

WOLVES, WYOMING, AND WHERE WE GO FROM HERE

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On April 2, 2009, the United States Fish & Wildlife Service (FWS) issued yet another “Final Rule” in the ongoing wolf “reintroduction” disaster. The latest FWS decision was issued in an obvious attempt to appease the environmentalists’ hand-picked Montana federal district court judge who attempted to erect a major roadblock to delisting by concluding that there was insufficient “genetic exchange” between wolf “subpopulations,” that Wyoming had “failed to commit” to managing for at least 15 breeding pairs, that there were alleged problems with the size of Wyoming’s trophy game area, and criticism of Wyoming’s steadfast decision to designate wolves as predators in part of the State (i.e., those areas of Wyoming that the FWS identified as “unsuitable” for wolf habitat). The FWS’s latest effort to foist the responsibility and expense of managing the non-native Canadian gray wolves onto the States, is to “delist” such animals in Idaho and Montana, as well as parts of Washington, Oregon and Utah, and to retain them as a “non-essential experimental” population in Wyoming.

The only real consistency in the FWS’s actions related to the Canadian gray wolf population is its consistency in making a bad situation worse at every turn. The latest decision is no exception, and only confirms that the federal government’s foray into wildlife management will, in the long run, result in the annihilation of many of our elk and moose herds, will end hunting as we know it, will financially ruin many of our outfitters and guides, and will force livestock producers out of business.

While those in the “environmental” community may cheer the last three side effects mentioned above, the long-term legacy of the “wolf introduction experiment” will be anything but positive, and will include the subdivision of some of the most beautiful open spaces left in the Western United States, and the loss of wildlife corridors and habitat. We will be able to thank the federal government, organizations such as “Defenders of Wildlife” (a/k/a “Defenders of Predators,” and “Predators R Us”), and the wolves for spawning 35 to 100-acre “ranchettes,” for increasing the fire load and danger (from a lack of grazing) in our already high-risk national forests and other federal lands, and for destroying the livelihoods of the very people who have actually dedicated themselves, their careers and their businesses to increasing, protecting, and supporting our wildlife populations.

The latest “Final Rule” is yet another step in the wrong direction, and confirms that the FWS and the “environmental” groups never intended to abide by the recovery goals – 300 wolves evenly distributed between Wyoming, Montana and Idaho – with Wyoming’s 100 wolves to be distributed in and around the Yellowstone National Park area. They have now established that the real goal of introducing this non-native predator into our midst was part of the broader agenda of controlling our wildlife; of limiting access, use and management of vast swaths of federal and private lands; and of furthering their radical mantra of “cattle free by ninety-three.”

The FWS estimates that, as of 2008, the Canadian gray wolf population exceeded 1600 head in Idaho (846), Montana (491) and Wyoming (302). According to the FWS’s 2009 Final Rule, “[t]hese numbers are about 5 times higher than the minimum population recovery goal and 3 times higher than the minimum breeding pair recovery goal.” Further, “[t]he end of 2008 will mark the ninth consecutive year the population has exceeded our numeric and distributional recovery goals.” *Id.* The FWS has historically underestimated the actual number of wolves in the three States, so the foregoing numbers should be seen for what they are – minimums.

It has been said that “you can ignore reality, but you cannot ignore the consequences of reality.” While the FWS and the “environmentalists” have made a career of ignoring reality, and of aggressively misrepresenting the real impacts of their failed policies, the consequences of their actions are now becoming apparent, and the tragedy that has unfolded is begging for exposure.

The FWS and “environmentalists” released a killing machine into Wyoming and Idaho (with the Montana wolves being part of a “natural migration”), and that machine has been successful beyond their wildest dreams. On average, an adult wolf will kill and eat 1-2 large animals per month (which does not count the number of animals that they kill for sport – just drop by our office sometime and we will share our photo album). Using the FWS’s minimum estimates, the current wolf population is killing upwards of 3000 animals *per month*. Simple math is all that we need to understand the impact to our wildlife herds and livestock producers. We are losing close to 40,000 head of animals (wildlife and livestock) every year (if not more), a statistic that the FWS and “environmental” groups neglect to mention when they describe the wolf situation.

Despite the “success” of its predator breeding program, the FWS has refused

to allow the State of Wyoming to assume management of the wolves within our borders. The FWS's decision in that regard – as represented by the 2009 Final Rule – is not based on science; it is not based upon any legitimate concern as to whether Wyoming will be able to maintain a wolf population at or above recovery levels; and it is not based on the requirements of the ESA.

The FWS's “my way or the highway” approach is simple – either Wyoming agrees to do *exactly* what the FWS says, or we will be punished by being prohibited from assuming control of the wolves. That attitude is significant –and scary – on many different levels.

First, Wyoming is not an arm of the FWS and should not be forced (blackmailed) into acting like one. The *only* prerequisite to Wyoming managing the wolf population is that it have a program in place to protect a recovered gray wolf population. Wyoming's management program meets that obligation. Whether the FWS and “environmental” groups like Wyoming's plan is irrelevant. The numbers are the *only* objective benchmark, we have met the recovery goals, and our plan will work – a fact that has been confirmed by nine wolf experts hand-picked by the FWS.

Second, the FWS is attempting to force Wyoming to assume all of the obligations for wolf management (with related expenses to exceed one million dollars), while retaining all of the decision-making authority with the brain-trust in Washington, D.C. This “obligation with no authority” approach is so obviously flawed that it requires no further comment.

Finally, the wolf situation is a disaster and the FWS knows it. The extent of the destruction caused by the Canadian gray wolf will only become more apparent with time. Wyoming's plan provides the *only real and effective* chance we have to protect Wyoming's wildlife, our outfitting industry, our sportsmen groups and our livestock producers. If Wyoming were to cave now – and adopt the FWS's wish list – the resulting damage will most likely be irreversible, and we will make one final prediction: The FWS will eventually move to take over ownership and responsibility for the wildlife in Wyoming, arguing that everything was fine until Wyoming took over the wolves, at which point our elk, moose, and wild sheep populations cratered. The FWS and “environmental” groups will then push to add such wildlife to the list of “endangered” species, and seek to curtail “man's” activities, including hunting and grazing of livestock, for their “benefit.” Rest assured, they will not seek to control the predators that created the problem in the first place.

We represent the Wyoming Wolf Coalition, which is made up of agricultural interests, the Wyoming Conservation Districts, outfitter associations, sportsmen groups, and predator boards. We plan to file a Motion to Intervene on their behalf in the lawsuit that was recently filed by the State of Wyoming challenging the FWS's Final Rule. That challenge is primarily directed to the FWS's decision to reject the State's wolf management program and to refuse to delist wolves in Wyoming. We continue to believe that the wolves should be delisted, and management turned over to the State. Wyoming cannot afford, however, to assume such responsibility if it does not have the necessary authority to effectively manage and control this dangerous predator.

The Wolf Coalition members are the front line of defense when it comes to protecting our wildlife, our livestock and our way of life. Many of them have been engaged in this battle since long before the first Canadian gray wolf was hand-carried into the State by Bruce Babbitt. They understand the consequences of capitulating to the FWS's and "environmental" groups' demands. Before anyone else calls for such an action, perhaps they should sit down with these groups and find out the truth about the "success" of the Canadian gray wolf "experiment."

The Partners of Hageman & Brighton focus their practice almost exclusively on water, natural resource, and land use issues, representing clients in Wyoming and Nebraska. They currently represent the "Wolf Coalition" challenging the FWS's Final Rule. Hageman & Brighton can be reached at (307) 635-4888.