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U.S. Fish and Wildlife Service
PUBLIC HEARING

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May 8, 2006
Commencing at 7:30 p.m.

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REPORTED BY: ELEANOR E. BOLEMAN, RPR
REGISTERED PROFESSIONAL REPORTER

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CITRAN
411 Alworth Building
306 West Superior Street
Duluth, Minnesota 55802-1803

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1 PUBLIC HEARING

2 The following is the Public Hearing
3 conducted at the Inn on Lake Superior,
4 Northern Lights I Room, Duluth, Minnesota,
5 commencing at 7:30 p.m., on May 8, 2006.

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7 APPEARANCES

8

9 On Behalf of the U.S. Fish and Wildlife Service:
10 Chuck Traxler
11 Public Affairs Specialist
12 BHW Federal Building
13 External Affairs
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15 Fort Snelling, Minnesota 55111

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23 NOTE: The original transcript to be filed with
24 the U.S. Fish and Wildlife Service.

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1	I N D E X	
2	Introduction- Chuck Traxler - U.S. Fish and Wildlife	4
3	Speaker Number 1 - Pete Hubin - Wisconsin Resident	12
4	Speaker Number 2 - Linda Hatfield - HOWL	22
5	Speaker Number 3 - Karlyn Berg - HSUS	28
6	Speaker Number 4 - Pam Troxell - Timber Wolf Alliance	36
7	Speaker Number 5 - John Olson - Wisconsin DNR	38
8	Speaker Number 6 - Pete Hubin - Wisconsin Resident	43
9	Closing-Chuck Traxler-U.S. Fish and Wildlife Service	45
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
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1 P R O C E E D I N G S

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3 MR. CHUCK TRAXLER: Okay. It's 7:30, so it's
4 time to begin the hearing. I don't know if
5 there's anyone else in back, but let's go ahead
6 and get started.

7 Good evening. On behalf of the U.S. Fish and
8 Wildlife Service -- can everyone hear me okay back
9 there?

10 On behalf of the U.S. Fish and Wildlife
11 Service, I'd like to welcome you to this public
12 hearing. The purpose of this hearing is to
13 receive comments from the public and other
14 interested parties on the Fish and Wildlife
15 Service's proposal that delists the Western Great
16 Lakes distinct population segment of the Gray
17 Wolf. My name is Chuck Traxler and I'm a Public
18 Affairs Specialist with the U.S. Fish and Wildlife
19 Service's Regional Office down in the Twin Cities.
20 I will serve as the presiding official for this
21 hearing. Elly Boleman is here and she will be the
22 court reporter who will prepare the written record
23 of all statements made during this hearing.

24 The transcript of the hearing will be posted
25 on the web site of the Midwest Region of the

1 U.S. Fish and Wildlife Service in a few weeks.
2 That web site is listed on materials we have in
3 the back there, so feel free to grab that.

4 I will have no further involvement with this
5 proposal after tonight, so I'm here as an
6 impartial participant in this hearing. It's my
7 job to facilitate receiving your public comments;
8 however, there are other U.S. Fish and Wildlife
9 Service representatives here with us this evening.
10 They are assisting with this hearing and many of
11 them will be involved in reviewing your comments
12 in helping the Service come to its final decision
13 on this proposal. These people are: Sean Marsan,
14 Acting Supervisor of the Twin Cities Ecological
15 Services Field Office; Ron Refsnider, an
16 Endangered Species Biologist and Coordinator for
17 the Regional Office in the Twin Cities; Phil
18 Delphey, who's in the back, is an Endangered
19 Species Coordinator for the Twin Cities Ecological
20 Services Field Office also in Bloomington,
21 Minnesota; Kim Mitchell and Laura Ragan are
22 Endangered Species Biologists also in the back
23 helping out at the registration desk.

24 I need to go through some official
25 statements, so I ask that you bear with me for the

1 next couple of minutes. This is a public hearing
2 under Section 4 of the Federal Endangered Species
3 Act of 1973. Notice of the proposal to remove the
4 Gray Wolf from the Western Great Lakes areas of
5 the United States from the list of endangered and
6 threatened wildlife and the 90-day public comment
7 for this proposal was published in the Federal
8 Register on March 27th, 2006, beginning on
9 Page 15,266.

10 The proposal included information on the four
11 public hearings that are being held, in which this
12 is the first. Convening public hearings is one of
13 the methods the U.S. Fish and Wildlife Service is
14 using to solicit data and comments on this
15 proposal. No final decision has yet been made
16 regarding this proposal, nor will any decision be
17 made at this hearing. Public comments on this
18 proposal must be received no later than June 26th,
19 2006. After review in consideration of the
20 existing administrative record, your comments,
21 your interpretations of existing data and all
22 other information gathered during the comment
23 period the U.S. Fish and Wildlife Service will
24 make a final decision on the proposal.

25 Information that you provide in your comments

1 this evening will become part of the
2 administrative record and will be considered by
3 the U.S. Fish and Wildlife Service in the
4 decision-making process.

5 We have two tables in back. The first one is
6 a registration table. If you'd like to speak
7 tonight, I'd ask that you take a numbered notecard
8 from that table. After I give any government
9 officials a chance to provide their comments, I'll
10 begin calling people by that number so you can
11 come up here and present your comments this
12 evening.

13 If you'd like to get on our mailing list to
14 receive featured information on this proposal,
15 please add your name and mailing address or your
16 email address to the mailing list sign-up sheet
17 that's also in the back on the registration
18 table.

19 The second table in back has a variety of
20 written information about this proposal, about
21 wolves, and about the Endangered Species Act.
22 Please take a copy of anything that interests
23 you.

24 Another table in the back has a comment form
25 which you can use to turn in written comments

1 tonight or later by mail. Also at that table is a
2 box where you can drop off your written comments
3 tonight, if you wish, or you can submit them
4 later.

5 When I call your number to present your
6 comments, please come up to the microphone stand
7 right in front here. When you begin your
8 comments, please state your full name, spell it,
9 and identify any organization you represent, and
10 also give your state of residence.

11 If you have a written copy of your comments,
12 you may give it to the court reporter or to myself
13 for entry into the record as a written comment.

14 I'm not going to put any time limit on the
15 comments tonight, as we don't have that many
16 people, but I do want to remind you that if you
17 stray from this issue, engage in any personal
18 insults, or make any other inappropriate comments,
19 I will ask you to promptly wrap up your comments.

20 At the end of the evening, there may be time
21 to provide another opportunity for speakers to
22 finish comments, if you're not able to do them in
23 the previous allotted time.

24 Again, to maximize the opportunity to express
25 your comments, I ask that you refrain from

1 commenting on issues beyond the scope of the
2 U.S. Fish and Wildlife Service's wolf delisting
3 proposal.

4 This is an informal hearing and, therefore,
5 you will not be questioned or cross-examined in
6 connection with your comments. This hearing is
7 solely intended to obtain your comments so the
8 U.S. Fish and Wildlife Service can consider them
9 when making their final decision on the proposal.

10 U.S. Fish and Wildlife Service officials here
11 this evening will not respond to any questions or
12 engage in any discussion of the proposal during
13 this hearing. The presentation and
14 question-and-answer session earlier this evening
15 were intended for questions and discussions.
16 We will be devoting this entire portion of the
17 evening to receiving your comments.

18 If you have questions about the proposal or
19 about the Endangered Species Act, again, I
20 encourage you to take information that we have at
21 the back in the information -- on the information
22 table, or go to our web site.

23 There may be an opportunity to ask questions
24 of individual Fish and Wildlife Service staff
25 outside of this hearing, possibly after this

1 hearing closes at 9:00 o'clock, or during a
2 recess, if we take one; but, again, I want to
3 emphasize that this hearing is intended to receive
4 public input, not to respond to it.

5 The U.S. Fish and Wildlife Service's
6 responses to the issues and questions raised
7 during the comment period, including those that
8 come up at this hearing, will be published as part
9 of the final decision of this proposal that should
10 be published in early 2007.

11 Again, your comments are being recorded by
12 the court reporter to assist the Fish and Wildlife
13 Service in reviewing them and to preserve them for
14 the administrative record. Please keep in mind,
15 however, that the reporter will only be recording
16 comments made into the microphone. Comments from
17 the audience and other statements made away from
18 the microphone or made to the audience will not
19 become part of the record and will not be
20 considered by the U.S. Fish and Wildlife Service
21 when making the final decision on this proposal.
22 All oral comments must be made into the microphone
23 and directed to the front of the room.

24 In addition to or instead of providing oral
25 comments tonight, you may submit comments in

1 writing, email, or by fax. Written comments may
2 be submitted to me tonight or to the staff at the
3 registration table or sent in later.

4 Oral comments will not be accepted outside of
5 this public hearing setting.

6 As I had mentioned, written, email, or faxed
7 comments must be received by June 26th. They will
8 be given the same serious consideration as oral
9 comments presented at this hearing.

10 We will conclude the hearing at 9:00 p.m. If
11 we have covered all those who wish to speak before
12 9:00 p.m., we'll take a recess and the hearing
13 will go off-record until additional people
14 indicate that they would like to provide oral
15 comments, or until 9:00 o'clock approaches.

16 At that time, we will reconvene the hearing,
17 go back on the record, receive any additional
18 comments, and then officially close the hearing.

19 I'm going to open the floor to comments now
20 here in a moment, so, again, I ask that after I
21 call your number, please come up to the microphone
22 in front, state your name, spell it, identify if
23 you represent any organizations, and give your
24 state of residence.

25 Please speak clearly so that the court

1 reporter can record your comments accurately.

2 Again, I want to remind you that tonight's
3 hearing is designed to gather public comments and
4 especially additional data and information
5 regarding this proposal in order to help the U.S.
6 Fish and Wildlife Service make the best possible
7 decision under the Endangered Species Act. To
8 better serve that purpose, I again ask that you
9 remain respectful to all speakers, to members of
10 the audience, and to the government officials that
11 are here tonight.

12 With that, I'd like to ask that Speaker
13 Number 1 come up to the microphone, please state
14 your name, any organizations that you represent,
15 and your state of residence.

16 MR. PETE HUBIN: Thank you, Mr.
17 Chairman. Can this go a little higher, please?
18 (Indicating.) Thank you, Mr. Chairman.

19 MR. CHUCK TRAXLER: Yes, sir.

20 MR. PETE HUBIN: Good evening. My name
21 is Pete Hubin, H-u-b-i-n, and at the time I
22 received the letter of the timing of this meeting,
23 I was the Chairman of the Washburn County Board of
24 Supervisors. I didn't run again so I'm not the
25 chairman of that. I'm not even on the County

1 Board any longer, so I'm not here as an official
2 representative of Washburn County.

3 I do live in Spooner, Wisconsin, or east of
4 there about four miles, but I think I represent
5 the feelings of a whole lot of folks that live in
6 my area.

7 I'm a retired science teacher and I raise
8 beef cattle. And I have -- my wife and I have
9 done that for probably 34 years, I guess. And I
10 probably should be home right now with the little
11 ones, but....we have quite a few of them; in fact,
12 144 cows, calves, and bulls right now, and there's
13 19 more cows that have calves. And probably,
14 that's my main concern, along with others.

15 I have to say the first time that I saw a
16 Timber Wolf, it walked through my driveway about
17 12 years ago, huge footprints. I mean, that thing
18 was....(Indicating.) I went and got my tape
19 measure and measured it. It's four-and-one-eighth
20 inches in diameter.

21 I called the DNR and they said, well, our
22 wolf guys are out there and they trapped a wolf at
23 a turkey farm. I said, you mean the one east of
24 town? Yeah, that's the one.

25 So I jumped in my truck and ran over there

1 and here was a beautiful -- the two guys had
2 trapped the Timber Wolf -- a beautiful female,
3 79 pounds. It was laying on the ground. It had
4 been tranquilized. It had killed a whole slug of
5 turkeys there and they had trapped it. And it was
6 a most amazing animal. It was kind of a
7 brownish-black beautiful animal. And mainly to
8 me, and I don't know if everyone knows it, but
9 their front feet are huge, about four to
10 four-and-a-half inches in diameter. The hind feet
11 are just ordinary.

12 So I asked the person there, what was the
13 reason for that. They said, well, that's pretty
14 easy, the Timber Wolf lives where there's deep
15 snow and their hind foot always walks where the
16 back foot -- or where the front foot has, and so
17 the front foot acts like a big snowshoe,
18 so....that was news to me.

19 That animal was taken to Nicolet Natural
20 Forest. They had a tranquilizer collar put on it
21 and when they tranquilized in the fall, it didn't
22 recover. Sad thing.

23 But the reason I'm here tonight is more.
24 About a year ago, in fact May 5th of 2005, I went
25 to feed my cows in the morning and I saw two large

1 animals out in my fields, probably 250 yards away.
2 And I thought first, they're deer. Then I saw the
3 long tails. I mean, the tails are huge. And I
4 could see they were Timber Wolves.

5 So I immediately drove my tractor towards
6 them and I got to within maybe 75 yards or 150
7 yards and they kind of played with me a little
8 bit, kind of run a little ways and look back
9 and....so I got up to them and when I honked the
10 horn, they took off and the two of them
11 disappeared in the woods.

12 I went home and told my wife that -- well, I
13 continued my chores -- and told my wife that I had
14 just seen two Timber Wolves. And I was really
15 amazed they hadn't threatened the cattle. They
16 were within 150 yards of the house.

17 One month later, June 5th, I heard a
18 tremendous commotion up over the hill and so I
19 went to look and here was a whole herd of cows and
20 calves were out in the pasture. I have an
21 180-some acre pasture, most of it's probably about
22 half woods, and right at this present time, the
23 cows and the calves are all confined in a pretty
24 small area. And, well, eventually, I do have to
25 let them out in the pasture. And now these two

1 Timber Wolves were challenging the herd of cows
2 and our calves. And I can tell you that a mother
3 cow is not going to be an easy mark for a Timber
4 Wolf, but....and when I showed up, the wolves went
5 away and I did not see anything more of them.

6 We did not lose any calves. I had 79 live
7 calves that were out in the pasture and we don't
8 really get a full count until in the fall when I
9 give them all their shots and everything. And I
10 had 79 in the fall, so I did not -- I have not
11 lost a calf to the Timber Wolves.

12 And I did have an incident that happened in
13 late November, a calf died, a nice calf. He had a
14 problem from the time he was born and I knew of
15 this problem and eventually, I found him. And I
16 dug a big hole and buried him. And I dug the hole
17 four feet deep with my tractor and covered him up.

18 In about the middle of December, I looked
19 down and here something had dug down there. And,
20 well, the Timber Wolves had dug a hole, taken out
21 about, I would say two-and-a-half to three foot
22 wide of dirt, at least 200 pounds of dirt, and dug
23 down and were eating on this poor old dead cow.
24 And all this time, I've called the wolf guys in --
25 and they've been very good about coming and

1 looking at my situation -- and I told 'em about
2 this, I can't believe this, there was at least a
3 foot of dirt over this calf, you know, or his body
4 is probably two feet. The wolf guy said, well,
5 yeah, he heard of them going down three feet to
6 get at an animal buried.

7 Well, he came to look at it and we reburied
8 it. This time, it was down at least four feet of
9 earth over it. And the wolves came back and they
10 dug several places, but they could not -- they
11 apparently couldn't figure out where it was and
12 they didn't dig any more.

13 The wolves -- those wolves, there were two or
14 three that came around pretty much on a regular
15 basis, they were right at the place where this
16 calf was buried was within 75 yards of where I fed
17 the cows for the winter.

18 Cows aren't really afraid of the wolves and
19 the coyotes. I mean, they're there all the time.
20 The coyotes are, at least. And the wolves, I
21 think when there's not calves around, the cows
22 just say, well -- you know, they pretty much
23 ignore them.

24 I didn't see any more wolves until about the
25 middle of January was the last I saw of the

1 wolves. I have not seen or heard anything about
2 them this spring, but I had some provisions that
3 we've taken. We went out and bought two llamas.
4 They're supposed to be good guard animals. I
5 don't know how effective they are, but I can't say
6 they haven't done their job.

7 This spring, in my operation, the cows have
8 their calves near my buildings, and when a cow's
9 little calf is old enough, I put them out into a
10 couple of little eastside and westside little
11 areas. This year, I confined that quite a bit
12 more and I made three electric fences and fenced
13 it off. The first wire is about six inches off
14 the ground and then about eight inches apart.
15 It's not a very high fence, but it's a very hot
16 electric fence. And I'm sure the coyotes or the
17 Timber Wolves that walked in would not be willing
18 to tangle with it again.

19 And I don't know, I can't say anything bad
20 has happened, but those are just some provisions.
21 I've had to put up extra lights.

22 I did spend a lot of time out in the woods.
23 I did have a gun. I wasn't going to shoot a wolf,
24 but I was going to shoot to scare them.

25 Last year, I was just afraid that some of the

1 younger calves would get pounced on by a wolf.
2 And you gotta know that if you're a person raising
3 these little animals, it's just like a little
4 baby. I mean, a little newborn calf, I mean, is
5 the nicest thing in the world, just like any
6 little animal. And for me to think about a wolf
7 pouncing on that little critter and tearing it
8 apart and killing it, whooh, that's a very very
9 sad thought.

10 And I would do anything I could, besides
11 going to jail; I wouldn't want that. I wouldn't
12 want any \$1,000 fine, but I would try to keep
13 those wolves from getting at that little calf.

14 And I think that it's really important to
15 know that all of us that raise beef cattle and any
16 kind of animals, we're pretty passionate about the
17 care of those animals. I mean, they're -- we know
18 eventually they're going to go to market and their
19 lives will end, but in our care, we do care very
20 much for them. And I think that's really
21 important, you have to understand that.

22 And I know I speak for dozens of guys like
23 myself that raise beef cattle. A lot of us are
24 part-timers and, you know, we're talking about
25 endangered. You know, I think the American farmer

1 could fall under that category about being
2 endangered in that we have to constantly worry
3 about things we do need to do to protect our herd.
4 And if we get compensated, fine, that's fine; if
5 you can prove that's what it was. But it's not
6 fine that an animal died. But, I mean, it's darn
7 hard to find -- you know, in the summertime, I'm
8 busy putting up hay, doing a variety of things,
9 and this herd out in the pastures and so forth,
10 you can't check them every day.

11 I guess I'm kind of blabbing away here, but I
12 think there's three things that I'd like to have
13 be considered: first of all, the wolf be -- the
14 care of it be given to the Wisconsin DNR. And I
15 would hope then that the DNR would consider
16 allowing a trapping season or a hunting season.
17 And it be -- and I would have complete confidence
18 in the DNR's ability to come up with fair rules to
19 allow the management. The last thing I want to do
20 is see the Timber Wolf disappear at all, but
21 they're kind of crawling into our spaces.

22 The third thing is to allow myself and others
23 that raise animals to be able to shoot that
24 animal. I can tell you, I did shoot a coyote that
25 was running among my cattle last year in June. I

1 mean, they're there all the time, too. Those I
2 can shoot and don't have to worry about a fine or
3 jail. I'd like to have that same opportunity,
4 should these Timber Wolves decide to leave their
5 huge forests.

6 I live on an edge of about a 5,000-6,000 acre
7 County forest, primarily, and it's ideal habitat.
8 They have a munched-on beaver dam, a beaver living
9 back there, but they do come into our spaces. And
10 I guess that's the main thing that I'd like to
11 have this body consider, is that people like
12 myself need to have a chance to defend our
13 livelihood without having to worry about jail or a
14 fine.

15 There's a lot more probably I could say. I
16 can say that my neighbor, during deer season, he
17 was in a heavy brush, a Timber Wolf came and
18 howled and barked at him within about 25 yards
19 away. In our local newspaper, there were
20 references made to probably dozens of sightings
21 and same kind of thing: howling and barking by
22 deer hunters during deer season. I mean, the deer
23 -- the wolf population is exploding in Washburn
24 County and I think that we need to -- we
25 absolutely need to do something about it. And I

1 think that it sounds like we are on the right
2 track and that's....I know I've blabbed a long
3 time, but it's up-close and personal to me and I
4 think that's what I wanted to tell you folks
5 tonight. So thank you very much for the
6 opportunity.

7 MR. CHUCK TRAXLER: Thank you, sir.

8 (7:47 p.m.)

9 MR. CHUCK TRAXLER: I'd like to remind
10 folks that if you would like to provide comments,
11 please go out to the registration table and just
12 grab a number.

13 At this time, I'd like to invite Speaker
14 Number 2 to come up, please state and spell your
15 name, any organizations that you represent, and
16 your state of residence.

17 MS. LINDA HATFIELD: Okay. My name is
18 Linda Hatfield, H-a-t-f-i-e-l-d, and I'm
19 representing HOWL, which stands for Help Our
20 Wolves Live and I want to thank you good folks for
21 letting me have this opportunity to talk with you
22 tonight. And my comments tonight will be brief,
23 because I will be submitting written comments in
24 greater detail.

25 I'm going to state up front here that HOWL is

1 opposed to this delisting proposal. We are also
2 opposed to the Western Great Lakes DPS.

3 We believe that Fish and Wildlife cannot
4 create a DPS as a way to speed up delisting. It
5 is not meant as a delisting tool. Moreover, this
6 plan, this delisting proposal, this DPS, would
7 undo recovery.

8 A DPS is meant to be used as a way to protect
9 and to even bring about listing of species.

10 Obviously, there is pressure here to delist.
11 Farmers and ranchers want the wolf delisted
12 because of depredation. However, wolves are not
13 killing a large number of livestock. Less than
14 two percent of farms and ranches within the wolf
15 range experience depredation.

16 Delisting the wolf will -- or delisting the
17 wolf solely for a few farmers and ranchers does
18 not justify this proposal.

19 Hunters and trappers also want the wolf
20 delisted so they can hunt them, and this brings me
21 to the human-caused mortality. Human-caused
22 mortality was the primary cause of the decline of
23 the wolf. The Recovery Plan states this. Yet,
24 this delisting proposal exists today without Fish
25 and Wildlife's quantifying the present level of

1 human-caused mortality.

2 It is my understanding that it's a little
3 lower than it was in 1973, percentage-wise. Just
4 because it is lower today doesn't mean that this
5 will ensure good stable recovery. There still are
6 a lot of wolves being killed.

7 What is that number. We've always been told
8 over the years that it's between 200 and 400
9 wolves that are killed illegally every year, but
10 there has been no arrests, no convictions, and I
11 don't believe there's been any investigations. If
12 there has been, I would say almost none. Given
13 that, enforcement virtually doesn't exist.

14 On the subject of enforcement, HOWL would
15 like to see funds go for that so that people would
16 get arrested for killing an illegal endangered
17 species.

18 This delisting proposal should not be
19 considered with ignoring this continuing problem
20 of human-caused mortality. Actually, removing
21 Federal protection will result in more illegal
22 killing because delisting will eventually allow
23 hunting and trapping and this will diminish the
24 public's perception of the government's respect
25 for and commitment to protecting this species.

1 I'm going to talk a little bit about the
2 Minnesota State Wolf Law and I'm going to say that
3 it's a Wolf Law and the Plan came second. The
4 State, as Ron talked about, is divided into two
5 areas: Zone A. But Zone A provides for a bounty;
6 it's a \$150 reward disguised as predator control
7 payment. It will be up to the "certified"
8 predator controllers and "certified" predator
9 controllers will probably be "certified" trappers
10 that the DNR will certify, but it will be up to
11 their discretion whether a wolf is responsible for
12 a loss.

13 In the law, it says that predator controllers
14 are paid \$60 for a coyote, but they will receive
15 \$150 for a wolf. So which do you think they're
16 going to -- they're going to try to get? They're
17 going to try to get that \$150 wolf.

18 Zone B, the other part of the state, allows
19 for liberal killing of wolves. Farmers, ranchers,
20 property managers, and "pet owners" may, at any
21 time without a permit, shoot or destroy a Gray
22 Wolf when the wolf is posing an "immediate threat"
23 -- and I'm taking this almost word-for-word out of
24 the law -- on land that they own, lease, or
25 manage. But the decision on what constitutes an

1 immediate threat will be left up to personal
2 interpretation.

3 Also in Zone B, wolf populations will be
4 subject to the Federal Recovery Plan, which
5 discourages establishing a wolf population in that
6 portion of the state.

7 Fish and Wildlife must consider the threats
8 to the wolf. In short, the plans in Minnesota,
9 Wisconsin, and Michigan fail adequately to protect
10 wolves after delisting. These state plans fail to
11 address a thorough, comprehensive, scientific
12 assessment completed on important subjects such as
13 measurable habitat, prey base, human-caused
14 mortality, and road densities, which are critical
15 for successful long-term wolf recovery to be
16 maintained.

17 In Minnesota, there is a push to have more
18 ATV and snowmobile trails. And in Zone A, people
19 are buying up land left and right for vacation
20 homes. This increased human encroachment is
21 causing more roads and it also is infringing on
22 critical wolf habitat.

23 Then there is this continuing threat of
24 ecological and biological disaster, such as
25 epidemics of parvo virus, Lyme disease, mange, or

1 heartworm. Wolves in Minnesota suffered from
2 mange in the early part of this century and many
3 of those animals died.

4 Population numbers alone should not be
5 considered the sole proof of long-term recovery of
6 this species. The ecosystem on which the wolf
7 depends must also be viable. Wolves are
8 complicated social animals: the social structure
9 of the packs must be considered, which is not
10 addressed in this delisting proposal.

11 To date, there has not been a scientific wolf
12 population census taken. The methodology that has
13 been used is really a "trend" survey. Past and
14 recent studies have depended heavily on estimates,
15 extrapolations, and "opinions."

16 As I said, I will be submitting more comments
17 in detail in the written form, but that's all I
18 have to say tonight. So thank you for listening
19 to me.

20 MR. CHUCK TRAXLER: Thank you for
21 providing your comments.

22 (7:54 p.m.)

23 MR. CHUCK TRAXLER: I'd like to ask
24 Speaker Number 3, please come up to the microphone
25 and state and spell your name, any organizations

1 you represent, and your state of residence.

2 MS. KARLYN BERG: It's Karlyn,
3 K-a-r-l-y-n, Berg, B-e-r-g. And I'm speaking
4 today on behalf of the Humane Society of the
5 United States, which is the nation's largest
6 animal protection organization with millions of
7 members and constituents in the Great Lakes area.

8 I present this testimony in opposition to the
9 proposed rules regarding the Western Great Lakes
10 wolf delisting. We cannot do justice tonight to
11 the numerous serious points that need to be
12 debated at this hearing, but the HSUS will be
13 submitting written testimony by the required
14 date.

15 The current creation of the Great Lakes DPS
16 is no more based in science than the previous
17 versions offered to us in the year 2000 and 2004.
18 The Fish and Wildlife Service cannot create a DPS
19 as an expedient avenue for delisting to satisfy
20 for political purposes.

21 The DPS was created to address the listing
22 and the protecting of endangered species, not for
23 accelerating delisting and manipulating the
24 criteria expressed in the Endangered Species Act.

25 It is clear from reading the proposal made in

1 year 2000, 2004, and now again in 2006, DPS
2 designations have been reinvented again in an
3 arbitrary manner, flip-flopped repeatedly with no
4 supporting science, while downgrading or
5 abandoning the Principles of Conservation Biology
6 to suit the effort to delist as fast as possible
7 and hopefully avoid litigation.

8 Perhaps you need to be reminded to review the
9 Principles of Conservation Biology you outlined in
10 the 2004 proposal; in particular, those that refer
11 to resiliency and redundancy, or even the
12 ecological premise of the Original recovery plan
13 in providing for a second population area.

14 All stages of these proposals, the Federal
15 government has referred to the importance and the
16 adequacy of State plans and careful monitoring
17 post-delisting. However, this provides weak
18 disclaimers, even outright excuses especially in
19 regards to the deficiencies of the Minnesota
20 plan.

21 The proposal compares to Wisconsin and
22 Michigan's plans and that makes it even more
23 evident that the Minnesota plan is not adequate.

24 Monitoring is held as a crucial component of
25 post-delisting, yet describing the monitoring

1 technique used in Minnesota, and I quote, field
2 staff of Federal, State, Tribal and County land
3 management agencies for wood product companies
4 were queried to identify occupied wolf range.
5 Anecdotal queries do not result in a very accurate
6 or scientific wolf count.

7 Furthermore, having a population count every
8 five years, the next not due until the year
9 2008-09 is irresponsible, and relying on
10 incidental data picked up at other species studies
11 is insufficient.

12 Last -- just last month, two papers provided
13 an Evaluation of a Wolf Population Sampling Plan
14 and Evaluation of the Minnesota Survey Methods in
15 Michigan, in which the findings demonstrated how
16 the Minnesota "questionnaire style of wolf
17 population counting was deficient." In fact,
18 neither Wisconsin or Michigan now intends to adopt
19 that style of count as previously considered.

20 And I remind you both that Michigan and
21 Wisconsin hold annual counts and ongoing wolf
22 research.

23 The proposal neglects to mention that the
24 Minnesota wolf law supersedes the toothless
25 Minnesota plan. The law merely directs the DNR to

1 write a plan, but there is no guarantee it would
2 be followed, and simultaneously, the law
3 authorizes an array of lethal taking, including
4 shoot on sight in Zone B, and liberal taking by
5 control designation in Zone A, and establishing a
6 "predator payment" of \$150.

7 This Federal proposal has conveniently
8 omitted mentioning this predator payment, which is
9 a near equivalent of the Directed Predator Control
10 Management Plan of prelisting wolf control back in
11 the 1970s that caused the wolves to decline and
12 have been listed in the first place.

13 Monitoring. As the Federal government
14 declares repeatedly that monitoring is critical in
15 post-delisting, it notes that Minnesota will hold
16 a "less intensive monitoring program", or, more
17 accurately, "nonexistent."

18 Both Wisconsin and Michigan intend to
19 maintain their annual counts and intensive wolf
20 studies. Minnesota plan declares they will
21 "encourage" others to study wolves. We don't know
22 who, whether they mean 4-H clubs or who they're
23 going to encourage to do their work for them.

24 No funding has been designated for necessary
25 wolf studies. The only funding authorized by

1 statute is for the \$150 predator payment.

2 In fact, funding is a critical issue in all
3 three states and the only funding we see committed
4 in the Minnesota wolf plan seems to be directed to
5 the "predator control payment" and the suggestion
6 they may hire three additional conservation
7 officers in the entire wolf range.

8 Threats to the wolf and, of course, I can
9 only really deal with one this evening in such a
10 short time, but let's take disease. The proposal
11 describes the lack of a large enough sample size
12 in Minnesota to glean enough information needed
13 about the threat of the disease in Minnesota, such
14 as mange.

15 In fact, the only data cited about mange or
16 other disease factors is provided by the U.S.D.A.
17 Wildlife Services with information from wolves
18 taken in depredation control. No data was cited
19 or provided by the Minnesota DNR as far as this
20 proposal seems to indicate as was for Michigan and
21 Wisconsin.

22 The excuse is given that because there are so
23 many wolves in Minnesota, they cannot do more
24 intensive wolf studies. Yet, there is none
25 planned. Yet for animal populations like

1 white-tail deer is certainly far more abundant in
2 number, we are committed to intensive studies in
3 Minnesota. This is clearly a matter of lack of
4 will.

5 It seems ridiculous that a proposal should
6 have to make repeated excuses for a flawed plan as
7 they say is so critical in the event of delisting.

8 The pressure to hunt. State and some private
9 citizens are pressuring the Fish and Wildlife
10 Service to delist to hunt for depredation control
11 reasons, but the statistics now show that wolves
12 do not take a significant number of livestock.

13 Now, I would like to stop for a second and
14 point out that we have continually supported the
15 taking of verified depredating wolves and also
16 assisting in finding methods of nonlethal
17 management and other forms of support that we
18 would like to offer to resolve any kind of
19 livestock conflict, so we're not ignoring that as
20 a problem.

21 But at the recent InterState meetings, all
22 the states voiced their intention to allow even to
23 put recreational hunting on the fast track.
24 Questions posed involved how many can we take
25 before you would make us relist them. And the

1 Federal response seemed very vague but indicated
2 they could go quite low before any protection
3 might be considered or renewed.

4 The point of the ESA was not to create a
5 surplus so we could resume killing these animals,
6 but to reach a recovery number that would be
7 sustained in a viable population, maintain stable
8 packs in a functioning ecosystem.

9 But the states must understand that their
10 responsibility is to the nation when they resume
11 management control, not to a local minority that
12 wishes to hunt them for recreation.

13 A recreational harvest serves no scientific
14 purpose and does not mitigate depredation
15 conflicts as is proven in many studies which we
16 can't cite here tonight, but quickly, Adrian
17 Treves did mention at these recent meetings that
18 in his paper Can Hunting Mammalian Carnivores
19 Reduce Conflict, he used various studies to show
20 that they did not have a successful reduction of
21 conflicts and, in fact, increased nuisance
22 animals. So his conclusion showed that there was
23 little benefit in doing so.

24 The survey also indicated that the general
25 public does not support recreational taking and

1 only supported it if it would benefit depredation
2 control.

3 I think it suffices to say that we feel that
4 if the animal is supposed to be now protected by
5 the states, the states have to come up with a
6 plan. Unfortunately, many of those plans in some
7 states, in Idaho out in the Rocky Mountains, but
8 here more importantly, is in Michigan and
9 Wisconsin. These plans are in the process of
10 being rewritten.

11 The idea of writing a plan, producing it in
12 the Federal proposal, and then switching the plan
13 after the animal is delisted is, we feel, sort of
14 a form of bait and switch.

15 We feel that the plans need to be not driven
16 by politics, that the listing-delisting decision
17 and plans must be based on scientific evidence and
18 sound legal interpretation of the Endangered
19 Species Act.

20 So the management that we see promised in
21 these proposals is not assured; therefore, we
22 oppose. And we'll be sending the larger written
23 copy, 'cause I know I talk fast. Good luck.
24 Thank you very much for this opportunity.

25 MR. CHUCK TRAXLER: Thank you for

1 providing your comments.

2 (8:04 p.m.)

3 MR. CHUCK TRAXLER: Speaker Number 4,
4 please come on up to the microphone, state and
5 spell your name, any organizations that you
6 represent, and your state of residence.

7 MS. PAM TROXELL: Pam Troxell,
8 T-r-o-x-e-l-l. I represent the organization
9 Timber Wolf Alliance based in Wisconsin.

10 We at the Timber Wolf Alliance thank you for
11 the opportunity to comment on this proposal to
12 establish a Western Great Lakes distinct
13 population segment and to delist Gray Wolves from
14 this DPS.

15 Timber Wolf Alliance is a non-profit
16 education program based at the Sigurd Olson
17 Environmental Institute at Northland College,
18 which is an environmental liberal arts college
19 based in northern Wisconsin in Ashland.

20 One, TWA supports the proposal to create a
21 Western Great Lakes DPS and to delist wolves
22 within this new DPS. However, TWA asks that the
23 Fish and Wildlife Service adequately fund at a
24 minimum of existing monitoring funding the states
25 to monitor wolf populations.

1 The Fish and Wildlife Service states in
2 Section 4(g)(1) of the Act that requires us to
3 implement a system in cooperation with the states
4 to monitor for not less than five years the status
5 of all species that have recovered and have been
6 removed from the list of endangered and threatened
7 wildlife and plants.

8 This post-delisting monitoring program
9 requires that the Fish and Wildlife Service
10 cooperate with the states in development and
11 implementation of this monitoring program, but
12 remain actively engaged in all phases of the
13 program.

14 The Fish and Wildlife Service has an
15 obligation to fulfill. The states of Wisconsin,
16 Michigan, and Minnesota are ready to fill this
17 need, but they can only do so with financial
18 support.

19 As wolf populations increase [sic] -- or
20 continue to prosper, Timber Wolf Alliance suggests
21 that a national Large Carnivore Conservation Act
22 be created, similar to the Migratory Bird Act, a
23 national Large Carnivore Conservation Act would
24 ensure support of large carnivores across
25 boundaries, whether the boundaries are state or

1 country.

2 Once the wolf becomes delisted and Federal
3 commitments are complete, the fear is the Federal
4 government will remove themselves from the picture
5 entirely.

6 A national Large Carnivore Conservation Act
7 would retain their ongoing involvement in wolf
8 management, albeit on a broader scale.

9 Thank you once again for allowing us the
10 opportunity to guide this process.

11 (8:08 p.m.)

12 MR. CHUCK TRAXLER: Thank you for
13 providing those comments. Again, I'd like to
14 remind everyone that if you would like to present
15 oral comments tonight, please go back to the
16 registration desk and grab a number. Is there a
17 Number 5?

18 Come up, spell your name, any organization
19 that you represent, and your residence.

20 MR. JOHN OLSON: My name is John Olson,
21 J-o-h-n O-l-s-o-n. I represent the Wisconsin
22 Department of Natural Resources from the state of
23 Wisconsin. And I'll be reading some testimony
24 here, but we will be submitting some written
25 testimony later on.

1 The Wisconsin Department of Natural Resources
2 is pleased that the U.S. Fish and Wildlife Service
3 has begun the process to remove Gray Wolves in the
4 Western Great Lakes distinct population segment
5 from the list of Federal endangered and threatened
6 species and return management to the states.

7 The Wisconsin DNR supports this process and
8 look forward to taking over management of wolves
9 in our state.

10 We've had a long history of wolf conservation
11 in Wisconsin. In the 1940s, Aldo Leopold,
12 Conservation Commission Member, fought to
13 eliminate bounty payments on wolves. And finally
14 in 1957, Wisconsin ended bounty payments on wolves
15 and listed them as a protected species. The first
16 U.S. state to list the Gray Wolf as a protected
17 species.

18 In 1975, the Wisconsin DNR listed the Gray
19 Wolf as a state endangered species when wolves
20 returned after being extirpated for 15 years.

21 Since 1979, the Wisconsin DNR has conducted
22 annual surveys on the state wolf population.
23 These surveys have provided scientifically sound
24 information on the wolf population status in the
25 state continuously for over 27 years.

1 In 1989, the Wisconsin DNR approved a State
2 Wolf Recovery Plan that set a goal for downlisting
3 wolves to a threatened status when the population
4 exceeded 80.

5 Am I going too fast? Okay.

6 In 1999, the Wisconsin DNR approved a State
7 Wolf Management Plan that set a delisting goal of
8 250 wolves, and a management goal of 350 wolves in
9 the state outside of Indian Reservations. These
10 State goals are higher than Federal goals to
11 provide assurance that wolves will no longer
12 become endangered in Wisconsin.

13 Also in 1999, the Wisconsin DNR downlisted
14 wolves to the threatened status when the
15 population exceeded 80 wolves, and then delisted
16 to protect its status in early 2003 when the
17 population exceeded 250.

18 Since 1983, the Wisconsin DNR has reimbursed
19 all people requesting payments for verified wolf
20 depredations.

21 Careful stewardship by the Wisconsin DNR with
22 help from the U.S. Fish and Wildlife Service has
23 allowed the wolf population to grow from about
24 two wolves in 1975 to over 450 wolves in 2006.

25 The State of Wisconsin has exceeded

1 requirements for Federal delisting of wolves.
2 The goal was to have at least 100 wolves in
3 Wisconsin and Michigan for five or more years.
4 The two states have exceeded this goal for
5 13 years and currently share approximately
6 900 wolves.

7 Also, the State of Wisconsin has had an
8 approved management plan in place for the last
9 seven years.

10 We urge the U.S. Fish and Wildlife Service to
11 quickly complete delisting of wolves and return
12 management to the states. Depredation on domestic
13 animals is increasing in the state and where
14 flexible management is needed.

15 Numbers of farms suffering wolf depredations
16 grew from eight in 2002 to 25 farms in 2005.
17 Human tolerance of wolves is declining in portions
18 of our state. More flexible management is
19 necessary to maintain the wolf population at
20 tolerable levels.

21 Wisconsin DNR congratulates the U.S. Fish and
22 Wildlife Service in the successful recovery of
23 Gray Wolves in the Great Lakes Region. We are
24 proud of our partnership with the U.S. Fish and
25 Wildlife Service in helping wolves recover.

1 We also greatly appreciate the help from
2 other partners, including U.S.D.A. Wildlife
3 Services, U.S. Forest Service, National Park
4 Service, Wisconsin Indian Tribes, Great Lakes
5 Indian Fish and Wildlife Commission, Wisconsin
6 County Forests, Minnesota DNR, Michigan DNR,
7 Timber Wolf Alliance, Timber Wolf Information
8 Network, Defenders of Wildlife, National Wildlife
9 Federation, and other groups and individuals that
10 support a wolf recovery in this state.

11 Wisconsin DNR is committed to the long-term
12 conservation of wolf populations in Wisconsin.
13 We are committed to prevent any wolves from ever
14 again becoming endangered in our state.

15 Wisconsin DNR will work closely with our many
16 partners to make sure wolves never return to our
17 list of threatened and endangered species.

18 Thank you.

19 (8:11 p.m.)

20 MR. CHUCK TRAXLER: Thank you for
21 providing those comments. Is there a Speaker
22 Number 6?

23 I've called the numbers of all the registered
24 speakers. I'd like to ask, is there anyone else
25 who would like to make oral comments here tonight?

1 All registered speakers have provided their
2 comments. As it appears that no one wishes to
3 comment at this time, we are going to temporarily
4 recess the hearing and go off-record until either
5 someone indicates that they wish to comment or
6 until 9:00 o'clock approaches.

7 On behalf of the U.S. Fish and Wildlife
8 Service, I would like to thank those who did
9 provide comments here tonight and, again, if
10 anyone would like to provide additional comments,
11 please just let me know. We will be here until
12 9:00 p.m.

13 Is there another person who'd like to present
14 comments?

15 MR. PETE HUBIN: Could I come up again?

16 MR. CHUCK TRAXLER: Yes. Would you like
17 first to provide official comments?

18 MR. PETE HUBIN: Yes, I would, yeah. I
19 meant to mention this --

20 MR. CHUCK TRAXLER: Please -- please
21 state your name and --

22 MR. PETE HUBIN: Yes. My name is
23 Pete Hubin, again. The blabbermouth is at it
24 again. One thing that needs to really be given a
25 lot of thought to, there is a large danger not

1 only from the Timber Wolf but from the bears,
2 black bears in our part of Wisconsin, and the
3 Timber Wolf.

4 I know one thing, I would not let any little
5 kid underage probably out in the woods like I
6 roamed around, and probably all of us did.

7 There's a very very large danger.

8 In part of the world I live in, in Spooner
9 which is only about 85 miles south of here, a
10 little kid is just not amenable to a large
11 predator like a bear or a Timber Wolf.

12 Now, I hate to belabor this, but my son who
13 is grown up and his wife were out walking in our
14 pasture probably eight years ago and he had three
15 dogs. And by golly, a bear grabbed one of the
16 dogs and my son ran up to try to get the bear to
17 let go of the dog, he did, and he came after my
18 son. Next thing I know, he was laying on the
19 ground and the bear was over him and the two
20 little wiener dogs were --

21 (Court reporter interruption.)

22 MR. PETE HUBIN: Excuse me. The two
23 little wiener dogs came up and chased the bear
24 away. Now, that happened probably within, I don't
25 know, maybe a quarter mile of my house.

1 The Timber Wolves have been -- many many
2 times have been between my buildings and my house.
3 And I'm thinking to myself, if that's happening
4 here, and we're just rural Wisconsin northwoods
5 and so forth, that same thing could be happening
6 in a lot of places. So I really think that we
7 need to consider the danger to little kids. I
8 really don't think the danger is for adults, but I
9 think a little kid. Myself, many times, have
10 spent many hours in the woods as a little
11 snot-nosed kid. I would not let any little kid in
12 the woods by themselves now. And my son, when he
13 goes, and his wife, he carries a semi. I think
14 that would be darn good advice to anybody.

15 And I think a lot of people here, not here
16 necessarily, but a lot of people do not really
17 understand the danger of these large animals.

18 And Timber Wolves can get up to be 150 pounds
19 and we don't know what happens to them. They may
20 be diseased, maybe somebody's wounded them with a
21 shot, they maybe have a bad tooth and it could be
22 their day to chew up somebody, and it could be
23 some little kid, and I think that needs to be
24 considered, so thank you very much for that.

25 MR. CHUCK TRAXLER: Thank you for

1 providing those comments. Again, I'd like to ask,
2 is there anyone else who would like to provide
3 official comments at this time?

4 Okay. If not, again, thank you for coming
5 tonight. We will be here until 9:00 p.m., the
6 official closing time of this public hearing, but
7 until someone comes and talks to me and says that
8 they would like to provide official comments, we
9 are now officially in recess, so....thanks.

10 (Hearing off-record at 8:15 p.m.)

11 (No further official comments made.)

12 Hearing adjourned at 9:00 p.m.)

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1 C E R T I F I C A T E

2

3 I, Eleanor E. Boleman, hereby certify that I
4 am qualified as a verbatim shorthand reporter, that I
5 took in stenographic shorthand the public hearing
6 at the time and place aforesaid;

7

8 That the foregoing transcript is a true and
9 correct, full and complete transcription of the
10 public hearing, to the best of my ability;

11

12 That the review of the transcript was
13 not requested;

14 That the cost of the original transcript has
15 been charged to the party who noticed the deposition,
16 and that all parties who ordered copies have been
17 charged at the same rate for such copies;

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19 That I am not a relative or employee of any of
20 the parties or a relative or employee of any of the
21 attorneys;

22

23 That I have no interest, financial or
24 otherwise, in this action and have no contract with
25 the parties or attorneys or persons with an interest
in this action.

16

17

18 Witness my hand and seal this 20th day of
19 May, 2006, in Cloquet, Minnesota.

19

20

21

ELEANOR E. BOLEMAN, RPR
Registered Professional Reporter

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