolf Depredation
Waupun 07-2017	04/28/2017	LIVESTOCK X		X		1 Beef calf (Angus)	Portage	Confirmed Wolf Depredation
Waupun 09-2017	05/03/2017	LIVESTOCK X				2 Adult sheep (Suffolk)	Wood	Probable Wolf Depredation
RHL 12-2017	05/04/2017	LIVESTOCK X				1 Beef calf (Angus)	Price	Confirmed Wolf Depredation
RHL 14-2017	05/15/2017	LIVESTOCK X				1 Dairy calf (Holstein)	Marathon	Confirmed Wolf Depredation

WS#	Date	Type	Livestock	Chronic Farms	Pet Hunting	Animal or Property Involved	County	Confirmation Status
RHL 15-2017	05/15/2017	LIVESTOCK	X	X		1 Beef calf (Angus/Hereford)	Rusk	Probable Wolf Depredation
RHL 18-2017	05/19/2017	LIVESTOCK	X			1 Beef calf	Douglas	Confirmed Wolf Depredation
RHL 20-2017	05/21/2017	LIVESTOCK	X	X		1 Beef calf (Angus)	Douglas	Confirmed Wolf Depredation
RHL 19-2017	05/22/2017	LIVESTOCK	X	X		1 Beef calf	Burnett	Confirmed Wolf Depredation
Waupun 11-2017	05/26/2017	LIVESTOCK	X			1 Beef calf (Simmental/Maine-Anjou)	Wood	Probable Wolf Depredation
RHL 21-2017	06/02/2017	LIVESTOCK	X	X		1 Beef calf	Douglas	Confirmed Wolf Depredation
Waupun 13-2017	06/23/2017	LIVESTOCK	X			1 Beef calf	Vernon	Confirmed Wolf Depredation
RHL 22-2017	06/24/2017	LIVESTOCK	X	X		1 Beef calf	Burnett	Confirmed Wolf Depredation
RHL 27-2017	07/10/2017	LIVESTOCK	X			1 Beef calf (British White Park)	Price	Probable Wolf Depredation
RHL 29-2017	07/14/2017	LIVESTOCK	X			1 Beef calf (Angus)	Douglas	Confirmed Wolf Depredation
RHL 31-2017	07/15/2017	HUNTING		X		1 Hunting Dog injured (Walker) 1 Hunting Dog killed (Walker)	Langlade	Confirmed Wolf Depredation
RHL 33-2017	07/15/2017	LIVESTOCK	X			2 Beef calves (Red Angus)	Sawyer	Confirmed Wolf Depredation

WS#	Date	Type	Livestock	Chronic Farms	Pet Hunting	Animal or Property Involved	County	Confirmation Status
RHL 36-2017	07/18/2017	HUNTING			X	1 Hunting dog (Plott)	Ashland	Confirmed Wolf Depredation
RHL 34-2017	07/18/2017	LIVESTOCK	X			1 Beef calf	Douglas	Confirmed Wolf Depredation
RHL 38-2017	07/22/2017	HUNTING			X	1 Hunting dog (Redtick)	Sawyer	Confirmed Wolf Depredation
Waupun 14-2017	07/23/2017	LIVESTOCK	X			1 Beef calf (Red Angus)	Juneau	Confirmed Wolf Depredation
RHL 40-2017	07/26/2017	LIVESTOCK	X			1 Dairy calf (Holstein)	Douglas	Confirmed Wolf Depredation
RHL 42-2017	07/28/2017	LIVESTOCK	X			1 Beef calf	Douglas	Confirmed Wolf Depredation
RHL 43-2017	07/29/2017	HUNTING			X	1 Hunting dog (Plott)	Douglas	Confirmed Wolf Depredation
RHL 41-2017	07/30/2017	HUNTING			X	1 Hunting dog (Walker)	Sawyer	Confirmed Wolf Depredation
RHL 44-2017	07/30/2017	HUNTING			X	1 Hunting dog (Walker)	Bayfield	Confirmed Wolf Depredation
RHL 46-2017	08/02/2017	HUNTING			X	1 Hunting dog (Bluetick)	Washburn	Confirmed Wolf Depredation
RHL 47-2017	08/02/2017	LIVESTOCK	X			1 Beef calf	Price	Probable Wolf Depredation
RHL 50-2017	08/08/2017	LIVESTOCK	X			1 Beef calf	Bayfield	Probable Wolf Depredation

WS#	Date	Type	Livestock	Chronic Farms	Pet Hunting	Animal or Property Involved	County	Confirmation Status
RHL 51-2017	08/12/2017	HUNTING			X	1 Hunting Dog (Walker)	Burnett	Confirmed Wolf Depredation
RHL 53-2017	08/12/2017	LIVESTOCK X				1 Beef Calf (Angus)	Price	Confirmed Wolf Depredation
RHL 52-2017	08/13/2017	HUNTING			X	1 Hunting Dog (Walker) 1 Hunting Dog (Walker)	Burnett	Confirmed Wolf Depredation
Waupun 16-2017	08/13/2017	HUNTING			X	1 Hunting dog, injured (Black and Tan) 1 Hunting dog, injured (English Coonhound) 1 Hunting dog, killed (English Coonhound) 2 Hunting dogs, injured (Plot)	Marathon	Confirmed Wolf Depredation
RHL 60-2017	08/27/2017	LIVESTOCK X				1 Beef calf	Douglas	Confirmed Wolf Depredation
RHL 64-2017	08/31/2017	LIVESTOCK X	X			1 Steer (Holstein)	Marathon	Confirmed Wolf Depredation
RHL 68-2017	09/07/2017	HUNTING			X	1 Hunting dog (Walker)	Sawyer	Confirmed Wolf Depredation
RHL 69-2017	09/08/2017	HUNTING			X	1 Hunting dog (Walker)	Burnett	Confirmed Wolf Depredation
RHL 71-2017	09/21/2017	HUNTING			X	1 Hunting dog (Black & Tan)	Bayfield	Confirmed Wolf Depredation
RHL 72-2017	09/21/2017	HUNTING			X	1 Hunting dog (injury) (Walker/Plot)	Bayfield	Confirmed Wolf Depredation
RHL 74-2017	09/22/2017	HUNTING			X	1 Hunting dog (injury) (Plot/Walker)	Price	Probable Wolf Depredation
RHL 75-2017	09/23/2017	HUNTING			X	1 Hunting dog (Walker)	Sawyer	Confirmed Wolf Depredation

WS#	Date	Type	Livestock	Chronic Farms	Pet Hunting	Animal or Property Involved	County	Confirmation Status
Waupun 18-2017	09/23/2017	LIVESTOCK X				1 Dairy cow (Holstein)	Clark	Confirmed Wolf Depredation
RHL 76-2017	10/01/2017	HUNTING			X	1 Hunting dog (Bluetick)	Burnett	Confirmed Wolf Depredation
RHL 79-2017	10/19/2017	LIVESTOCK X				1 Beef calf	Douglas	Confirmed Wolf Depredation
Waupun 20-2017	10/27/2017	PET		X		1 Pet dog (Welsh Corgi/Shepherd)	Clark	Confirmed Wolf Depredation
RHL 81-2017	11/19/2017	LIVESTOCK X				1 Beef calf	Douglas	Confirmed Wolf Depredation
RHL 86-2017	12/22/2017	PET		X		1 Pet dog (injury) (Beagle)	Burnett	Confirmed Wolf Depredation

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Verified wolf harassment or threats

WS#	Date	Type	Livestock	Chronic Farms	Pet Hunting	Animal or Property Involved	County	Confirmation Status
RHL 3-2017	02/02/2017	LIVESTOCK X		X		120 Beef calves	Douglas	Confirmed Wolf Harassment
RHL 55-2017	04/19/2017	LIVESTOCK X		X		300 Exotic sheep	Price	Confirmed Wolf Harassment
RHL 48-2017	08/01/2017	LIVESTOCK X				8 Beef cattle	Douglas	Confirmed Wolf Harassment
RHL 62-2017	08/26/2017	LIVESTOCK X				30 Beef cattle	Sawyer	Confirmed Wolf Harassment
RHL 63-2017	08/29/2017	LIVESTOCK X		X		130 Beef cattle	Douglas	Confirmed Wolf Harassment
Waupun 17-2017	09/14/2017	LIVESTOCK X				9 Beef steer 1 Saddle horse	Adams	Confirmed Wolf Harassment
RHL 78-2017	10/13/2017	SAFETY					Douglas	Confirmed Human Health and Safety Complaint



**THE HUMANE SOCIETY
OF THE UNITED STATES**

**Testimony in Opposition to SB 602
Presented to the Senate Committee on Sporting Heritage, Mining, and Forestry
By Melissa Tedrowe, Wisconsin State Director
The Humane Society of the United States**

January 16, 2018

On behalf of The Humane Society of the United States (HSUS) and our supporters in Wisconsin, I thank you for this opportunity to testify in opposition to SB 602. This measure sanctions wolf poaching and prevents state officials from monitoring wolves until federal delisting occurs—actions that will have dire and long-lasting consequences for the species. Equally concerning, SB 602 violates Wisconsinites' deeply held conservation values and sets a dangerous precedent for lawmakers to cherry-pick which laws get enforced.

Wolves in the Great Lakes region had just begun to recover from being wiped out completely when they lost their federal protections in 2011. In the period between 2012 and 2014, trophy hunters, trappers and houndsmen killed more than 1,500 wolves in Minnesota, Wisconsin, and Michigan under hostile state management programs. At least 520 wolves were killed in Wisconsin alone. In just one season, Wisconsin's wolf population plummeted 20%, with 17 packs disappearing entirely. Wolves were killed with exceptionally cruel and unsporting methods—nearly 70% were caught in barbaric steel-jawed leghold traps or neck snares, while other methods included baiting, electronic calls, and packs of hounds.

Largely in response to this devastation, in December of 2014, a federal court mandated that the U.S. Fish and Wildlife Service (FWS) restore federal ESA protection for Great Lakes wolves. The court noted that the FWS failed to explain how states' "virtually unregulated" killing of wolves did not constitute a continued threat. On August 1, 2017, a U.S. appellate court, in a unanimous ruling, affirmed the district court's decision. That's how we got where we are today.

Many negative claims are made against wolves—all of them unfounded or grossly exaggerated. To begin, there is no correlation between an increase in wolf numbers and confirmed conflicts with livestock, as the Wisconsin Department of Natural Resources's (DNR) own statisticsⁱ show. Despite an increase in the wolf population, the number of confirmed incidents of wolf depredation to livestock during 2016-17 decreased 29% from the previous year. Furthermore, according to the U.S. Department of Agriculture,ⁱⁱ wolves (and all other carnivores put together, including coyotes, dogs, bears, and cougars) take less than 1% of all annual livestock inventories in the Great Lakes region. What really causes 99% of unwanted livestock loss? Disease, injury, theft, and weather events. Indiscriminately killing wolves has been found to actually increase livestock losses by disrupting the social structure of packs and leaving young and inexperienced wolves desperate to find easy prey.

It's also important to note that almost all the depredations on pets last year were hounds engaged in hunting activities. The DNR establishes wolf caution areas that can easily be viewed on their website, yet hounders continue to intentionally run dogs in areas where wolves live. This behavior is costly, dangerous and cruel. We should not let irresponsible human behavior justify turning a blind eye to the illegal hunting and trapping of a vital species that was here long before any of us.

When it comes to deer, research demonstrates that hunters kill far greater numbers than wolves. And wolves improve deer herd health by taking the oldest and weakest animals, including those with chronic wasting disease – a fatal, incurable and infectious disease found in Wisconsin's deer population.ⁱⁱⁱ In the past two years, the Wisconsin DNR has reported a sharp increase in deer-hunting numbers in the Northern Forest Zone, the area where wolves reside. Minnesota has seen similar results, as deer-hunting numbers have increased in areas where the wolves are located.

The vast majority of Wisconsinites know that wolves matter enormously, recognizing their vital role in keeping our ecosystem healthy and balanced, and taking pride in the fact that our state is one of the few places these wolves call home. The Wisconsin DNR's own 2014 survey of nearly 9,000 residents, which was heavily weighted to rural areas, found that most people do not want wolves hunted or trapped. They want wolves conserved for future generations.

In closing, SB 602 is a bad bill – one that endangers scientific research and obstructs law enforcement, puts our ecosystems in jeopardy, and ignores the will of the majority of state citizens. I urge the committee to vote no on this proposal and ensure that protections for gray wolves are not irrationally and prematurely taken away on behalf of a tiny, vocal minority.

ⁱ J. E. Wiedenhoef, D. M. MacFarland, N. S. Libal, and J. Bruner, "Wisconsin Gray Wolf Monitoring Report 15 April 2016 Through 14 April 2017," <https://dnr.wi.gov/topic/Wildlifehabitat/wolf/documents/Wolfreport2017.pdf>.

ⁱⁱ U.S. Department of Agriculture-Animal and Plant Health Inspection Service-Veterinary Services, "Death Loss in U.S. Cattle and Calves Due to Predator and Nonpredator Causes, 2015," https://www.aphis.usda.gov/animal_health/nahms/general/downloads/cattle_calves_deathloss_2015.pdf (2017).

ⁱⁱⁱ The Wisconsin DNR's own gray wolf factsheet states, "Ironically, studies have shown that wolves have minimal negative impact on deer populations, since they feed primarily on weak, sick, or disabled individuals." <https://dnr.wi.gov/topic/wildlifehabitat/wolf/facts.html>



State and federal agency data confirm that Great Lakes wolves have a negligible, and decreasing, effect on the cattle industry

Federal Data

After decades of taxpayer-funded conservation and biological study, gray wolf populations were only just beginning to recover in a handful of states before their federal protections were prematurely eliminated in the Great Lakes region in 2011. More than 1,700 wolves were killed in subsequent hunting, trapping, and hounding seasons in Michigan, Minnesota, and Wisconsin. Thankfully, in December 2014 and again in August 2017, federal courts ordered the U.S. Fish and Wildlife Service to place the Great Lakes wolves back under the protections of the Endangered Species Act.

Now, even as wolf populations are recovering from that period of state-sponsored hunting and trapping, wolf-livestock conflicts in Michigan, Minnesota, and Wisconsin are in decline. This is because the lack of persecution helps wolf packs maintain their social stability, reduces pack disruption, and results in a reduction in livestock losses.ⁱ According to U.S. Department of Agriculture (USDA) and state governments, the number of wolf depredations on cattle in the Great Lakes states, wolves, and indeed, all predators together (including domestic dogs), took far less than one percent of Great Lakes cattle inventories. The greatest source of mortality for cattle, according to the USDA, is from respiratory problems, unknown causes, and old age. For calves, most mortalities stem from respiratory, birthing and digestive issues.ⁱⁱ

Fig. 1
Cattle & Calf Losses in Great Lakes Statesⁱⁱⁱ
(Data from USDA 2017)

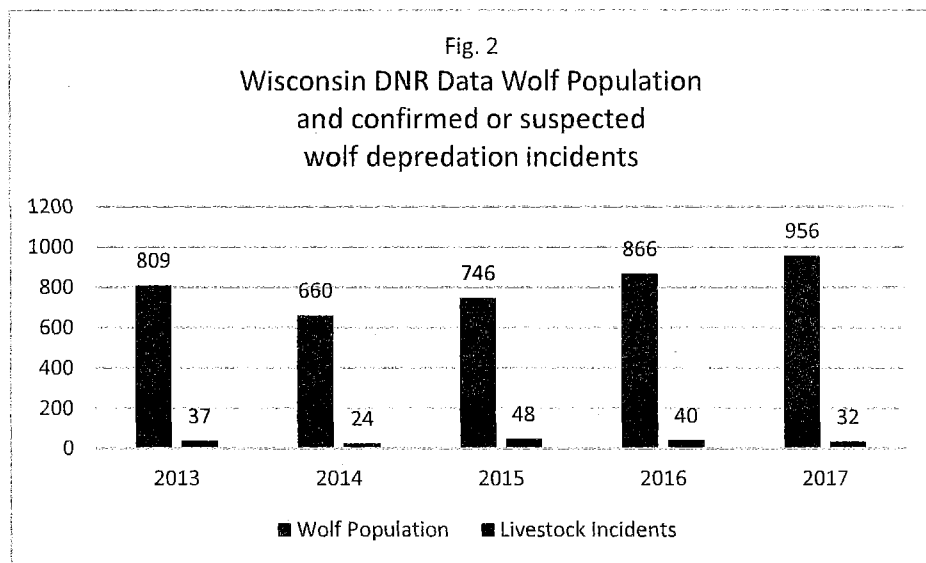
	Cattle Inventory	Respiratory, Unknown, Weather, Calving Problems, etc.	All Predators	Wolves
MI				
Cattle	945,000	23,880	120	0
Calf	400,000	42,120	880	350
Total	1,345,000	66,000	1,000	350
Percent		4.91	0.07	0.03
MN				
Cattle	1,940,000	44,640	360	39
Calf	770,000	80,460	4,540	1,989
Total	2,710,000	125,100	4,900	2,028
Percent		4.62	0.18	0.07
WI				
Cattle	2,820,000	62,380	620	157
Calf	1,390,000	125,750	4,250	1,228
Total	4,210,000	188,130	4,870	1,385
Percent		4.47	0.12	0.03

State Data

Michigan: For the period of January 1 to August 31, 2017,^{iv} Michigan Department of Natural Resources (DNR) and Michigan Department of Agriculture and Rural Development records show only five (5) confirmed wolf-livestock conflicts (injuries or mortalities) in Michigan's Upper Peninsula (or U.P., the region where most of the state's wolves live). This region has approximately 900 working farms, with about 50,000 head of cattle. Wolf-caused livestock mortality in the U.P. equaled 0.01% of U.P. cattle inventory in 2017.

Minnesota: Minnesota does not publish its annual livestock losses; however, an October 19, 2017 *St. Paul Pioneer Press* article points out, "While Minnesota's wolf population is up, there hasn't been a surge in complaints about attacks, said Gary Nohrenberg, state director for USDA Wildlife Services. The 10-year average is about 175 complaints a year, he said. There were 157 last year, he said, and this year's total will be a little below the average." (See endnote 3).

Wisconsin: Wisconsin has about 9500 dairy farms, with 1,279,000 dairy cows. The state ranks 17th in the nation for the number of farms with beef cattle, with 14,800 beef cattle operations with 265,000 cows. Between dairy and beef operations, Wisconsin has 24,300 cattle farms with 1.5 million head of cattle. And wolves exist throughout the state where cattle are raised. But the Wisconsin DNR's own statistics show that even as the state's wolf population continues to recover, there is no correlation between an increase in wolf numbers and confirmed conflicts with livestock. Fig. 2.



For additional information, please contact Jocelyn Ziemian at jziemian@hslf.org.

ⁱ Heather M. Bryan et al., "Heavily Hunted Wolves Have Higher Stress and Reproductive Steroids Than Wolves with Lower Hunting Pressure," *Functional Ecology* (2014), <http://dx.doi.org/10.1111/1365-2435.12354>.

ⁱⁱ U.S. Department of Agriculture-Animal and Plant Health Inspection Service-Veterinary Services, "Death Loss in U.S. Cattle and Calves Due to Predator and Nonpredator Causes, 2015," https://www.aphis.usda.gov/animal_health/nahms/general/downloads/cattle_calves_deathloss_2015.pdf (2017).

ⁱⁱⁱ Without confirmation, the federal agency relies on cattle producers to conduct forensic exams determining the cause of cattle mortality. These data are likely exaggerated. See e.g., Philip J. Baker et al., "Terrestrial Carnivores and Human Food Production: Impact and Management," *Mammal Review* 38 (2008); Carter Neimeyer, *Wolfer: A Memoir* (Boise, Idaho: Butterfly Press, 2010); Bill Paul et al., "Wolf Depredation," <http://www.wolf.org/wolf-info/basic-wolf-info/wolves-and-humans/wolf-depredation/> (2014).

^{iv} Most cattle lost are calves in springtime. Those numbers are reflected in these data.

^v Unconfirmed livestock losses are typically exaggerated by livestock growers. (See endnote 3).



U.S. Fish & Wildlife Service

Delisting a Species

Section 4 of the Endangered Species Act

Delisting is the removal of species from the Federal Lists of Endangered and Threatened Wildlife and Plants.

Downlisting is the reclassification of a species from Endangered to Threatened. Delisting and downlisting actions result from successful recovery efforts. To delist a species, the Service must determine that the species is not threatened based on a number of factors, such as population size, recruitment, stability of habitat quality and quantity, and control or elimination of the threats. If some of the threats have been reduced and the population has met its recovery objectives for downlisting, we may consider changing the species status from Endangered to Threatened. Delisting species is the ultimate goal of implementing the Endangered Species Act (ESA).

Why, when, and how are species removed from the list of endangered and threatened species?

Recovery plans, developed by the Service and stakeholders for listed species, identify delisting and downlisting goals. When a species reaches its delisting goals, the Service considers removing it from the Federal Lists of Endangered and Threatened Wildlife and Plants. Likewise, when a species reaches its downlisting goals, the Service considers changing its status from Endangered to Threatened.

To delist or downlist a species, the Service follows a process similar to when we consider a species for listing under the ESA: we assess the population and its recovery achievements; we assess the existing threats; and, we seek advice from species experts in and outside of the Service. To assess the existing threats, the Service must determine that the

species is no longer threatened or endangered based on five factors:

- Is there a present or threatened destruction, modification, or curtailment of species' habitat or range?
- Is species subject to overutilization for commercial, recreational, scientific, or educational purposes?
- Is disease or predation a factor?
- Are there inadequate existing regulatory mechanisms in place outside the ESA (taking into account the efforts by the States and other organizations to protect the species or habitat)?

■ Are other natural or manmade factors affecting its continued existence?

If the Service determines that the threats have been sufficiently reduced, then we may consider delisting or downlisting the species. When delisting or downlisting a species, the Service first proposes the action in the *Federal Register*. At this time, we also seek the opinion from independent species experts, other Federal agencies, State biologists, and the public. After analyzing the comments received on the proposed rulemaking, we decide whether to complete the proposed action or maintain the species status as it is. Our final decision is announced in the

American peregrine falcon, delisted in 1999, because of recovery.
Craig Koppie, USFWS



Federal Register. The comments received and our response to them are addressed in the final rule.

What happens after a species is delisted?

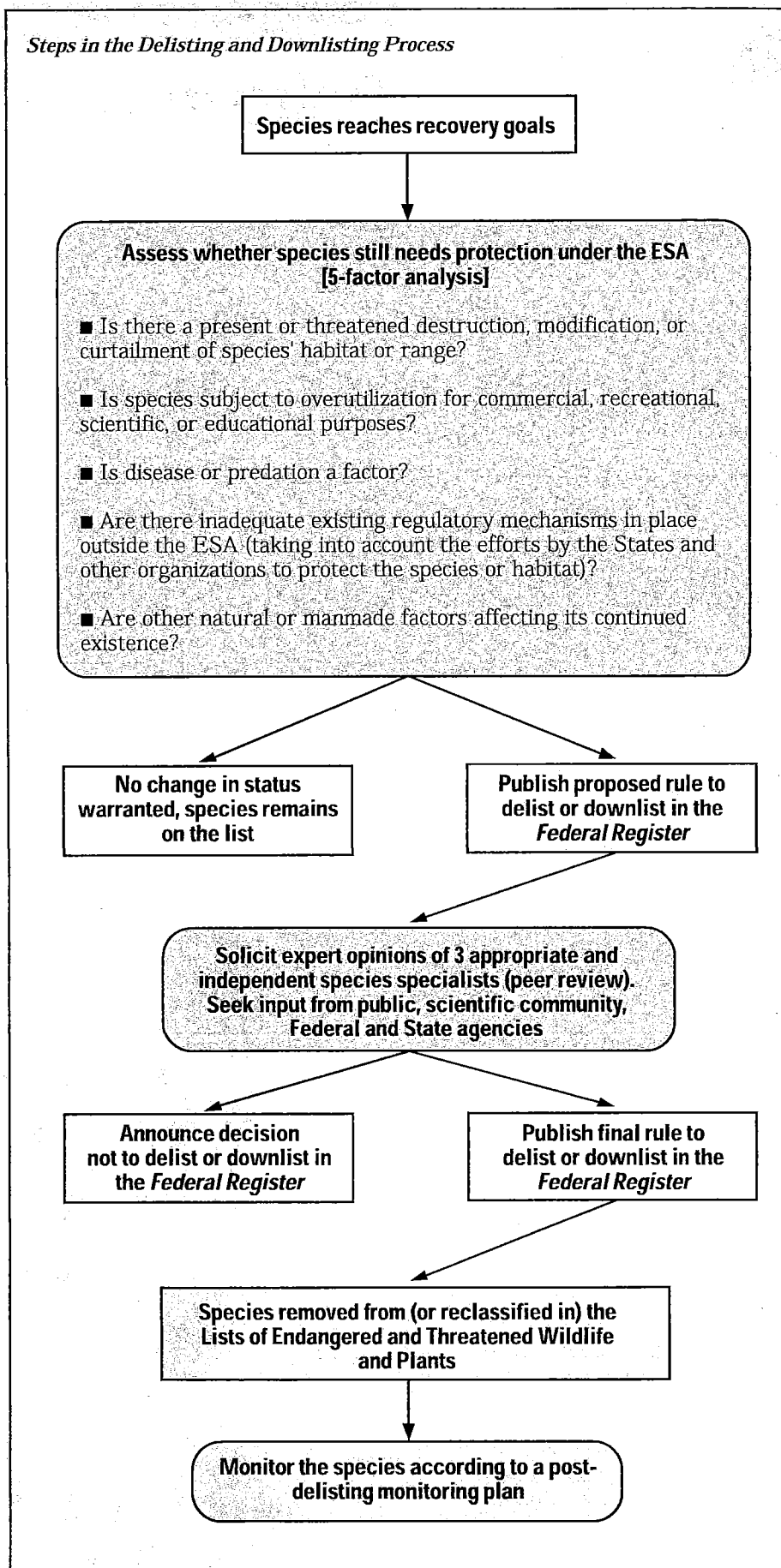
If delisted due to recovery, the ESA requires the Service, in cooperation with the States, to monitor the species for a minimum of five years in order to assess each species' ability to sustain itself without the ESA's protective measures. The draft post-delisting monitoring strategy is generally available at the time the proposal for delisting is published in the *Federal Register*. We seek peer review and public comment of this document. Once the final delisting monitoring plan is approved, it is put into action. If, within the designated monitoring period, threats to the species change or unforeseen events change the stability of the population, then the species may be relisted or the monitoring period extended.

Why are species delisted?

Species are taken off the endangered and threatened species list (i.e., delisted) for a variety of reasons: recovery, extinction, new evidence of additional populations, and other reasons. Over the years, the Service has delisted few species, because we have focused our attention and resources on saving more imperiled species. For more information about species that have been delisted or downlisted, please see our web site at <http://endangered.fws.gov/wildlife.html>.

U. S. Fish and Wildlife Service
 Endangered Species Program
 4401 N. Fairfax Drive, Room 420
 Arlington, VA 22203
 703/358 2061
<http://endangered.fws.gov/recovery>

Steps in the Delisting and Downlisting Process



February 18, 2015
An Open Letter to Members of Congress
from Scientists on Federal Wolf Delisting

We, the undersigned scientists, are writing to express opposition to the prospect that Congress might act to delist gray wolves (*Canis lupus*) from the Endangered Species Act (ESA).

The best available science indicates that the gray wolf occupies a mere fraction of its historic rangeⁱ and therefore has not yet recovered from centuries of systematic persecution.ⁱⁱ For this reason, and in recognition of the ecological benefits wolves bring,ⁱⁱⁱ millions of tourism dollars to local economies,^{iv} and abundant knowledge from scientific study, we ask Congress to act to conserve the species for future generations.

The ESA requires the U.S. Fish and Wildlife Service (FWS) to base all listing decisions “solely on the basis of the best scientific and commercial data available” and that a species must be considered endangered if it is “at risk of extinction throughout all or a significant portion of its range” (Sections 3 and 4 of the ESA). A species is recovered when it no longer fits that definition and is unlikely to fit that definition in the foreseeable future. The best available science clearly indicates that wolves do not meet that standard – they occupy only a small portion of their former range—and that the species could occupy much more of its former range if the threats (primarily, human-caused mortality and inadequate regulatory mechanisms) were properly mitigated.

Despite this fact, the FWS has repeatedly removed federal ESA protections from wolves. It did so by distorting the plain meaning of the phrase, “significant portion of its range,” an important component of the ESA. Those distorted interpretations of the ESA are antithetical to what Congress intended when it enacted the ESA.^v Those distorted interpretations were also rejected by numerous federal courts that have ordered the FWS to restore federal protections to wolves, including two rulings in 2014 alone.

Currently, wolves are absent from most of the United States, with potentially secure populations in only a handful of states (Idaho, Montana, Wyoming, Wisconsin, Minnesota and Michigan). Yet, in those same states, the loss of federal protections resulted in state-sanctioned seasons on wolves at levels designed to reduce their populations to arbitrary goals, which were based on politics but not the best available science.^{vi} For instance, since delisting, in Minnesota, the population has been reduced by 20 percent, and in Wisconsin, by at least 15 percent, but likely by more.^{vii} Before a federal court intervened, the Wyoming Legislature ordered that 80 percent of the state be open to unlimited wolf killing. Killing of wolves in Montana and Wyoming has even included wolves that should enjoy protections in Yellowstone and Teton national parks^{viii}—the place where thousands of tourists go annually just to see wolves and support rural economies.

In rare circumstances, individual livestock owners suffer from wolves killing their livestock.^{ix} Assisting those livestock owners is both appropriate and readily accomplished through implementing non-lethal methods.^x Added to this, livestock growers benefit by managing wolves as “threatened” under the ESA, which permits lethal management under a Section 4(d) rule, allowing agencies to use lethal control of wolves to resolve wolf-livestock conflicts.

Some have expressed their concern for human safety, but such fears should not be an obstacle to recovery. While there has never been a record of a healthy wild wolf attacking a human in the lower 48 states, the ESA listing still allows lethal removal of wolves for human safety reasons.

For all of these reasons, we urge Congress to oppose any legislation to remove the gray wolf (*Canis lupus*) from protections under the ESA. Wolves are an enormous asset to the biological diversity of our country and are well tolerated by the American public. After decades of making excellent progress

toward recovery, it would be a shame to stop before the final goal is accomplished.

Signed:

David M. Armstrong, Ph.D.
Professor Emeritus
Ecology and Evolutionary Biology
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ⁱ C. Carroll et al., "Defining Recovery Goals and Strategies for Endangered Species: The Wolf as a Case Study," *BioScience* 56, no. 1 (2006).

ⁱⁱ M.J. Robinson, *Predatory Bureaucracy: The Extermination of Wolves and Transformation of the West* (Boulder: University Press of Colorado, 2005); Bradley J. Bergstrom, "Endangered Wolves Fall Prey to Politics," *Science* 333(2011); J. T. Bruskotter, S. A.ENZLER, and A. Treves, "Rescuing Wolves from Politics: Wildlife as a Public Trust Resource," *ibid.*, no. 6051.

ⁱⁱⁱ J. A. Estes et al., "Trophic Downgrading of Planet Earth," *ibid.*, no. 6040; W. Ripple and R.L. Beschta, "Trophic Cascades in Yellowstone: The First 15 Years after Wolf Reintroduction," *Biological Conservation* 145(2012); G. J. Wright et al., "Selection of Northern Yellowstone Elk by Gray Wolves and Hunters," *Journal of Wildlife Management* 70, no. 4 (2006); J. A. Vucetich, D. W. Smith, and D. R. Stahler, "Influence of Harvest, Climate and Wolf Predation on Yellowstone Elk, 1961-2004," *Oikos* 111, no. 2 (2005); R. Callan et al., "Recolonizing Wolves Trigger a Trophic Cascade in Wisconsin (USA)," *Journal of Ecology* 101, no. 4 (2013).

^{iv} John W. Duffield, Chris J. Neher, and David A. Patterson, "Wolf Recovery in Yellowstone: Park Visitor Attitudes, Expenditures, and Economic Impacts," *Yellowstone Science* 16, no. 1 (2008).

^v J. T. Bruskotter et al., "Removing Protections for Wolves and the Future of the Us Endangered Species Act (1973)," *Conservation Letters* 7, no. 4 (2014).

^{vi} Bradley J. Bergstrom et al., "The Northern Rocky Mountain Gray Wolf Is Not yet Recovered," *BioScience* 59, no. 11 (2009).

^{vii} Wisconsin changed its protocols in counting wolves, and may be over-counting them significantly. See: <http://faculty.nelson.wisc.edu/treves/>. Wisconsin admitted that 17 packs disappeared in one hunting season alone.

^{viii} The death of a famous Yellowstone wolf, 832F, was reported widely in the U.S. and in Europe. See: http://www.nytimes.com/2012/12/09/science/earth/famous-wolf-is-killed-outside-yellowstone.html?_r=0; see also, scientists warning to the FWS about the lack of buffer zones around national parks: Atkins, "United States Fish and Wildlife Service, Final Peer Review of Four Documents Amending and Clarifying the Wyoming Gray Wolf Management Plan," *Atkins Project No: 1000023591* (2012).

^{ix} T. B. Muhly and M. Musiani, "Livestock Depredation by Wolves and the Ranching Economy in the Northwestern U.S.," *Ecological Economics* 68, no. 8-9 (2009).

^x Adrian Treves et al., "Forecasting Environmental Hazards and the Application of Risk Maps to Predator Attacks on Livestock," *BioScience* 61, no. 6 (2011); A. Treves and K. U. Karanth, "Human-Carnivore Conflict and Perspectives on Carnivore Management Worldwide," *Conservation Biology* 17, no. 6 (2003).

Dear trustees of the public interest,

The under-signed scientists and scholars address some of the public policy questions surrounding wolf conservation under the Endangered Species Act (ESA). Another group of scientists recently (11/18/15) publicized a letter, concluding that wolves in the Great Lakes region ought to be delisted. That letter, which we refer to as Mech et al., is based on a misunderstanding of three points of law and scientific evidence: (1) public attitudes about wolves and the ESA, (2) adequacy of management by the states, and (3) legal requirements of the ESA. We explain the misunderstandings with evidence to support each of our claims. We conclude wolves should still be protected under the ESA.

1. The science of public attitudes

Data indicate that the vast majority of the U.S. public holds positive attitudes toward wolves and support the ESA¹. Contrary to the assertions of Mech et al., existing evidence does not support the claim that keeping wolves on the ESA “creates public resentments towards the species and the ESA”. This claim is asserted without any supporting evidence, and runs exactly contrary to the scientific evidence. Long-term data suggest that removal of ESA protections led to lower tolerance for wolves in Wisconsin². The best available science also indicates that the general public is more tolerant of wolves than is commonly assumed. Indeed, recent polling data confirm that there is strong support for both wolves and the ESA nationally. Indeed support for wolves has actually *increased* substantially over the past three and a half decades¹. Views to the contrary are fueled primarily by special interest groups that are vocal, but small in number. Mech et al. further imply, and the U.S. Fish and Wildlife Service (FWS) has said³, that social intolerance prevents wolves, at this time, from occupying more habitat than they currently occupy. Bruskotter and colleagues offer important evidence to the contrary⁴. More likely, a significant threat to recovery in recent years is *legal* killing that is implemented by the states and sanctioned by the FWS. No less important, the purpose of the ESA is to mitigate threats to recovery. Consequently, insomuch as wolves are not legally recovered (see next section of this letter), then a great threat to achieving recovery is current lethal management, not intolerance by citizens.

2. The science surrounding the adequacy of state management

A 2011 Presidential Order mandated, “Our regulatory system...must be based on the best available science.”⁵. The ESA requires adequacy of existing regulatory mechanisms before delisting an endangered species (Sec. 4(a)(1)(D)).

Mech et al. assert, “adequate regulatory mechanisms for wolf management are in place in the western Great Lakes states”, without providing supporting evidence. Their statement also ignores substantial criticisms of state regulation. There are two scientific concerns about the adequacy of state regulatory mechanisms to protect wolves. First, several teams of scientists have questioned the sustainability and science behind existing wolf-hunting plans^{6,7,8}. Second, the methods Wisconsin used to count wolves have been questioned on scientific grounds of accuracy and bias⁹. Adding to scientific concerns, the federal court questioned the existing regulatory mechanisms in Minnesota and states in the region without wolf management plans¹⁰. That court found “virtually no controls exist under the Minnesota plan on the killing of wolves in two-thirds of the state...” (p. 106). Taken together, the scientific evidence and the legal requirements both point to inadequacy of existing regulatory mechanisms to ensure the persistence of wolves in the region.

3. Legal requirements of the Endangered Species Act

Mech et al. argue that delisting has become “nearly impossible” due to “litigation typically based on legal technicalities rather than biology.” Their view is a profound misrepresentation.

The FWS attempted and failed to delist wolves, not because of legal technicalities, but because the biological status and management of wolves do not meet standards required by the ESA. One of the most important gaps pertains to the inadequacy of existing regulatory mechanisms (see previous section of this letter). A second fundamental gap is the legal definition of endangerment (ESA Sec. 4(a)(1)). Quite simply, wolves still fit the legal definition of endangerment in the Great Lakes region and nationwide. These views are supported by published evidence, repeated judicial opinion, and congressional intent, as explained in numerous peer-reviewed articles¹¹.

Mech et al. advocate for Congress to sidestep the ESA and the current federal Court of Appeals (their footnote 2). We disagree because such action does not serve the broad public interest in safeguarding public trust assets, such as wolves.

For the above reasons, wolves in the Great Lakes region should remain protected under the ESA at this time and until the legal requirements for delisting are met. Delisting is possible, if and when the FWS uses the best available science that justifies delisting. Currently it does not.

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Endnotes referenced in the main text

- ¹ Two recent polls and a 2014 scientific survey found 79–90% support for the ESA nationwide; opposition ranged from 7-13% in these studies. These results are very similar to a study conducted in mid-1990s that found approximately 16% of U.S. residents opposed the ESA” (Czech & Krausman 1999. *Society & Natural Resources* 12, 469-479). In a study led by Dr. Jeremy Bruskotter, researchers examined if support for the ESA was lower in states where the FWS has attempted to recover wolves. Results showed that support/opposition to the ESA did not vary regionally. Approximately 9% of residents of Great Lakes region states oppose the ESA, as did 9% of residents of the rest of the country (data available upon request). Moreover, these researchers found that the proportion of adult US residents expressing positive attitudes toward wolves *increased* by 42% in the U.S.A. since the late 1970s –from 0.43 in 1978 to 0.61 in 2014 (data available from author). Taken together, these data convincingly demonstrate that (a) opposition to the ESA has *not* increased over the last three decades, (b) opposition to the ESA is *not* greater in regions where the FWS has attempted to recover wolves, and (c) attitudes toward wolves have actually improved nationwide over the past three and a half decades.
- ² In 2013, Adrian Treves and colleagues suggested the possibility that declining tolerance for wolves among Wisconsin residents of wolf range was due to dissatisfaction with ESA protections among many other possible causes. Subsequent work by Jamie Hogberg and colleagues does not support Mech et al.’s idea that “ESA protections create public resentment for wolves”. Rather they found a significant decline in tolerance for wolves among men in wolf range after Wisconsin regained authority for delisted wolves and the state began hunting wolves. Therefore the leading hypothesis is that tolerance declined because wolves were deemed less valuable. See peer-reviewed papers above at http://faculty.nelson.wisc.edu/treves/pubs/Treves_etal_2013.pdf and http://faculty.nelson.wisc.edu/treves/pubs/Hogberg_Treves_Shaw_Naughton-Treves_2015.pdf
- ³ Removing the Gray Wolf (*Canis lupus*) From the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf (*Canis lupus baileyi*) by Listing It as Endangered, 78 Federal Register 35664 (proposed June 13, 2013) (to be codified at 50 C.F.R. Part 17).
- ⁴ Jeremy Bruskotter and colleagues examined the legal and scientific basis for the FWS’ 2013 proposed rule to delist gray wolves nationwide (Bruskotter et al. 2013. *Conservation Letters* 7:401-407, see http://faculty.nelson.wisc.edu/treves/pubs/Bruskotter_Vucetich_Enzler_Treves_Nelson_2013.pdf).
- ⁵ Obama B. 2011. Presidential Documents: Improving Regulation and Regulatory Review. *Federal Register* 76: 3821-3823.
- ⁶ Vucetich JA. 2012. Appendix: The influence of anthropogenic mortality on wolf population dynamics with special reference to Creel & Rotella (2010) and Gude et al. (2011) in the “Final peer review of four documents amending and clarifying the Wyoming gray wolf management plan”. *Federal Register* Part 17; 50: 78-95 see http://www.fws.gov/mountain-prairie/species/mammals/wolf/WY_Wolf_Peer_Review_of_Revised_Statutes_and_Plan_Addendum2012_0508.pdf
- ⁷ John Vucetich and colleagues evaluated the scientific soundness of plans for harvesting wolves to manage depredations in Michigan. The document is in a Little River Band of Ottawa Indians Natural Resources Report. http://faculty.nelson.wisc.edu/treves/reports/wolf_hunting_and_depredation_29Aug2013.pdf.
- ⁸ Adrian Treves and colleagues sent an open letter to the USFWS in 2014, describing concerns about use of the best available science in the State of Wisconsin’s post-delisting monitoring report on gray wolves. http://faculty.nelson.wisc.edu/treves/reports/Letter%20to%20USFWS/Response_to_Acting_Director_Wooley_USFWS.pdf
- ⁹ The governments of 22 countries recognize a legal obligation to the broad public interest in preserving predators and regulating their exploitation as trust assets for the benefit of current and future generations. Adrian Treves and colleagues reviewed why that public trust duty has been neglected because narrow, special interests that favor hunting and culling predators have captured many government wildlife agencies and the science they use to manage predators. Wisconsin is presented as a case study of neglect of the wildlife trust. See Appendix S2 in Treves et al. 2015. *Predators and the public trust*. *Biological Reviews* DOI: 10.1111/brv.12227, and online at <http://faculty.nelson.wisc.edu/treves/pubs/Predators-and-the-public-trust.pdf>
- ¹⁰ The 111-page decision by a Federal court to relist gray wolves in the Western Great Lakes region. *HSUS et al. v. Jewell et al.* 2014. U.S. District Court, D.C. (1:13-cv-00186-BAH Document 52).
- ¹¹ The peer-reviewed scholarship, that supports these claims about the legal meaning of endangerment, including reviews of Congressional intent and judicial opinion, includes: Carroll et al. (2010) *Conservation Biology* 24, 395-403; Enzler & Bruskotter (2009) *Virginia Environmental Law Journal* 27, 1-65; Greenwald (2009) *Conservation Biology* 23, 1374-1377; Kamel (2010) *Ecology Law Quarterly* 37, 525-561; Tadano (2007) *Washington Law Review* 82,795; Vucetich, et al. (2006) *Conservation Biology* 20, 1383-1390. A review of these ideas in the specific context of wolf endangerment is found in the sources cited in endnotes 4 and 9 above.

Keep Wolves Protected for All Wisconsin Citizens Say NO to S.B. 602/A.B. 712



Yellowstonepark.com

Wisconsin residents want wolves conserved

A 2014 survey of nearly 9,000 Wisconsin residents, which was heavily weighted to rural areas, found:

- Most residents did not want to see wolves hunted or trapped
- Wolves "are an important member of the ecological community"
- Wolves "help keep deer in balance with their habitat"
- Wisconsin residents value wolves "because we are one of the few places in the U.S. with wolves"



NPS

Wolves drive economic growth

The 2017 U.S. Fish and Wildlife Service's wildlife recreation report shows that since 2011 wildlife watchers surged by 20%, and expenditures increased by 28%, while hunting expenditures decreased by 29% and big game hunter numbers plunged by 21%.

Once driven to near-extinction, conservation efforts generated a comeback for Great Lakes wolves. But when Wisconsin's wolves lost their federal protections between 2012 and 2014, trophy hunters and trappers killed more than a thousand wolves, drastically depleting their numbers, crushing family units and leaving yearling wolves to die from starvation.

In the past two years, Congress has introduced several riders and bills designed to revoke Endangered Species Act (ESA) protections for wolves in Wisconsin and other states so that trophy hunting, trapping, snaring, and hounding can resume.

As these bills have failed to pass Congress, anti-wolf Wisconsin lawmakers have introduced S.B. 602/A.B. 712, which would:

- (1) prevent Wisconsin law enforcement officers from enforcing or attempting to enforce any federal or state law relating to wolf management or the illegal killing of wolves; and
- (2) prevent the Wisconsin Department of Natural Resources (WDNR) from expending any funds for the purpose of wolf management, or informing or supporting federal law enforcement officers regarding the enforcement of the federal ESA.

S.B. 602/A.B. 712 endorses the poaching of wolves, and prevents the state from future wolf monitoring efforts—against the wishes of the Wisconsin public.

Wisconsin's wolf management is exceptionally cruel and reckless

In Wisconsin's three wolf-hunting and trapping seasons from 2012 to 2014, nearly 70% of the wolves killed were caught in cruel, steel-jawed leghold traps or neck snares, while the others were killed with equally unsporting and barbaric methods baiting, electronic calls, and packs of trailing hounds. Their population dropped by 20% in just one season, and 17 entire family units were lost. During this time, state wildlife agencies capitulated to the demands of trophy hunting, trapping, bear hounding, and agriculture groups and set reckless quotas informed by myths, fear-mongering, and rhetoric, rather than the best available science.

Killing wolves can result in more livestock losses

Indiscriminately killing wolves actually *increases* livestock losses by breaking up family packs and leaving young, inexperienced wolves desperate to find easy prey. A host of nonlethal husbandry methods, such as putting birthing animals in sheds or pens, erecting electric fencing, using guard animals, prompt carcass removal, and installing Foxlights® or fladry (flags tied to wires) have been shown to be effective and can effectively decrease the very few livestock losses that actually occur in Wisconsin.

Studies show that hunters have a far greater negative effect on populations of deer, elk, and moose than wolves do. Wolves take only the oldest, weakest, or injured animals, improving the health of the herd and staving off death by slow starvation if the herd grows too large. Conversely, human hunters seek out the healthiest, breeding-age animals to kill, which ultimately harms the herd. In the past two years, the Wisconsin DNR has reported a sharp increase in deer harvest numbers in the Northern Forest Zone—where the wolves reside.



THE HUMANE SOCIETY
OF THE UNITED STATES

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ADAM JARCHOW

STATE REPRESENTATIVE • 28TH ASSEMBLY DISTRICT

Testimony – Senate Bill 602
Senate Committee on Sporting Heritage, Mining and Forestry
January 16, 2018

From April of 2016 to April of 2017, thirty-three head of cattle, twenty-seven sheep, forty-four dogs, and two donkeys were confirmed to be killed through wolf depredation in Wisconsin. Northern Wisconsin has witnessed a consistent growth in the number of wolves that populate this state, and it's witnessed that population take its toll on families, farms, hunters, and more. Congress isn't acting in the best interest of Wisconsinites and passing legislation to delist the gray wolf, so we must act in their stead.

Currently, due to a federal judge's decision in the District Court of the District of Columbia in 2014, Wisconsin is not allowed to manage our own gray wolf population. The Wisconsin Department of Natural Resources (DNR) is relegated to merely monitoring the gray wolf. In 1999, when the gray wolf population numbered 197, the DNR reclassified wolves from "endangered" to "threatened" and developed a management plan to remove their "threatened" status at 250 animals and to maintain a goal of 350 animals for the state. Winter counts, when populations are at their lowest, show there are approximately 925 wolves in 232 packs in Wisconsin. The gray wolf population is nearly triple that of the recommended goal. Clearly, the federal government needs to return control of the gray wolf's population management to Wisconsin. This state is literally paying for it. Wisconsin's annual wolf damage payments have risen in conjunction with rising wolf populations. In 2017, the state paid \$196,397.34 to farms, individuals, and hunters for damage done to them by wolves. In 2002, when the gray wolf population was close to the set management goal, the state paid \$54,497.10 for damage done by wolves. If the management goal were to be in place, Wisconsin would save money, livestock, and pets.

In Congress, bipartisan bills have been introduced in both the Senate and House of Representatives to fix the problem through federal means. These bills have not made the progress necessary to help those Wisconsinites that have been affected by rising populations. Something must be done to make meaningful change and return management to the state level. In 2011, Idaho Governor Butch Otter issued an executive order to cease enforcement of federal laws regarding the gray wolf. The wolf was quickly delisted and wolf management reverted to the state without federal interference. Wisconsin needs to send a similarly strong message to the federal government. Senate Bill 602 will be the impetus for affecting positive change in our state.

SB 602 would make it illegal for law enforcement to enforce state or federal law relating to the management of wolves in Wisconsin. Additionally, the DNR would be disallowed from expending funds related to wolf management other than paying claims under the endangered resources program for damage caused by wolves. Wisconsin knows what is best for wolf management within the state, not a bureaucracy sitting in Washington, D.C. This bill sends a clear message to Congress: "Act."

Thank you to the committee chair and members for hearing testimony on SB 602. I ask for your support in standing with the people of Northern Wisconsin and bringing management of the gray wolf back to Wisconsin.



John Muir Chapter

Sierra Club - John Muir Chapter
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**Statement of the Sierra Club's John Muir Chapter in opposition
to
Senate Bill 602
January 16, 2018**

Chairman Tiffany and members of the committee, my name is Bill Davis. I am a the Chapter Director for the John Muir Chapter of the Sierra Club. I would like to thank you for the opportunity to provide comments in opposition to Senate Bill 602. The John Muir Chapter represents over 18,000 members and an additional 30,000+ supporters living throughout the state. We work to provide opportunities for Wisconsinites to enjoy nature, and we advocate for the fair and rational management of our common resources, so that all Wisconsin residents have access to the clean air, water, and land they need for their health, safety, well-being, and moving our economy forward.

The Sierra Club believes SB 602 is bad policy for Wisconsin for four reasons:

- It will put wardens and other law enforcement officers in an untenable position, caught between federal law and this legislation
- By allowing virtually unrestricted killing of wolves, this bill eliminates the most effective mechanism for controlling Chronic Wasting Disease in northern Wisconsin.
- This bill would abandon Wisconsin's long tradition of managing our natural resources based on solid scientific information.
- Finally, the bill ignores the contribution wolves make to the overall health of our forests.

Since this bill prohibits the use of any state funds to enforce laws pertaining to the management of wolves, it will lead to free-for-all killing without limits as to location or means. Those who wish to could hunt at night, from vehicles and use lights, bait, traps or poison. Such practices can be reckless and dangerous and will lead to conflicts in the state. If some lay traps for wolves that are found by pets or children, what action can law enforcement take under this bill? If a person chasing a wolf crosses onto private property, what action can law enforcement take to protect the landowner's rights? As the law enforcement action would involve wolves, the answer would seem to be none. What happens then? If the landowner takes matters into his

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own hands, on what basis would the conflict be resolved?

For more than a decade, we have known that Chronic Wasting Disease is a problem in Wisconsin's deer herd. Though it was long believed that CWD was not a threat to human health, recent cases have cast doubt on this assumption, as it appears that the disease did cross to humans through contaminated venison. Because wolves cull weak and sick deer, they are the best mechanism for controlling CWD. Given recent state efforts to slacken other controls, wolves are the best providers of this service.

From the time of Aldo Leopold, Wisconsin has been known for scientific management of its resources. SB 602 abandons these proven policies by prohibiting the state from spending any funds studying wolves, leaving no sound basis for managing them. In addition, this bill would kick in any time wolves are put on the endangered species list. One ironic result might be for the federal government to maintain wolves on the Endangered Species list.

Lastly, as has been demonstrated in other ecosystems, most famously Yellowstone National Park, the presence of wolves actually improves the health of the entire forest ecosystem through a phenomenon known as "trophic cascade." By keeping deer and elk moving, it minimizes their impact on vegetation, allowing other species of plants and animals to thrive.

For all these reasons we urge the committee to oppose SB 602.

Thank you again for the opportunity to testify.