



COUNTY OF SISKIYOU

Board of Supervisors

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Mr. Jim Kellogg
President
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Petition to List Gray Wolf under the California Endangered Species Act

Dear Mr. Kellogg:

We have reviewed the February 27, 2012, petition (Petition) submitted by Brett Hartl and Noah Greenwald to list the gray wolf as an endangered species under the California Endangered Species Act (CESA). Based upon the material presented in the petition, there is not sufficient information to indicate that the petitioned action may be warranted, and the Petition should therefore be rejected.

California Fish and Game Code section 2062 defines an "endangered species" as a native species "which is in serious danger of becoming extinct throughout all, or a significant portion, of its range...." As acknowledged in the Petition, any native gray wolves that may have existed were extirpated from California in the 1920s and have been extinct in California for more than 80 years. The native gray wolf is not "in serious danger of becoming extinct" in what may have once been its California range. If some subspecies of the gray wolf did exist in California in any significant number, it has long been extinct, and that fact is not altered by the wanderings of a lone Oregon wolf (OR7), particularly one that is the progeny of Canadian wolves that were introduced in the Rocky Mountains.

As noted in the Department of Fish and Game's (DFG) August 1, 2012, evaluation of the Petition, the most "biologically critical factor" in evaluating the Petition is population size, which DFG acknowledges to be "one" based on the current presence of OR7. If the Petition is granted based on the presence of one non-native wolf, what are the ramifications for DFG's analysis when:

- OR7 decamps from California?
- The radio-collar battery dies, as early as 2013?
- There is an ultimate failure to self-propagate?
- OR7 meets some other demise?

DFG correctly notes many errors, misstatements, and inaccuracies in the Petition, including the overlooking of various California laws that already afford protection to any types of wolves that may be present in the state. In addition, any gray wolves in California already fall under the

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protections of the federal Endangered Species Act. Given the lack of any reproducing gray wolf population in California, the Commission should carefully weigh the wolf protections that already exist against the potential regulatory costs and burdens of designating a new candidate species, especially one based on questionable scientific and legal bases.

The Commission should also consider the benefits of allowing the U.S. Fish and Wildlife Service to take the lead in wolf management. Unlike the federal Endangered Species Act, California law does not provide adequate mechanisms to address either reintroduction of an extinct species or the establishment of populations of non-native species. Unless and until the Legislature establishes a deliberate framework to address these situations, the Commission should defer to the U.S. Fish and Wildlife Service and the more flexible authorities afforded by federal law. These authorities include designation of experimental populations and the establishment of special "4(d)" rules, such as the rule for Minnesota that allows the trapping and killing of wolves that have preyed on domestic animals.

Apart from action on the pending Petition, the Commission should approach the entire issue of wolf introduction with great caution and skepticism. Introduction of a depredator into modern-day California presents entirely new management challenges compared to previous wolf introductions in the interior Western states. A comparison of population densities alone should present a sobering warning.

<u>Rank</u>	<u>State</u>	<u>Population Density</u>
11	California	241.70 inhabitants per square mile
44	Idaho	19.15 inhabitants per square mile
45	New Mexico	17.16 inhabitants per square mile
46	South Dakota	10.86 inhabitants per square mile
47	North Dakota	9.91 inhabitants per square mile
48	Montana	6.85 inhabitants per square mile
49	Wyoming	5.85 inhabitants per square mile
50	Alaska	1.26 inhabitants per square mile

It may be tempting to dismiss this comparison of population density by picturing the San Francisco Bay Area or Los Angeles/Orange County and then likening the populations in rural California to those in Montana or Wyoming. However, in a state such as Wyoming, more than half of the population lives in 13 cities, meaning the wolf habitat of the Rocky Mountains is far less populated than a statewide average indicates.

The movement to encourage wolf introduction in more and more populated areas is a recipe for an explosion of the type of wolf incidents that have been occurring in Idaho, Colorado, Montana, and other states over the past decade. For example, DFG's analysis of the Petition notes that mule deer would be the most likely prey species for wolves in California, but then acknowledges that California's deer populations are near their lowest numbers since the early 1900s. The consequence is that livestock will be the most abundant and "natural" source of prey. As stated by DFG on page 8 of the Petition evaluation, "In areas where wolves and livestock coexist, wolves kill livestock, including sheep, cattle, goats, horses, and llamas."

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We would like to express our agreement with Director Bonham's statement in his August 1 memorandum to the Commission that "advance planning" for the management of the wolf is the best course moving forward for both the species and the people of California. It is important to recognize, however, that such planning does not necessitate listing under the California Endangered Species Act and the complications and limitations that listing entails. Instead, there should be a review of the existing Fish and Game Code provisions related to depredators to consider their applicability and effectiveness in addressing wolf-human and wolf-livestock interactions in the event additional wolves migrate into California from Oregon or Idaho.

Sincerely,



Grace Bennett
Chair, Board of Supervisors

cc Karen Ross, Secretary, California Department of Food and Agriculture
Charlton H. Bonham, Director, Department of Fish and Game
Dr. Eric Loft, Wildlife Branch Department of Fish and Game
Mike McGowan, President, California State Association of Counties
Greg Norton, President & CEO, Regional Council of Rural Counties