

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

DEPARTMENT OF INTERIOR

U.S. FISH & WILDLIFE SERVICE

- - - - -

IN RE: Public Hearing on Proposal to  
Delist the Eastern Distinct  
Population Segment of the Gray Wolf

- - - - -

DATE: Wednesday, September 15, 2004

TIME: 7:30 P.M.

LOCATION: MSU Biomedical & Physical Science Building

Wilson & Farm Lane

East Lansing, Michigan

REPORTER: Ursula Wegert, CSR-4553

- - - - -

HEARING OFFICER: Jim Hudgins

OFFICIALS:

Craig Czarnecki

Ron Refsnider

Laura Ragan

1 East Lansing, Michigan  
2 Wednesday, September 15, 2004  
3 7:35 p.m.

4 \* \* \*

5 MR. CZARNECKI: My name is Craig Czarnecki, with  
6 the U.S. Fish & Wildlife Service, and we're going to enter,  
7 as we've talked about already, the formal half of tonight's  
8 event.

9 I'm going to sit down, and Jim Hudgins, who I've  
10 introduced before, will be our hearing officer, and he'll  
11 have an opening statement, and we'll go from there.

12 MR. HUDGINS: Good evening, and welcome, to all of  
13 you, on behalf of Fish & Wildlife Service. We are very  
14 pleased to have you here tonight.

15 This is the formal part of the ceremony or the formal  
16 part of the hearing, and I'm going to be reading some notes  
17 here, just to try to keep things straight.

18 The purpose of this hearing is to receive comments from  
19 the public on the Fish & Wildlife Service's Proposal to  
20 Delist the Eastern Distinct Population Segment of the Gray  
21 Wolf.

22 As Craig indicated, my name is Jim Hudgins. I am a  
23 biologist with the U.S. Fish & Wildlife Service at the  
24 Michigan Private Lands Office here in East Lansing, and I  
25 will serve as the presiding officer for the hearing this

1 evening.

2 Ursula Wegert -- did I pronounce that right -- is our  
3 court reporter, and she will prepare a written statement or a  
4 written record of all the statements made this evening at the  
5 hearing. The transcript of the hearing will be posted on the  
6 web site of the Midwest Region of the Fish & Wildlife Service  
7 in a few weeks.

8 The address of the web site is on several of the  
9 handouts that have been made available this evening, so I  
10 encourage you to get the web site from those handouts, if  
11 you're interested.

12 I will have no further involvement with this proposal  
13 after tonight, so I'm an impartial participant in this  
14 hearing. However, there are other Fish & Wildlife  
15 Services -- Fish & Wildlife Service representatives with us  
16 this evening, and Craig has introduced those people  
17 previously. Do you want to go -- introduce them again?

18 MR. CZARNECKI: No, I think we're all set, but I  
19 will do just a quick interruption. I think what we'll do  
20 here, this is an awkward setup for a hearing, so I think what  
21 we're going to do is, when we call the numbers, when Jim  
22 calls the numbers, as the hearing officer, I think we'll do  
23 it from your seats, and I think that will probably work with  
24 our court reporter, and we'll try it that way. I think that  
25 will work best. I'm sorry, Jim.

1           MR. HUDGINS: Okay. This is a public hearing under  
2 Section 4 of the Federal Endangered Species Act of 1973.  
3 Notice of the proposal to remove the gray wolf in the Eastern  
4 United States from the list of endangered and threatened  
5 wildlife and the 120-day public comment period was published  
6 in the Federal Register on July 21st, 2004, beginning on page  
7 43664. A notice of the nine public hearings being held in  
8 the Midwest was published in the Federal Register on August  
9 13, 2004 on page 50147.

10           There may be additional hearings scheduled in the  
11 Northeastern United States. If so, the dates and locations  
12 will be announced in the Federal Register and will be posted  
13 on the Service's web site at the address, again, listed in  
14 the handouts that you have available to you.

15           Convening public hearings is one of the methods that the  
16 Fish & Wildlife Service is using to solicit data and comments  
17 from the public on this proposal. No final decision has yet  
18 been made regarding this proposal, nor will any decision be  
19 made at this hearing.

20           Public comments on this proposal will be accepted  
21 through November 8th -- I'm sorry, November 18, 2004. After  
22 review and consideration of the existing administrative  
23 record, your comments, your interpretations of existing data  
24 and all other information gathered during the public comment  
25 period, the Fish & Wildlife Service will make a final

1 decision on the proposal.

2 Information that you provide in your comments this  
3 evening and other comments received during the public comment  
4 period will become part of the administrative record and will  
5 be considered by the Fish & Wildlife Service in the  
6 decision-making process.

7 If we have covered all those who wish to speak this  
8 evening before nine o'clock we will recess the hearing and go  
9 off the record, either until additional persons indicate they  
10 would like to speak or until the nine o'clock hour  
11 approaches. At that time we will reconvene the hearing and  
12 go back on record to receive additional comments or to  
13 officially close the hearing.

14 So, again, we will conclude this hearing at nine  
15 o'clock, assuming at that time we have heard all the  
16 comments.

17 I do want to direct your attention to the two tables  
18 that are located out in the corridor. On one of the tables  
19 is a -- or, one of the tables is designated as a registration  
20 table, where you will need to take a numbered note card if  
21 you wish to make oral comments tonight. You do need that  
22 note card if you wish to make comments, and I would encourage  
23 you to go out in the hall and pick one up if you haven't done  
24 so already.

25 I will give any elected officials in the audience a

1 chance to speak first, and then I'll begin by calling  
2 numbers.

3 And, again, as Craig indicated, we'll ask you to come to  
4 the front of the room to offer your comments so that they can  
5 be heard and recorded.

6 MR. CZARNECKI: Yeah, we'll ask -- we'll do it from  
7 your seats.

8 MR. HUDGINS: I'm sorry.

9 MR. CZARNECKI: We'll do it from your seats. It's  
10 all right.

11 MR. HUDGINS: It's not in my script.

12 MR. CZARNECKI: I know.

13 MR. HUDGINS: At several points during tonight's  
14 hearing I will again invite anyone who did not do so  
15 previously to go to the registration table and get a numbered  
16 card if they wish to present oral comments tonight.

17 If you do not wish to speak tonight but you would like  
18 to get on our mailing list to receive further information on  
19 this proposal, please add your name and mailing address or  
20 your e-mail address to the mailing list outside at -- to the  
21 mailing list sign-up sheet outside on the table, at the  
22 registration table.

23 There is a second table out there in the hallway that  
24 has a variety of written information about this proposal,  
25 about wolves and about the Endangered Species Act. Please

1 take a copy of anything there that interests you.

2 I especially want to point out the green sheet, which  
3 provides details on several ways you can get more information  
4 on the proposal and also explaining several methods you can  
5 use to submit your written comments, other than at tonight's  
6 hearing. The green sheet also lists the dates and locations  
7 of other public hearings. There's a light blue comment form,  
8 which you can use to turn in written comments tonight or by  
9 mail. If you do it by mail please make sure that they are  
10 received by the Fish & Wildlife Service no later than  
11 November 18th.

12 When I call your number to present your comments, again,  
13 we will ask you to stand where you're at and please speak  
14 clearly and loudly and provide your comment. When you begin  
15 your comments please state your full name, spell it, identify  
16 any organization that you represent, and give your state of  
17 residence. If you have a written copy of your comments you  
18 may give that to the court reporter or to me for entry into  
19 the record as a written comment.

20 This evening oral statements will be limited to five  
21 minutes, so that all who wish to make oral statements have an  
22 opportunity to do so. If I feel that you're being  
23 repetitious, straying from the issue, using too much time,  
24 engaging in personal insults or making other inappropriate  
25 remarks I will ask you to promptly wrap up your comments. If

1 time is available after the registered speakers have had a  
2 turn at the microphone, in this case, a turn at standing  
3 where you're at, others who have not registered to speak will  
4 also be able to present oral comments.

5 At the end of the evening there may be time to provide  
6 another opportunity for speakers to finish their comments if  
7 they have been cut off earlier.

8 To maximize the opportunities of others to express their  
9 comments I ask that you refrain from commenting on the issues  
10 beyond the scope of the Fish & Wildlife Service's Wolf  
11 Delisting Proposal.

12 This is an informal hearing, and therefore you will not  
13 be questioned or cross-examined in connection with your  
14 comments. This hearing is totally intended to obtain your  
15 comments so that the Fish & Wildlife Service can consider  
16 them when making their final decision on the proposal.  
17 Therefore, Fish & Wildlife Service officials will not respond  
18 to questions, nor engage in any discussion of the proposal  
19 during this hearing.

20 The previous presentations and question-and-answer  
21 session were intended to -- were for questions and  
22 discussion, so we will be devoting nearly the entire duration  
23 of this hearing to receiving your comments. If you have  
24 comments about the proposal or about the Endangered Species  
25 Act I certainly do encourage you to take advantage of the

1 materials at the information table, to visit our web site or  
2 to talk informally with the people here after we've concluded  
3 the session.

4       You may want to read these materials and then at a later  
5 time submit comments, but remember they must be received by  
6 the Fish & Wildlife Service no later than November 18th.

7       There may be opportunities to ask questions of the  
8 individuals of the Fish & Wildlife Service staff outside of  
9 this hearing time, possibly after the hearing closes or  
10 during the recess, if we take one; but I emphasize this  
11 hearing is intended to receive public input, not to respond  
12 to it.

13       Fish & Wildlife Service responses to the issues and  
14 questions raised during the comment period, including those  
15 that come up at this hearing, will be published as part of  
16 the final record, as part of a reproposal or in a withdrawal  
17 notice of this proposal. Publication will probably occur in  
18 mid or late 2005.

19       Again, your comments are being recorded by the court  
20 reporter to assist the Fish & Wildlife Service in reviewing  
21 them and to preserve them for the record. Please keep in  
22 mind, however, that the reporter will only be recording  
23 statements made by individuals standing and addressing the  
24 group with a formal comment, based on those who have a card  
25 or who get a card. Comments from the audience and other

1 statements made away from that individual identified to speak  
2 will not become part of the record and will not be considered  
3 by the Fish & Wildlife Service when making a final decision  
4 on this proposal. All oral comments must be made by those  
5 with a card, standing and addressing the group, as we've  
6 indicated previously.

7 In addition to or instead of providing oral comments  
8 tonight, you may submit comments in writing, by e-mail or by  
9 fax. Written comments may be submitted tonight to me, to the  
10 staff at the registration table or they may be sent in  
11 later. Oral comments will not be accepted outside of the  
12 public hearing setting. As I have mentioned, written  
13 e-mailed or faxed comments will be accepted through November  
14 18, 2004, and must be received by the Service by that date.  
15 And they will be given the same serious consideration as the  
16 oral comments presented here this evening.

17 With that, we will now open the floor for your  
18 comments. After I call your number, please stand up. And,  
19 again, remember, we'd like you to state your name, spell it,  
20 identify the organization you represent, if, indeed, you are  
21 representing an organization, and give your state of  
22 residence and then begin your comments.

23 Remember, we will be limiting you to a five-minute  
24 comment period. Please speak clearly, as I have, so the  
25 court reporter can record your comments accurately. Please

1 speak more clearly than I have.

2 I remind you that tonight's hearing is not intended to  
3 be adversarial or confrontational, it is designed to gather  
4 public comments and especially additional data and  
5 information regarding the proposal in order to help the  
6 Fish & Wildlife Service make the best possible decision under  
7 the Endangered Species Act. To better serve that purpose I  
8 ask that you all remain respectful of the speakers, of other  
9 members of the audience and of the government officials that  
10 are here this evening.

11 With that, we will now begin with the first speaker,  
12 with the person with card number one. Please stand up.  
13 Remember, we'd like you to state your name, to spell your  
14 name, to identify your organization, if indeed you represent  
15 an organization, and to give your state of residence.

16 MS. OWENS: I'm Marillyn Owens, M-a-r-i, double  
17 l-y-n, O-w-e-n-s. I'm representing me, and I'm from  
18 Michigan.

19 I think it's very exciting that wolves have recovered to  
20 the point where we are able to have some --.

21 REPORTER: I'm sorry, I'm having trouble hearing  
22 you.

23 MS. OWENS: Oh, I'm sorry, I thought I had a nice,  
24 booming voice.

25 MR. CZARNECKI: Hold on, hold on for a second, I'll

1 give you something to help out. You can pass that around.

2 MS. OWENS: Usually they're telling me I'm talking  
3 too loud.

4 MR. CZARNECKI: You're going to have to assist each  
5 other a little bit here, as we go through the cards.

6 Go ahead.

7

8 MS. OWENS: I think it's very exciting that our  
9 wolf has recovered to the point where we can have a hearing  
10 to consider delisting it, and you're to be congratulated on  
11 its success. However, delisting makes me very nervous  
12 because it's removing a layer of protection. These wolves  
13 are all in one very small area, considering, especially, the  
14 historical range, so they would be susceptible to a  
15 disaster. I'd feel a lot more comfortable if there were more  
16 populations in other areas than these before they were  
17 delisted.

18 One of the reasons that I'm concerned is because there  
19 still remains amongst the population a great ignorance of  
20 wolves, a great fear of wolves, and I'm afraid that could be  
21 a hazard, if they are not as well protected as they possibly  
22 could be. And I hope we get some in the lower peninsula  
23 because we've got lots of deer, and the hunters can't keep  
24 them under control.

25 Thank you. Thank you very much.

1           MR. HUDGINS: Thank you Marillyn.  
2           How about number two?  
3           NUMBER TWO: I'll pass.  
4           MR. HUDGINS: Number two is going to pass?  
5           How about number three?  
6           NUMBER THREE: Pass.  
7           MR. HUDGINS: All right. How about number four,  
8 please?  
9           NUMBER FOUR: No comment at this moment.  
10          MR. HUDGINS: Would you like us to come back to  
11 you?  
12          NUMBER FOUR: No.  
13          MR. HUDGINS: Thank you. Number five, please?  
14          Can we pass the microphone to this young man, please?  
15          MR. McCLAIN: I don't think I'll need it.  
16          MR. HUDGINS: Well, let's just help our recorder, I  
17 guess, by --  
18  
19          MR. McCLAIN: Okay. My name is Jonathon McClain,  
20 J-o-n-a-t-h-o-n, capital M-c, capital C-l-a-i-n. And I'd  
21 like to say that I thought this meeting was very  
22 informational, and that it actually has changed my mind on  
23 the perspective.  
24          I actually came into this meeting thinking that we  
25 should not delist for a number of the reasons that Ms. Owens

1 said, but now that this information has given me more depth  
2 into it, I actually think that we should delist. We can  
3 focus more on other situations in the state that are more  
4 problematic at this time, such as TB and lampreys, things  
5 like that that are not being focused on because of more of  
6 this management with wolves.

7 And I think that more of these informational meetings  
8 should be done so that people can learn about the more  
9 positive things that are being done with the wolves, instead  
10 of the less positive that the federal government has done,  
11 with the lower numbers being set, than, actually, the higher  
12 numbers with the state government, the state.

13 And that's about it. Thank you.

14 MR. HUDGINS: Jonathon, would you please -- are you  
15 representing a group, and would you give your state of  
16 residence, please?

17 MR. McCLAIN: Oh, I'm sorry, I -- no, I'm not  
18 representing a group, and Michigan.

19 MR. HUDGINS: Very good. Thank you.

20 Do we have a person with number six, please; a person  
21 with card number six?

22 MR. McCLAIN: I believe she left.

23 MR. HUDGINS: Jonathon was five, and we believe  
24 that number six left the auditorium.

25 Number seven, please? Again, if you would state your

1 name, spell it; if you're representing an organization,  
2 please list the organization, and then give your state of  
3 residence, please.

4 MR. TOMPKINS: My name is Jessen Tompkins,  
5 J-e-s-s-e-n, capital T-o-m-p-k-i-n-s; and I'm not  
6 representing anybody except me, and I live in Michigan.

7 I am agreeing with Jonathon here, I agree that the  
8 meeting was definitely very informative. It opened my eyes  
9 to a couple of things, and I think that if delisting is going  
10 to occur, that a greater eye will have -- will have to be  
11 kept on the wolves than is maybe currently right now. But I  
12 believe it's the right step for wolves in Michigan at this  
13 time. Thank you.

14 MR. HUDGINS: Thank you, Jessen.

15 I want to remind folks, again, if you want to make a  
16 comment, you do need to get a card. If you don't have a card  
17 presently, you can get them in the hall. We have about three  
18 or four more people who have asked to speak, so this is an  
19 opportunity, perhaps, if you'd like to go out and get a  
20 card.

21 We'll go on, and number eight, please?

22 MS. McLEER: Bingo.

23 MR. HUDGINS: Down here in the front? And if you  
24 would, again, name, spell it, organization, state of  
25 residence, please.

1 MS. McLEER: I'm Dorothy McLeer, D-o-r-o-t-h-y,  
2 M-c, capital L-e-e-r. I'm representing Timber Wolf Alliance,  
3 and I live in Michigan.

4 We at Timber Wolf Alliance thank you for the opportunity  
5 to comment on the U.S. Fish & Wildlife Service proposal to  
6 delist wolves in the eastern DPS.

7 Timber Wolf Alliance is a non-profit education program  
8 of the Sigurd Olson Environmental Institute of Northland  
9 College -- hope you're all enjoying the posters -- an  
10 environmental/liberal arts college based in northern  
11 Wisconsin, a region impacted by the proposed delisting.

12 Timber Wolf Alliance supports the delisting of gray  
13 wolves in Minnesota, Wisconsin and Michigan, but does not  
14 support the U.S. Fish & Wildlife Service proposal to lump the  
15 Midwest with the Northeast portion of the United States,  
16 where efforts there are being made to embark on wolf  
17 recovery. One cannot spread the success of one region to  
18 another region far removed geographically and culturally and  
19 expect adequate species protection. You cannot say that the  
20 success of the wolf population in the upper Midwest is  
21 adequate for the success of the entire Eastern segment.  
22 There are states in the Northeast that provide suitable wolf  
23 habitat and where wolves could naturally return. We ask that  
24 the U.S. Fish & Wildlife Service rewrite the proposal to  
25 divide the regions of the Midwest and the Northeast into

1 separate DPSs.

2           Timber Wolf Alliance would support the proposal if the  
3 Fish & Wildlife Service plans to subsidize state and tribal  
4 agencies in the management of their wolf populations by  
5 financially contributing to population monitoring efforts.  
6 It is imperative that monitoring continues so that we can  
7 gauge how large or small and how healthy the wolf populations  
8 are. Case in point. In the Fish & Wildlife Service  
9 delisting announcement it states, The latest count in 1998  
10 found a minimum of 2,450 animals and data collected since  
11 then do not indicate a decline. An additional population is  
12 well established in Michigan and Wisconsin, with numbers  
13 there of 360 and 373, respectively. These figures are  
14 available only because of population monitoring. Our  
15 decisions are based on information derived from monitoring.  
16 Population monitoring is critical to the health of the wolf  
17 and it will only continue if adequate funding is available.

18           Timber Wolf Alliance asks that the U.S. Fish & Wildlife  
19 Service have an adequate plan in place to ensure protection  
20 of wolf populations in case of drastic reduction in the  
21 numbers due to disease or other unknown maladies that could  
22 be detrimental to wolves. It makes little sense to get our  
23 wolf populations to this present place only to be devastated  
24 because of unexpected circumstances. The last thing anyone  
25 wants is to replace wolves on the endangered species list.

1           As wolf populations continue to prosper, Timber Wolf  
2 Alliance, along with wolf biologists, are proposing that a  
3 National Large Carnivore Conservation Act be created.  
4 Similar to the Migratory Bird Act, the National Large --  
5 excuse me, Carnivore Conservation Act would insure population  
6 support of large carnivore across boundaries, whether the  
7 boundaries are state or national. By creating a National  
8 Large Carnivore Conservation Act we continue to keep our  
9 lands rich with all native species, including the wolf.

10           On behalf of Timber Wolf Alliance, thank you once again  
11 for allowing us the opportunity to guide this process.

12           MR. HUDGINS: Thank you. And would you like to  
13 submit that comment to either of us, a written record?

14           MS. McLEER: I have a longer one on the way.

15           MR. HUDGINS: Very good. Thank you.

16           That's number eight. Can we move on to number nine,  
17 please?

18           And again, a name, spell it please, organization and  
19 state.

20

21           MR. DINSMORE: Sure. Jason Dinsmore, J-a-s-o-n  
22 D-i-n-s-m-o-r-e. And I am a resource policy specialist for  
23 the Michigan United Conservation Clubs, MUCC.

24           All right. Well, what I brought for you today was a  
25 brief introduction into MUCC, what we do, what we've done in

1 the past and what our position is on the wolf and wolf  
2 management.

3         What you find behind you there, talked to Ron earlier,  
4 is a packet I have assembled for you. What's in that packet  
5 is a wolf resolution that was passed at this year's  
6 convention, took place a couple months ago, and it was our  
7 67th annual convention. And at that we passed a resolution  
8 that was calling for the delisting of the wolf from the  
9 Eastern DPS which is outlined in the presentation before.  
10 And also, eventually, once the gray wolf population has been  
11 established, which we think it has been, delisting is to take  
12 place; also, state-wide delisting. It is still listed in the  
13 State of Michigan, as well. And eventually, if a huntable  
14 population does exist, to look at that, once we cross that  
15 bridge, I suppose. We are by no means there right now, but  
16 eventually that is the direction that we would like to take.

17         We've kind of come full circle at MUCC with our -- with  
18 our policies. We've been around since 1937, and through our  
19 mission we've gone from, in the '30s, looking at more of a  
20 depredation, taking wolves out of the -- out of their  
21 habitat, a bounty system; including coyotes, wolves and other  
22 predators.

23         Through the '50s and '60s we've used a lot more  
24 protection. There's definitely a lot more governmental  
25 movement from MUCC, and now we're coming into an era that we

1 are seeing a lot more resistance from both agricultural and  
2 sportsmen and women's interests and we're seeing our policies  
3 swing more towards the control methods again. It's not a  
4 direction I want to see us go, but it's something that, you  
5 know, we have seen as a definite trend, and in areas that  
6 have high populations of species that tend to conflict with  
7 sportsmen and women and other interests that do use  
8 resource.

9       We represent about 100 -- oh, between 80 and 100,000  
10 sportsmen and women -- sportsmen and women in Michigan, we  
11 take to the field quite regularly. And we would like to  
12 instill upon them a love of the resource. And I hope they do  
13 have that. And we are seeing a shift in their perception of  
14 the wolves. Because of increased conflict in certain areas,  
15 both agriculturally and -- and with the resource, as far as  
16 sportsmen and women go, we are seeing a shift in their  
17 perception of the wolf. It's going from -- in terms of part  
18 of the resource to one as more of a pest, and I don't want to  
19 see that happen, we don't want to see that happen.

20       We do believe that the state is ready for state-wide  
21 management of the species, and we'd like to see it happen.

22       I have an esteemed colleague here, who will speak to you  
23 later on from the National Wildlife Federation, and we've  
24 worked hand-in-hand in a lot of our policies. And she'll  
25 talk to you more about what her policy is, but what I'm

1 speaking to you on tonight is purely the Great Lakes. All of  
2 our members exist within either Michigan or in our  
3 surrounding states, and we would like to see that move  
4 forward in the delisting process.

5 We do have concerns, however, of the Eastern distinct  
6 population and the fact that it is quite broad. And our  
7 concern is the fact that outside of this -- outside of the  
8 Great Lakes that there isn't a population there; our concern  
9 is that it opens it up to lawsuits and to injunctions that  
10 would prevent the State of Michigan from federally delisting  
11 the wolves as an affected species.

12 We would like to see, going back to a Northeastern  
13 Distinct Population status, rather than an entirely Eastern  
14 managing unit. I believe that is more biologically sound.  
15 I've heard it mentioned before here tonight, regarding some  
16 of the Eastern units not having the populations where they  
17 need to be -- to delist at this time. We definitely have  
18 that in Michigan, we definitely have that in Minnesota, and  
19 you mentioned before, in Wisconsin. And we would just like  
20 to see that happen, I suppose.

21 We will be submitting formal comments. Like I said,  
22 this is kind of off the cuff here tonight, just talking about  
23 our history and where our policy is coming from and is going,  
24 I suppose. We will be submitting more formal comments on --  
25 before the November 18th deadline, hopefully well before. I

1 hope to be in the woods that day.

2 But I guess I can open up to any questions you have of  
3 me or of my organization. I'm sure we have -- Ron and I have  
4 met, I hope to get a dialogue between MUCC and the federal  
5 government agencies, but I guess at this time that's all I  
6 have to say.

7 MR. HUDGINS: I guess what I'd like to say, again,  
8 this is for us to receive your input, and certainly after the  
9 formal portion of this, if we take a break here and go off  
10 the record, it would be certainly an opportunity for you to  
11 interact with these folks. But let's go ahead and proceed,  
12 then.

13 MR. DINSMORE: Thank you.

14 MR. HUDGINS: Thank you, Jason.

15 We are now up to number 10, I believe. Thank you all  
16 for being so cooperative in passing that microphone around  
17 for us.

18

19 MR. HARRINGTON: Hello, I'm Richard Harrington,  
20 R-i-c-h-a-r-d H-a-r-r-i-n-g-t-o-n. I'm from Ingham County,  
21 Michigan.

22 I stand to oppose the delisting of the gray wolf, as  
23 presented. I approve of the comments of a couple people to  
24 say that the distinct population has not been established in  
25 the Eastern area. The Fish & Wildlife people have come here

1 today without a map of Michigan, and here we are in  
2 Michigan. They claim that the wolves are spread out over all  
3 of Michigan and yet the Wisconsin map, which is contiguous  
4 with the main population of wolves in Minnesota, shows that  
5 the -- the wolf is not contiguous over that state. I doubt  
6 that they are contiguous over the entire U.P., but I'd like  
7 to see the map of it. It hasn't been provided.

8       It seems to me that the Fish & Wildlife Department has  
9 not adequately provided two distinct populations of wolves,  
10 and as such, that it failed to meet their requirements of  
11 delisting.

12       My second point is one of the -- the deer is also a wild  
13 animal; it's like a wolf, it's meant to be out in the -- in  
14 the woods and in the fields, and we're not meant to see it  
15 very often, but we see it browsing through the gardens and  
16 dropping lime-infected ticks in our pathways and in our lawns  
17 and among our places where your children and ourselves  
18 recreation -- or, recreation. And the fact that the wolf  
19 would be a helpful animal to reduce these populations of  
20 tick-infected deer would be very helpful for-- for the lower  
21 part of the Michigan and maybe every state in the Northeast.

22               MR. HUDGINS: Thank you, Richard.

23               Do we have a person with card number 11, please?

24

25               MS. YEE-LITZENBERG: Hello, my name is Lisa

1 Yee-Litzenberg. You'll have fun with that one. L-i-s-a,  
2 last name Y-e-e, hyphen, Litzenberg, L-i-t-z-e-n-b-e-r-g, and  
3 I'm here to represent the National Wildlife Federation, and I  
4 am a resident of Michigan.

5 Hello, my name is Lisa Yee-Litzenberg. I am the Great  
6 Lakes wolf project manager for the National Wildlife  
7 Federation, and I will be providing comments on behalf of the  
8 National Wildlife Federation.

9 By the way, I do have copies of this statement printed,  
10 so, if that helps you, I see you typing away furiously.

11 The National Wildlife Federation has long played a role  
12 in wolf restoration efforts nationwide, both in helping to  
13 tailor common sense management plans to secure wolf recovery  
14 and in educating the public concerning facts and myths  
15 surrounding the animals. In keeping with National Wildlife  
16 Federation's past and present involvement in wolf  
17 conservation and recovery, and on behalf of NWF's four  
18 million members and supporters nationwide, including in all  
19 of the 21 states in the Eastern Distinct Population Segment,  
20 I will give oral comments for National Wildlife Federation,  
21 but please note we will be submitting more detailed written  
22 comments by the November 18th deadline.

23 The gray wolf is truly a success story for the  
24 Endangered Species Act in the three Great Lakes States of  
25 Michigan, Wisconsin and Minnesota. Often under great

1 political pressure, the U.S. Fish & Wildlife Service, the  
2 three state agencies and the tribes have stayed the course  
3 for wolf recovery and have nurtured wolves back to health in  
4 the Great Lakes region. In 2000, in the year 2000, the  
5 Fish & Wildlife Service proposed a rule that would have  
6 established a Western Great Lakes Wolf Distinct Population  
7 Segment, a Northeastern Gray Wolf Distinct Population  
8 Segment, a Western Gray Wolf Distinct Population Segment, and  
9 a Southwestern Distinct Population Segment. The National  
10 Wildlife Federation, along with a majority of the  
11 conservation community, thousands of public commenters, and  
12 the peer reviewers themselves were all in support of the  
13 proposed rule in 2000.

14 In the final rule of 2003, however, the Fish & Wildlife  
15 Service abandoned its proposal for the Northeast Distinct  
16 Population Segment, yet the Fish & Wildlife Service did not  
17 retreat from any of its statements concerning the  
18 significance of the Northeast region. Instead, the Fish &  
19 Wildlife Service abandoned further wolf recovery efforts in  
20 the Northeast on the grounds that the area in the western  
21 Great Lakes States where wolf currently exists represents the  
22 entire range of the species within the Eastern Distinct  
23 Population Segment. This justification lacks scientific  
24 support, the Northeast currently shares a separate wolf  
25 population with southeastern Canada. The Fish & Wildlife

1 Service has an obligation under the Endangered Species Act to  
2 promote recovery of this population, a population that is  
3 integral to the overall health of the gray wolf in the lower  
4 48 states.

5 This proposed delisting rule will remove protection for  
6 wolves far beyond the states where wolf recovery has actually  
7 taken place. It is unfortunate, for if the Fish & Wildlife  
8 Service had finalized the 2000 proposed rule, the Great Lakes  
9 population of wolves in all likelihood would be on its way to  
10 be delisted. As a result of the Fish & Wildlife Service  
11 changing its original proposal so that Western Great Lakes  
12 and Northeast Wolf Distinct Population Segments were now  
13 combined into one Eastern Distinct Population Segment, the  
14 Great Lakes population will be unnecessarily swept into  
15 litigation concerning the Fish & Wildlife Service's failure  
16 to pursue recovery outside of the Great Lakes.

17 There are already two lawsuits pending that challenge  
18 the legality of the Eastern Distinct Population Segment, as  
19 established in the 2003 reclassification rule. NWF  
20 recommends that the Fish & Wildlife Service work to resolve  
21 the legitimate concerns raised in those lawsuits, rather than  
22 pressing forward with delisting based on unsound science.

23 Under the Endangered Species Act a species remains  
24 threatened so long as it is at risk in a significant portion  
25 of its range. The wolf remains extirpated in roughly 95

1 percent of its range, and yet the Fish & Wildlife Service has  
2 never addressed whether this is a significant portion. Until  
3 it prepares a national wolf recovery plan addressing what is  
4 the significant portion of the range that must be restored,  
5 the Fish & Wildlife Service cannot legitimately conclude that  
6 the Northeast is not needed to achieve recovery and  
7 delisting.

8         The Fish & Wildlife Service itself acknowledged in its  
9 proposed rulemaking that this -- that the historic range of  
10 the wolf would have, quote, extensive and significant gaps,  
11 closed quote, without wolf recovery in the Northeast; that a  
12 Northeast population is, quote, significant and will  
13 contribute to the overall restoration of the species, closed  
14 quote; and that the wolf that historically occupied the  
15 northeastern United States and adjacent Canada is likely a  
16 separate form of the gray wolf. It is the consensus view of  
17 scientific peer reviewers that establishing a separate  
18 Northeast Distinct Population Segment would be an important  
19 step toward gray wolf recovery. All of this strongly  
20 suggests that the gray wolf will remain at risk in a  
21 significant portion of its range so long as the Northeast  
22 wolf restoration remains incomplete.

23         The Fish & Wildlife Service's approach is inconsistent  
24 with the letter and spirit of the Endangered Species Act.  
25 The mere fact that the Fish & Wildlife Service may have

1 demonstrated the survivability of a gray wolf population in  
2 three states in the Great Lakes does not relieve it from  
3 responsibility to analyze the significance of the Northeast  
4 region to overall grey wolf recovery. The Fish & Wildlife  
5 Service has a duty to address the endangerment of a species  
6 throughout major geographical areas of its historical range,  
7 even where those areas are no longer occupied with viable  
8 populations. It also has a duty to consider all relevant  
9 listing and delisting factors, such as the vulnerability of a  
10 species to disease outbreaks when there is an insufficient  
11 distribution of population.

12 Finally, the Fish & Wildlife Service has a duty to apply  
13 its Vertebrate Population Policy in a fair and consistent  
14 fashion. This policy calls for establishment of Distinct  
15 Population Segments only for a discrete population. By  
16 lumping Western Great Lakes wolves and Northeastern wolves  
17 together in a single Eastern Distinct Population Segment, the  
18 Fish & Wildlife Service failed to satisfy the requirement  
19 that a discrete population be the subject of a Distinct  
20 Population Segment.

21 The Fish & Wildlife Service's decision to create an  
22 Eastern Distinct Population Segment was done for the wrong  
23 reasons. Rather than promoting conservation, the Fish &  
24 Wildlife Service has taken this step for the clear purpose of  
25 terminating recovery efforts in the Northeast. The Fish &

1 Wildlife Service's own vertebrate population policy makes  
2 clear that the Distinct Population Segment tool is designed  
3 to prevent the need for listing an entire species when some  
4 populations are healthy, but it is improper to use it to  
5 avoid recovery efforts in important habitat areas where  
6 populations are not yet viable.

7         The Fish & Wildlife Service has an historic opportunity  
8 to build upon its success in the Western Great Lakes by  
9 moving forward with the restoration of the wolf in the  
10 Northeastern U.S., and we hope to be able to work with the  
11 agency on this important endeavor.

12         Thank you for the opportunity to testify today.

13         I have copies, if other folks are interested, I brought  
14 maybe 50 copies of these statements.

15                 MR. HUDGINS: Thank you, Lisa.

16         We'll move on now to number 12, please. And a reminder;  
17 this is, I think, the last person that I know that has a  
18 card. If you would like to make a statement, we will accept  
19 other comments.

20

21                 MR. ANDERSON: Good evening. Thanks for the  
22 opportunity to provide comments to the U.S. Fish & Wildlife  
23 Service. My name is Rob Anderson, R-o-b A-n-d-e-r-s-o-n, I'm  
24 with the Michigan Farm Bureau, and I reside in Michigan.

25         The Michigan Farm Bureau supports the delisting of gray

1 wolves throughout the United States, including the Eastern  
2 Distinct Population Segment. The eastern wolf has met all  
3 the criteria set forth in the federally approved recovery  
4 plan for delisting.

5 Under the Endangered Species Act, a species is  
6 considered to be recovered when it meets the goals of a  
7 federally approved recovery plan. Wolf numbers are far in  
8 excess of minimum number of wolves that need to be considered  
9 recovered. Wolf populations in all three states continue to  
10 increase, and they have exceeded the recovery goal for over  
11 five years. Wolves have also met the recovery plan  
12 requirements that they be distributed over a certain  
13 geographic area.

14 Delisting of the eastern gray wolf is just how the  
15 Endangered Species Act is supposed to work. According to the  
16 laws, scientists set the requirements for a species being  
17 considered recovered, and once those requirements have been  
18 met the Endangered Species Act says they should be removed  
19 from the list. With the wolves having met all the recovery  
20 requirements, it's appropriate that they be taken off that  
21 list. There are adequate measures in place to ensure that  
22 the wolves will not need protection of the Endangered Species  
23 Act in the future. All three states have enacted management  
24 plans that have been approved by the Fish & Wildlife Service  
25 to assume management of the wolves within the state, and the

1 management plans will become effective when the wolves are  
2 delisted. And all the plans contain provisions to protect  
3 wolves if their numbers go below a certain level.

4 When species have reached the level where they no longer  
5 require the Endangered Species Act protection, they should be  
6 taken off the list in order to free up resources that can be  
7 allocated toward other areas that are in greater need.

8 The Michigan Farm Bureau will be following up with  
9 greater comment, but I appreciate the opportunity to make  
10 those comments tonight and a chance to be here. Thank you  
11 very much.

12 MR. HUDGINS: Thank you, Rob.

13 Is there a number 13 in the group?

14 Yes, sir. If you would use a microphone, please, just  
15 to help our recorder.

16 MR. VEENSTRA: Hello. My name is John Veenstra,  
17 that's J-o-h-n, Veenstra, V-e-e-n-s-t-r-a. I live in  
18 Haslett, Ingham County, Michigan.

19 I oppose the delisting proposal. First of all, I think  
20 it is desirable that we have wolves in Michigan and have a  
21 healthy population of wolves, so that they control deer, just  
22 have a balanced ecological system, and all the other reasons  
23 that we all know about.

24 I think the statement that the -- that the Fish &  
25 Wildlife Service makes that the Eastern Distinct Population

1 is all one population is, in effect, really silly, without  
2 being offensive.

3 I mean, the wolf is a magnificent animal and covers a  
4 considerable range, but to say that the wolves from Dakota to  
5 Maine are all one population is -- is really so far from the  
6 fact, that it's just downright silly. Certainly, there are  
7 really about three populations that we should be looking at;  
8 Minnesota, and then Wisconsin, the upper peninsula of  
9 Michigan, and then New York and New England.

10 In Minnesota, obviously, at about 2500 wolves, the wolf  
11 really has recovered and looking at delisting in that area is  
12 appropriate. The problem is that the Minnesota state plan is  
13 a little too hostile to the wolf, gives insufficient  
14 protection. If the Minnesota plan were improved, made a  
15 little more reasonable, then the delisting of the wolf in  
16 Minnesota would certainly be appropriate to proceed.

17 In Michigan, Wisconsin, you know, a population of 200 is  
18 just, you know, it's no longer endangered so it's appropriate  
19 that it's threatened, but it's far from full recovery, and we  
20 should be seeking to have populations of at least twice the  
21 current Michigan numbers before we proceed with the  
22 delisting. In Michigan, we've really just begun to recover;  
23 it's proceeding nicely, but the wolves still need some  
24 protection in Michigan.

25 And, obviously, by the Fish & Wildlife Service's own

1 numbers, the restoration of the wolf in upstate New York and  
2 in the New England states has really not -- it's either not  
3 begun or it's only very slightly begun, so there's a lot more  
4 to do.

5 I'm not naive about wolves, I think part of restoring  
6 healthy populations of the wolves is to deliberately make the  
7 wolves afraid of man, because I don't want wolves preying on  
8 children, et cetera. So I think it would be a good thing to  
9 do, to go out and shoot at a few wolves, maybe hit them with  
10 bean bags or tasar guns, something to cause a little pain so  
11 that wolves want to go the other way when they see man. And  
12 the same thing applies, even more so, to coyotes and cougars,  
13 which have been known to kill people.

14 But I do oppose this delisting proposal, as it is  
15 presented. It's simply premature. A good beginning has been  
16 made in Minnesota. We need some further effort in Wisconsin  
17 and Michigan, and, obviously, we have a long way to go in New  
18 York and New England, and we should not be delisting across  
19 the whole region until we've made a very good start in New  
20 York and New England.

21 So, again, I oppose this delisting proposal. Thank  
22 you.

23 MR. HUDGINS: Thank you, John.

24 That was number 13. Do we have a number 14 in the  
25 group? Is there anyone else with a card, 14 or above? Is

1 there anyone else in the auditorium, then, that would go  
2 ahead and like to take the opportunity to make a comment?  
3 Mike?

4 MR. DeCAPITA: (Shaking head.)

5 MR. HUDGINS: He's just holding the -- if there's  
6 no one else who would like to make a comment at this time, we  
7 will be here until nine o'clock. What I would like to do  
8 while we're at this time, since all of the speakers have  
9 given their comments, we will be here until nine o'clock, the  
10 published closing time, in case additional people come in or  
11 wish to comment; however, as it appears now, there is no one  
12 who wishes to comment, so we will temporarily recess the  
13 hearing and go off the record until someone indicates they  
14 wish to comment or until we near nine o'clock.

15 So we are now off the record until someone wishes to  
16 make further comment.

17 Thank you all for your behavior, it's been wonderful.  
18 Thank you for your comments.

19 (Whereupon, short break was taken.)

20 MR. HUDGINS: Hey, folks, just to let you know, we  
21 are about one minute away from the official time to close  
22 this session, so if anyone else has a comment for the  
23 official record, we are back on the record, and I would  
24 encourage you, if you wish, to make a comment now; otherwise,  
25 we will watch the clock.

1           Is there anyone else in the room that would like to make  
2 a comment for the official record? I see no one wishing to  
3 do so. The clock appears to say nine o'clock; it does say  
4 nine o'clock, and we will now close this public hearing.

5           On behalf of the Fish & Wildlife Service, thank you,  
6 all.

7           The hearing is now closed, and we are off the record.

8                       (Whereupon, Hearing concluded at 9:00 p.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF MICHIGAN)  
 )SS  
2 COUNTY OF INGHAM )

3 CERTIFICATE OF NOTARY PUBLIC

4 I certify that this transcript is a complete,  
5 true and correct record of the testimony given by the  
6 Witnesses in the above-entitled matter.

7 I also certify that I am not a relative or  
8 employee of an attorney for a party; or financially  
9 interested in the action.

10

11 Dated: October 6, 2004

12

13

14 \_\_\_\_\_  
Ursula Wegert, CSR-4553  
2133 University Park Drive  
15 Okemos, Michigan 48864  
Notary Public, Saginaw County, Michigan

16

My Commission Expires: 12-08-2007

17

18

19

20

21

22

23

24

25

