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Gray wolves returned to endangered species list

By Jim Servi
Contributing Writer

Washington — State politicians and regional federal wildlife experts hope to short circuit the recent federal relisting of timber wolves by either appealing that ruling, or, perhaps, finding a solution through a federal budget move that worked for Montana and Idaho.

On Dec. 19, U.S. District Judge Beryl Howell ordered that wolves in Michigan, Minnesota, and Wisconsin be placed back on the endangered species list. The decision reverses a 2012 decision by the U.S. Fish and Wildlife Services to drop federal protection for wolves in the Great Lakes region and turn management control over to the states after approval was granted by the Obama administration to remove gray wolves from protection under the federal Endangered Species Act.

"The agency is disappointed with the ruling and continues to support federal officials' original decision to remove the wolf from the endangered list," Wisconsin DNR spokesman Bill Cosh said.

Wolves were long the "poster child" of the endangered species program, prompting a history of lawsuits dating back to 1974, when they were placed under federal protection shortly after passage of the Endangered Species Act. Ever since wolf populations surpassed goals in the Rocky Mountain states and the Great Lakes region, multiple lawsuits have been filed from 2003 to the present-day ruling by Howell in an attempt to delay or prevent removal of protection for wolves. Led by

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Wolves

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the Humane Society of the United States and supported by other animal rights groups, this current lawsuit bans further wolf hunting and trapping for wolves in the Great Lakes region. The Rocky Mountain and Great Lakes populations continue to be treated as separate populations since they were originally delisted as such by the USFWS.

Part of the most recent lawsuit contends that wolves have not recovered in all of the lower 48 states. Therefore, they still require protection throughout all states. Given the population dynamics of the different states and the amount of habitat needed to support wolves, it is unlikely that there will ever be a wolf population in all of the lower 48 states. As Pete Fasbender, USFWS field supervisor for Wisconsin and Minnesota, puts it, "They still haven't had anyone interested in establishing a wolf population on the East Coast."

In her ruling and 111-page opinion, Howell stated that the removal was "arbitrary and capricious" and violated the federal ESA, saying, "This law reflects the commitment by the United States to act as a responsible steward of the Earth's wildlife, even when such stewardship is inconvenient or difficult for localities where an endangered or threatened species resides."

Others, such as state Sen. Tom Tiffany, R-District 12, and Fasbender, see it as negative for wolves and other endangered species.

"You work on things that are a priority to the American public and wolves no longer fall into that category," Fasbender said.

He then gave an example of other species that can be affected, saying, "We have one insect right now that has a range restriction of 99 percent and only occurs in two little sites in Michigan. There are species that are going extinct, yet we have to focus our attention on an animal that's already recovered."

Added Tiffany, "This is going to be harmful to wolf populations in the long term." He cited the need for good management practices and relationships with farmers, ranchers, and sportsmen.

Wildlife managers from Minnesota, Michigan, and Wisconsin were caught off guard, unaware that a case relisting wolves was that close to a conclusion.

The USFWS also was dismayed and issued this statement: "The science clearly shows that wolves are recovered in the Great Lakes region, and we believe the Great Lakes states have clearly demonstrated their ability to effectively manage their wolf populations. This is a significant step backwards."

Although Fasbender said he is unsure of the next step for the USFWS, another appeal is likely, given the past decade of lawsuits.

Not waiting for an appeal, Tiffany indicated political action with this statement.

"It's unfortunate that this federal judge interjected herself into this issue. The (Wisconsin DNR's wolf management) plan has been responsible and used good science and she clearly doesn't understand what is happening on the ground in Wisconsin," he said.

Tiffany wants to "defund" the state's wolf-management program, and, in turn, let the federal government pay for maintaining Great Lakes wolves if federal judges are going to continue to protect them.

"If the federal level thinks we're wrong, then why are we spending our money?" he asked.

He's also called on Wisconsin's federal delegation, including U.S. Sens. Ron Johnson and Tammy Baldwin, to look at the ESA and see what options are available at the congressional level. They will have the opportunity to do just that when Congress reconvenes Jan. 6 with a number of important legislative actions on the table, including funding the Department of Homeland Security by the end of February.

That funding bill could be important to the Great Lakes wolf states. Here's why: Montana and Idaho legislators were able to successfully attach a provision to a federal bill that delisted wolves in those two states by an act of Congress. Wyoming wolves, on the other hand, remain under federal jurisdiction, and lawmakers in that state are now considering the same actions Tiffany proposes. Tiffany is hoping that Wisconsin and the Great Lakes region can accomplish something similar to Idaho and Montana, but said, "It's hard to predict what is going to happen at this point."

It also means management in Wisconsin is currently uncertain. According to Tom Hauge, DNR Bureau of Wildlife director, everything is essentially on hold until they can get all of the key players together and decide how to proceed. This likely will take place shortly after Jan. 1. Hauge is confident that wolves will be delisted in the future and says, "We'll still proceed with (updating) a wolf-management plan," although the timetable likely will be different.

Originally, public hearings on the state's updated wolf plan were going to be scheduled for January. The DNR wolf committee was meeting in February to review the results, and the wolf plan would have been reviewed by the Natural Resources Board in April. With the uncertainty of the new timeline, Hauge said, "We don't have the same strict timeline, but I think it is valuable to push on with the amount of work that has already been put into the wolf-

management plan."

Brad Koele, the DNR's wildlife damage specialist, reports that "the relisting takes away lethal control authority," meaning the DNR does not have the ability to get rid of problem wolves using lethal methods. Landowners, farmers, and other sportsmen also no longer have the ability to shoot a wolf that is in the act of killing livestock or other domestic animals. Permits that were issued to landowners to harvest troublesome wolves were rescinded, and all permit holders have been contacted.

Although nonlethal options are still available, Koele said, "Since lethal options became available in 2012 they've been able to reduce conflicts and depredation payouts by half."

Eric Koens, a member of the DNR wolf committee and the Wisconsin Cattlemen's Association board, agrees. He said, "Nonlethal management methods are ineffective, creative ways to protect our livestock. The recent court decision will lead to less tolerance toward wolves."

Compensation will still be available, although the funding source is likely to change. During the last two years, payments have been

supported by license fees, and it appears that with the relisting it will revert back to the endangered resources funding. Koele said there is still a wolf-depredation program and that anyone who experiences issues with wolves

should continue to call USDA Wildlife Services at (800) 228-1368 in northern Wisconsin and (800) 433-0663 in southern Wisconsin.

The Associated Press contributed to this report.