

The Outdoorsman

Bulletin Number 28

May 2008

FWS Biologist Says Wolf Numbers Underestimated Mech Says 3,000 Wolves Exist in ID, MT & WY

by George Dovel

In a widely circulated article titled, “What They Didn’t Tell You About Wolf Recovery,” in the Jan-Mar 2008 Outdoorsman, I documented the fact that Fish and Wildlife Service and state wolf biologists are knowingly underestimating wolf numbers in Idaho, Montana and Wyoming. The article explained that only individual radio-collared wolves, and packs including at least one wolf that has been radio-collared (or otherwise documented as having survived in the wild) are considered in minimum wolf population estimates published by FWS and state agency biologists.

I reported that the FWS policy of ignoring most other wolves was first announced by Wolf Project Leader Ed Bangs in an Aug. 12, 1994 letter to FWS official Charles Lobdell. I also published Idaho F&G Biologists’ February 2008 written admission that the so-called 2007 “minimum estimates” did not include seven “suspected” packs and many known wolves in smaller groups that were not wearing radio collars.

Wolf Activists Dispute, but Fail to Refute, Facts

On April 18, 2008, part of that article was published on a popular wolf activist blog operated by Idaho State University Political Science Professor Emeritus Ralph Maughan “because it is a good example of what the more sophisticated of the anti-wolf restoration people read.” Maughan also wrote, “It is full of incorrect facts, bad assumptions and rests on conspiracy theory” but added, “I don’t want to take the time to go through it and point out all the errors.”

None of Maughan’s readers accepted his invitation to point out the alleged errors either and one volunteered that the statistics were correct but said he disagreed with the conclusions. Stanley wolf activist Lynne Stone and another respondent resorted to name-calling but failed to refute – or even challenge – any specific fact published in the article.

Wolf Recovery Based on Deception

If Maughan and his blog participants had been exposed to the entire article, those with the ability to think

and reason might have realized that the article illustrated two things: 1) that FWS wolf recovery in the Northern Rocky Mountains (NRM) has involved deception from day one using misinformation, half truths and deliberate lies to sell the program to Congress and the American public; and 2) since August of 1994, that deception has included deliberately underestimating the total number of wolves in the three states with disastrous consequences.

Human Harvest Does Not Halt Wolf Increases

On page 8 of the Jan-March 2008 article, I reported the Alaska study in Denali National Park where biologists found they had been underestimating total wolf numbers by 50% by documenting primarily packs of wolves instead of also documenting dispersing and transient wolves. Yet Idaho biologists continue to ignore the Alaska research and pretend that pups, yearlings and older wolves that emigrate from packs suddenly disappear from the face of the earth just because they are not wearing a radio-tracking collar.

A six-year study of the impact of hunting and trapping on wolf populations in Alaska’s Central Brooks Range by Layne Adams and four other scientists concluded that liberal harvest by hunters and trappers of **29%** or less of a wolf population has no impact (yes I said **NO** impact) on wolf population increases. If you doubt that, I suggest you read more about this study, published in the May 2008 issue of Wildlife Monographs, later in this article.

Simple Math: 1,600 Minus 428 = 1,172

The 29% mortality from hunters and trappers did not include mortality from all other causes yet on May 22, 2008 the Idaho F&G Commission set a new combined death loss goal of 428 wolves “from natural causes, accidents, wolf predation control actions and hunter kills,” and said that will result in its new goal of **about 518** wolves on Dec. 31, 2008. Sources including Dr. David Mech, indicate there are ~1,600 wolves in Idaho now, counting this year’s pups, so 428 wolves dying from all causes would result in ~1,172 wolves remaining in Idaho – twice the number claimed by the Commission.

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3,000 Wolves in ID, MT, WY - *continued from page 1*

About 1,172 *actual* wolves – not paper wolves – would represent the *minimum* number of wolves in Idaho this coming winter and this should trigger loud alarms in the minds of those who are responsible for perpetuating Idaho's wildlife resource. That is nearly 12 times the number of wolves the public was told would exist in a recovered wolf population and **eight times** the minimum number agreed to by all parties in the only Idaho Wolf Plan approved by both the Idaho Legislature and the FWS!

Will Wolf Activists Believe Their Idol?

If the wolf preservationists and the doubting Thomases refuse to believe these facts because they didn't appear in the major media, what source will they consider reliable? The obvious answer is Dr. L. David Mech, the undisputed wolf authority in North America and perhaps in the entire world.

Although Mech eventually refuted the "Balance-of-Nature" theory he and his mentor, Durward Allen, foisted off on the world during 1958-1962, he has generally remained silent while similarly inexperienced fledgling wolf biologists supply misinformation about wolf populations to the media. But the April 28, 2008 legal challenge to state wolf control by Defenders of Wildlife and eleven other preservationist groups in a Federal Court in Montana forced Mech to make public some of the facts he and other FWS wolf activists have known all along.

As part of the FWS May 9, 2008 Response to Plaintiffs' Motion for a Preliminary Injunction (to halt wolf management by the three states) Mech wrote the following in his 22-page "Declaration under penalty of perjury:"

"Every year, most wolf populations almost double in the spring through the birth of pups [Mech 1970]. For example in May 2008, there will not be 1,500 wolves, but 3,000! (Wolf population estimates are usually made in winter when animals are at their nadir*. This approach serves to provide conservative estimates and further insure that management remains conservative)."

(*lowest point)

"70% Kill Needed to Reduce Wolf Population"

Mech continued, "As indicated above, 28-50% of a wolf population must be killed by humans per year (on top of natural mortality) to even hold a wolf population stationary. Indeed, the agencies outside the NRM which are seeking to reduce wolf populations try to kill 70% per year (Fuller et al. 2003)." (emphasis added)

"Such extreme taking of the kind necessary to effectively reduce wolf populations is done via concerted and expensive government agency (Alaska, Yukon Territories for example) programs using helicopters and fixed wing aircraft. Normal regulated public harvest such as is contemplated in the NRM is usually unable to reduce wolf populations (Mech 2001)." (emphasis added)

In his Declaration, Mech also refuted the 1,500 NRM (three-state) minimum wolf estimate as follows:

"Starting with a base population of 1,545 wolves in late 2007 (Final Rule) and adding the average 24% annual increase shown from 1995 through 2006 yields 1,916 wolves expected to be present in fall 2008. (Here I should note that the estimate of 1,545 wolves is a minimum estimate, i.e. there were supposedly a minimum of 1,545 wolves. As wolf populations increase, it becomes increasingly harder to count them accurately and the minimal counts become increasingly lower than actual. Thus a better estimate of the actual population could be about **1,700**, and thus the 2008 estimate would be **2,108**.) Assuming the minimum figure and that ID actually takes 328 wolves which is its limit" (was its limit until May 22,).

In other words, Mech is saying that if the three states had a total of 1,700 wolves after hunting season last fall, they will have approximately 2,108 wolves after hunting season this fall regardless of the take by hunters (1,700 wolves multiplied by 1.24 [a 24% increase after all death losses] equals 2,108 wolves this fall). Multiplying the 2,108 wolves by another 1.24 would leave 2,614 remaining wolves at the end of 2009.

Viewed from just the Idaho perspective, the "minimum" wolf estimate reported in Idaho late in 2007 was 732 (47.4% of the 1,545 wolves in the three states). If we correct that 1,545 to 1,700 as Mech suggests, double it to 3,400 to equal the present population with pups as Mech suggests, and then multiply the 3,400 by 47.4% we calculate that Idaho presently has about 1,612 wolves.

Then if we subtract the 438 wolves that will die from all causes according to IDFG biologists, that would leave a total of 1,174 wolves in Idaho in December 2008. If you prefer using Mech's other formula, multiply the 1,700 by 47.4% and multiply the 806 wolves by 1.24 which projects a Dec, 31, 2008 population of 999 wolves.

In either scenario many of the single wolves and groups of 2-3 are still not included in Mech's calculation. In my rural county and throughout much of Idaho, outdoorsmen report encountering far more evidence of single wolves and small groups than they do of packs so the total number of actual wolves remains a mystery.

Hunter Take Replaces Most Natural Mortality

The Declarations filed with the court by other wolf biologists agreed with Mech's and the Alaska scientists' claim that regulated sport hunting and trapping will not impact wolf populations. On page 7 of NRM Wolf Project Leader Ed Bangs' Declaration, he wrote that human-caused mortality accounted for an annual average of 23% of the wolf population (agency kill-10%, illegal kill-10% and vehicle and other-3%) yet the wolves still multiplied at a rate of 24% per year despite additional mortality from natural causes.

Bangs added, "Studies indicate that human-caused mortality can compensate for as much as 70% of the natural mortality that might have occurred anyway (Fuller et al. 2003). Hunting would disproportionately remove the

boldest wolves in the most accessible open habitats, the very type of wolf in the typical location where most livestock depredations, agency control actions and illegal killing occurred when the NRM gray wolf was listed.

“Wolf populations can maintain themselves despite annual human-caused mortality rates of 30% to 50% (Brainerd et al. 2008; Fuller et al. 2003). Wolf populations below habitat carry-capacity can quickly expand, sometimes nearly doubling within one or two years, following sharp declines caused by temporarily high rates of human-caused mortality or other causes.”

Where wolves with adequate habitat are protected from intensive human harvest they ultimately saturate an area, forcing young or transient wolves seeking to form new packs to either leave the area or be killed. In Denali National Park, hunters, trappers and all other human causes account for only **3%** of annual wolf deaths (see Bulletin No. 26).

By comparison **60%** of the remaining wolf deaths are caused by other wolves and the average wolf pack lasts three or fewer years. When prey becomes scarce as it eventually does, starvation, disease and cannibalism further reduce wolf numbers emphasizing the “feast-or-famine” nature of so-called “natural management.”

FWS Knew Sport Harvest Can't Stop Wolf Increases

The six-year wolf harvest study in Alaska's Brooks Range that was published in Wildlife Monographs this month (see page 1) was actually conducted during 1986-1992. Wolf biologists Mech and Bangs knew then, before any wolves were transplanted into the NRM, that hunting and trapping, even with liberal seasons and bag limits, does not stop continued annual increases in the wolf population.

From this and similar research in several countries, they also realized that sport hunting and trapping creates healthier wolf populations by removing surplus wolves that would otherwise be killed by other wolves or die from starvation or disease. So FWS dangled the carrot of allowing states to “control” wolf populations by making wolves a big game animal to get two of the three states to accept a series of changes to the original delisting criteria.

While the Governors of Idaho and Montana went along with the mythical claim that wolf numbers could be significantly reduced once states were allowed to manage their wolves as “Big Game,” Wyoming's Governor and Legislators insisted that wolves be classified as predators outside of federal wilderness areas and parks. In Idaho, the Governor's Office of Species Conservation and the F&G Commission refused to use the alternate “Special Predator” classification approved by FWS in the Idaho Wolf Plan.

Bangs Defends Wyoming Predator Classification

In Bangs' May 9, 2008 Declaration to the Court he wrote, “Montana will manage to maintain current wolf numbers about **400** wolves. Idaho will manage for **500-700** wolves. Wyoming will maintain at least 7 breeding pairs [roughly between **70-98** wolves] in addition to those

in National Parks in northwestern Wyoming, currently numbering 171 wolves in 10 breeding pairs.”

Bangs pointed out that Wyoming also agreed to maintain at least 150 wolves regardless of how many are in YNP but said, “The Trophy Game Area of northwestern Wyoming--is only 12% of the State but contains--all 25 wolf breeding pairs that were in Wyoming in 2007.” Then he justified the fact that wolves are treated just like unprotected coyotes in the remaining 88% of the State.

“In western Wyoming upon delisting there were at least 28 wolves in 8 packs, none of which were classified as a breeding pair, that had all or part of their home range in the predatory animal area. Between delisting and May 7, 2008 16 wolves have been killed in that area. Four were killed by agency control, one was shot as it attacked livestock [which would have been permitted under the previous federal regulations], two were shot by private aerial hunters under pro-active livestock protection permits issued by the Wyoming Department of Agriculture, and nine were shot by private hunters.

“In Wyoming's predatory animal area removal of all wolves would not affect the number or overall distribution of breeding pairs or impact recovery in the NRM.”



In 88% of Wyoming, wolves are predators like coyotes and can be killed without regard for fair chase rules, seasons or bag limits.

(NOTE: The citizens of Idaho and Montana are now paying the price for supporting governors who allow agency heads and F&G Commissioners to place FWS and private wolf advocacy agendas above the interests and welfare of the citizens and their wildlife. The disparity between the 70-98 wolf minimum Wyoming agreed to maintain in only 12% of the State and the combined 900-1,100 *minimum estimate* Idaho and Montana agreed to maintain throughout their two states indicates their refusal to maintain healthy wolf/game populations. – ED)

Idaho Wildlife Services FY2007 Wolf Activity Report

By the Idaho USDA APHIS Wildlife Services Staff

(As reported in the Jan-Mar 2008 Outdoorsman, Mark Collinge is Idaho State Director of the U.S.D.A. Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS) headquartered in Boise, Idaho. WS specialists promptly investigate each report of livestock depredation and, where sufficient evidence still exists, determine what predator was responsible for the attack.

The agency's responsibility includes using lethal or non-lethal control of one or more of the predators when authorized to do so by IDFG, and capturing and radiocollaring non-depredating wolves to facilitate wolf monitoring and management. The WS Program files a Wolf Activity Report following the close of each fiscal year, including information and recommendations for change where indicated to reduce future livestock losses to wolves.

The following text and graphs are excerpted from that program's most recent 17-page Annual Report provided to IDFG covering FY 2007 wolf control and related activities. The information and recommendations from the professionals who are directly involved with Idaho wolves would appear to be of considerable value to the Idaho Fish and Game Commission in determining how to achieve management goals. - ED)

Introduction This report summarizes Idaho Wildlife Services' (WS) responses to reported gray wolf depredations and other wolf-related activities conducted during Fiscal Year (FY) 2007 pursuant to Permit No. TE-081376-12, issued by the U.S. Fish and Wildlife Service (FWS) June 16, 2006. This permit allows WS to implement control actions for wolves suspected to be involved in livestock depredations and to capture non-depredating wolves for collaring and re-collaring with radio transmitters as part of ongoing wolf monitoring and management efforts.

Investigations Summary: WS conducted 133 depredation investigations related to wolf complaints in FY2007 (as compared to 104 in 2006, an increase of almost 27%). Of those 133 investigations, 88 (~66%) involved confirmed depredations, 19 (~14%) involved probable depredations, 20 (~15%) were possible/unknown wolf depredations and 6 (~5%) of the complaints were due to causes other than wolves.

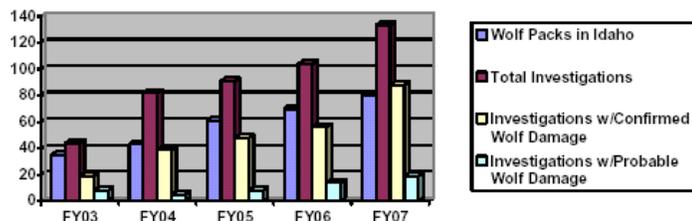


Figure 1. Number of wolf packs in Idaho compared to the number of wolf depredation investigations FY 03-07.

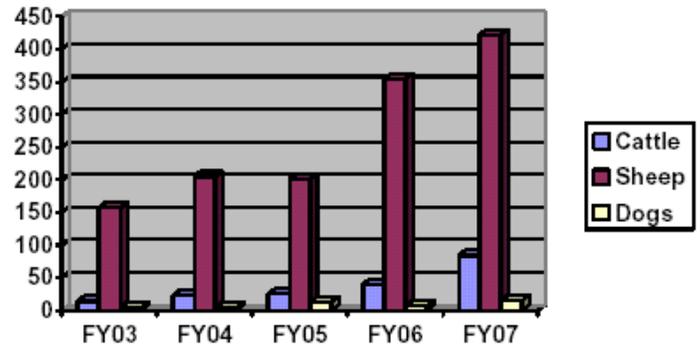


Figure 2. "Confirmed" and "Probable" wolf depredations on cattle, sheep and dogs, FY 03-07.

When wolves commit depredations on livestock, IDFG typically authorizes WS to initiate some form of incremental lethal control to help resolve the depredation activity. The results of wolf control actions initiated by Idaho WS in FY 2007 were as follows: 9 wolves were captured, collared and released on site (as compared to 11 in FY 2006 and 3 in FY 2005), 1 was re-collared and released on site, 1 newly collared (by IDFG) wolf was captured and released at a depredation site and 48 were killed during WS' control actions (as compared to 30 killed in FY 2006 and 20 killed in FY 2005).

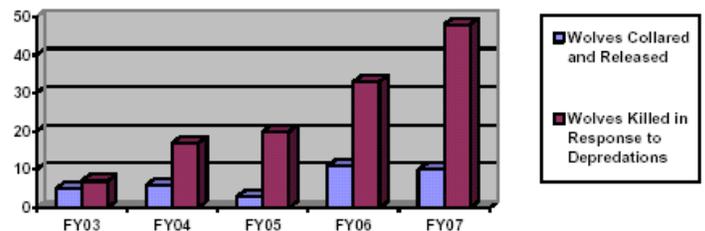


Figure 3. Results of Idaho Wildlife Services wolf control actions, FY 03-07

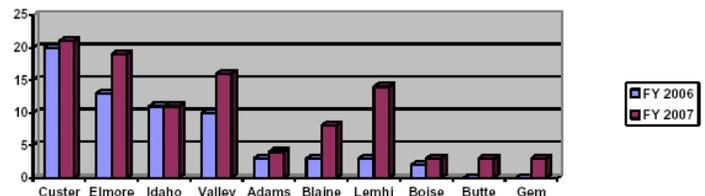


Figure 4. Counties with a minimum of 3 confirmed and/or probable wolf depredations in FY 2007 compared with the same data from FY 2006. (Counties not pictured but with verified wolf depredations in FY 2007 include: Bonneville-2, Boundary-1, Fremont-1 and Jefferson-1)

Conclusions/Recommendations: WS conducted 133 wolf-related investigations in Idaho during FY 2007, compared to 104 investigations during FY 2006 (~27% increase from FY 2006). WS spent approximately \$387,000 of appropriated and cooperative funds

responding to complaints of reported wolf predation, conducting control and management actions, (salary and benefits, vehicle usage, travel and supplies) and for other wolf-related costs (equipment and supply purchases, meeting attendance, etc). Of the 133 reported wolf depredation investigations conducted in FY 2007, 88 (~66%) involved confirmed wolf predation. [This] resulted in the lethal removal of 48 wolves (compared to 33 in FY 2006) and the radio collaring and release of 10 wolves.

The 107 depredation investigations that ID WS conducted that resulted in “Confirmed” or “Probable” wolf related damage rose about 53% (there were 70 in FY 2006). Confirmed and probable cattle losses more than doubled from FY 2006 levels. Verified (“Confirmed” & “Probable”) damage to sheep rose at about the same rate that the wolf population rose, about 20%.

The large increase in cattle depredations is primarily associated with 6 packs/groups of wolves in FY 2007. These packs/groups were responsible for almost 46% of all of the verified cattle losses in the State. Even though all of these packs, with the exception of the wolves associated with B-327, were subjected to incremental lethal removal during FY 2007, they continued to kill livestock.

WS recommends that if/when these packs/groups are involved in depredation activity again, the entire pack(s) be removed. The only pack slated for removal in FY 2007 was the Moores Flat pack and we suspect that at least 2 members remain in the pack.

Two more packs, Jungle Creek and Packer John, accounted for almost half of all the sheep that were verified killed and/or attacked by wolves in Idaho in FY 2007. WS confirmed that these two packs killed 83 sheep, injured 40 and probably killed another 84. All of this occurred in only three depredation incidents. WS was able to respond and lethally remove wolves after 2 of the depredations and no more depredations occurred. The depredation where WS did not do any removals took place as the sheep were being trailed out of the Payette National Forest and no control was carried out.

An area of unique concern arose in July when members of the Phantom Hill pack began killing sheep on grazing allotments in the Sawtooth National Forest near Ketchum. Even though one member of this pack had already been radio-collared by IDFG earlier in the year, WS was requested to radio-collar an additional animal. (Normal protocol would have called for incremental lethal removals to begin).

After WS radio-collared a second animal and the pack continued to kill sheep, IDFG was still reluctant to approve any lethal control. IDFG opted for a non-lethal approach because of concerns about the potential reactions from local wolf advocates if lethal control were to be exercised. In an effort to prevent more depredations, WS provided “less than lethal” ammunition training to the herders in the area and provided radio activated guard

boxes to the producers to help harass wolves from the sheep. WS also spent considerable time on the ground trying to keep the sheep and the wolves separate. Depredations continued in spite of these nonlethal efforts.

While WS recognizes the sensitive position IDFG found itself in, limiting control actions to a strictly non-lethal approach in a situation like this is inconsistent with the intent of the rules under which wolves were reintroduced, and essentially violates a critical promise that was made at the time of the reintroduction. The original (1994) 10j rule clearly stated that all chronic depredating wolves would be removed from the wild (either killed or placed in captivity), and while the current (2005) 10j rule appears not to contain this same explicit language, the 2005 rule was arguably meant to allow even greater latitude in exercising lethal control when wolves attack livestock.

Sheep owned by at least 4 different producers were exposed to the Phantom Hill pack’s depredation activity in FY 2007 and predation is expected to continue during the 2008 grazing season. WS recommends that if/when wolves from the Phantom Hill pack commit livestock depredations in the future, the intent of the original reintroduction rules and normal protocols should be followed, providing for lethal removals until the depredation activity has ceased.

While the McCall area still had several confirmed depredations on sheep by several packs in FY 2007, the severity of most of the depredations was not as extreme as in previous years. The Blue Bunch, Lick Creek, Carey Dome and Jungle Creek packs all caused depredation problems again in FY 2007. They were joined this year by the Hard Butte pack that began occupying area once occupied by the Hazard Lake pack before they were removed. Of the McCall area packs, only the Jungle Creek pack committed large “surplus killing” depredations during the year. Accordingly, 4 of their members were lethally removed. The responses to depredations seem to be working in this area, so WS is not recommending any change.

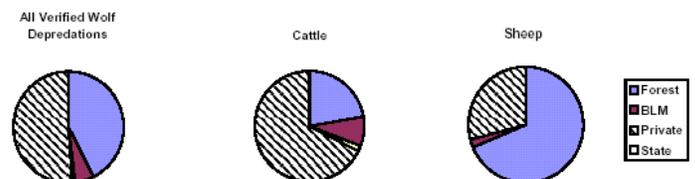


Figure 5. Land status where verified wolf depredation occurred in Idaho in FY 2007

A quick look at where wolf depredations take place reveals some interesting data. Just over half of the verified wolf depredations in FY 2007 took place on private land. More than 2/3 of all verified cattle depredations and just under 1/3 of all verified sheep depredations took place on private land. This data does not necessarily indicate that wolves kill cattle on private land at a higher rate than they

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FWS FY 2007 Wolf Report - *continued from page 5*

do on public property, but it may be indicative that remains of wolf-killed cattle are more difficult to detect on public land grazing allotments than on fenced private pastures. Many wolf-killed cattle on public lands grazing allotments are probably never discovered (Oakleaf 2002).

Of the estimated 83 wolf packs in Idaho in FY 2007, WS was able to verify that at least 36 of them were involved in livestock depredations. Thirteen of the packs; Carey Dome, Copper Basin, Galena, High Prairie, Jureano Mountain, Lemhi, Moores Flat, Morgan Creek, Moyer Basin, Phantom Hill, Steel Mountain, Sweet/Ola and the group associated with B-327, were involved in at least 3 depredations each and were responsible for almost 51% of the total cattle losses and 37% of the total sheep losses.

These 13 packs were involved in at least 65 livestock depredations (~61% of the all the verified wolf depredations in Idaho in FY 2007). WS lethally removed 32 wolves, almost 67% of the total take by WS, as a result of the depredations caused by these 13 packs. The data in Figure 6. may suggest that the proportion of Idaho's wolf packs implicated in "chronic" depredations is increasing as wolf packs expand out into marginal habitat, where they also come into more conflict with livestock.

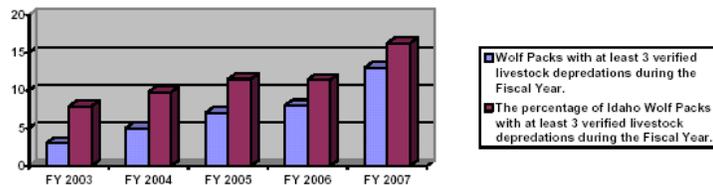


Figure 6. Number of verified "chronic" depredating wolf packs in Idaho from FY 03-07.

Figure 7. provides a comparison of the number of confirmed and probable livestock depredations by each of those predator species for which some form of damage compensation program exists in Idaho. To help put this information from 2007 in perspective, an estimated population of about 750 wolves in Idaho was responsible for 422 confirmed and probable sheep and lamb deaths and injuries, along with 84 cattle and calves, or about .67 head of livestock attacked per wolf on the landscape. An estimated mountain lion population of about 2,500 animals in Idaho was responsible for 220 confirmed and probable sheep and lamb deaths, or about .09 head of livestock per individual lion present. And an estimated black bear population of about 20,000 animals was confirmed to have killed 78 sheep and 2 cattle, or about .004 head of livestock per individual black bear present. In the examples cited above, individual wolves appear to have been more than 7 times as likely to attack livestock as compared to individual mountain lions, and about 167 times more likely than black bears to attack livestock. These comparisons may help provide insight into why some livestock owners harbor such strong feelings about predation by wolves.

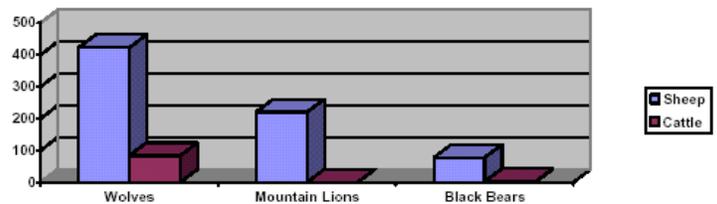


Figure 7. Numbers of confirmed and probable livestock depredations by wolves, black bears and mountain lions during FY 2007.

WS continues to strongly recommend that in those cases where our program's efforts are unsuccessful in resolving chronic wolf depredation problems within 45 days of the most recent depredation, particularly if an implicated wolf pack, or group of wolves, has a history of livestock depredations from more than one previous year, that additional flexibilities, such as expanding the "45-day rule", be allowed in dealing with these problems. As an example, attempts to remove depredating wolves during the summer grazing season are sometimes complicated by human recreational activity and the presence of livestock and/or nontarget wildlife species during trapping operations. If WS efforts to remove depredating wolves during the summer months are unsuccessful, and it may reasonably be expected that depredations will reoccur during the next grazing season, then WS would like to have the flexibility to reinitiate control efforts several months later, during the winter months when implicated wolves may be more vulnerable to removal. We believe 50 CFR 17.84(n)(4)(xi)(B) and (C) and (H) can be reasonably interpreted to allow this flexibility. Wolf removal under these circumstances would be conducted to avoid conflict with human activities, or to prevent wolves with abnormal behavioral characteristics (such as killing 20 or more sheep in a single incident) from passing on or teaching these traits to other wolves. This approach could benefit wolf recovery efforts by reducing the likelihood of future depredations from these packs, along with an expected reduction in both negative publicity and local animosity towards wolves in the affected areas.

Finally, with delisting of wolves hopefully near, and the IDFG poised to use sport harvest to control wolf numbers, many wolf advocacy groups have expressed concern about the State's wolf population being drastically reduced in short order. However, a review of the last 5 years of data on wolf take by WS indicates that of 125 wolves taken, only 20 (16%) were taken by shooting from the ground using conventional hunting methods, as compared to 43 (~35%) taken by trapping. Furthermore, half of the wolves taken by WS were taken by aerial hunting (62, ~50%). WS employs highly skilled and trained field personnel, and these employees have access to telemetry equipment as well as databases that track the most up-to-date wolf sightings. Yet despite these advantages (advantages that sportsmen will not have), only a small fraction of the wolves taken by WS are taken using

the conventional methods likely to be employed by sport hunters.

Hunting from the ground is not the most effective way to take wolves, and after the public is allowed to begin hunting wolves, it would seem likely that wolves will become even more difficult to hunt as they become more wary of humans. Winter harvest levels of 28-47% are sustainable in wolf populations (Mech 2001), but based on WS experience and information regarding wolf harvest in Alaska (where most wolves are taken by trapping and snaring, rather than hunting), we believe it is highly unlikely that hunting alone could be used to accomplish that level of removal in Idaho.

If a court grants a temporary injunction and stops, or delays, the delisting process, WS will almost certainly need to remove more wolves than ever before. Based on current trends, it is likely that WS will remove ~65 wolves in FY 2008. If wolves continue to expand into areas where more conflicts with livestock would be expected (as suggested by the information in Figure 6.), WS annual wolf removals in Idaho might conceivably exceed 100.

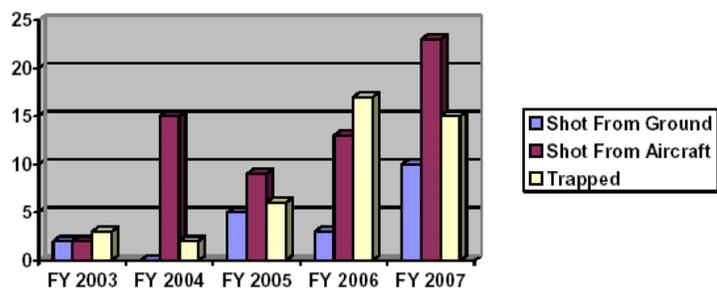


Figure 8. Method of take for wolves killed by Wildlife Services from FY 03-07.

Editorial Comment

The Wildlife Services Report and the information from Mech and the Alaska wolf biologists reported in the preceding article were available prior to the 428 wolf death loss quota set by Commission Rule on May 22, 2008. Immediately after the Commission revised the death quota upwards to 428, Director Groen told them he had attended an “Animal Damage Control” (WS) session the preceding week and referenced the graphs and figures published in the above article.

He cited the fact that wolf depredations have increased by five times since 2002 and mentioned the seven-fold increase in sheep predation and more than twice the budget being spent by WS since then. He told them the number of wolf packs committing chronic depredation – at least three *verified* depredations per year – has doubled since 2002 and said “wolves are greatly exceeding mountain lions (and) bears when it comes to depredation.”

He said “120 wolves are collared, two-thirds of our packs,” and expressed the need to determine a balance

between wolves and other big game to prevent damage to the other species. Yet the citizens who share ownership of the resource should be asking why this information was not made available to the Commissioners at least a week before they needed it to set the quotas – rather than after the fact.

Recently I heard a quaint quip from a legislator who said, “The Department treats the Commissioners like cultivated mushrooms – it keeps them in the dark and feeds them B.S.” This is especially true concerning controversial issues like winter feeding and wolves,

Whether it was Bangs’ claim that public safety concerns about wolves are based on myths, or his claim that Idaho wolves average five pups per litter with four surviving, IDFG Wolf “expert” Steve Nadeau repeated it like a programmed robot. No one knows how many 2008 breeding pairs or wolf litters presently exist in Idaho and they won’t even have a “ball park” estimate of those numbers for another 6-8 months.

When the Commissioners were discussing the quota, they asked Wildlife Bureau Chief Jim Unsworth if the three options they were given were based on the credible information from “up North” (Canada and Alaska). Unsworth responded that biologists “up North” said they would never be able to halt wolf expansion by hunting in remote areas, but said he wasn’t sure about the more populated areas in Idaho.

A somewhat confusing motion by Commissioner McDermott to manage for “only” 518 wolves (instead of 618) during the next five years, yet still keep the 2008 mortality quota of only 328 wolves, was changed during a lively discussion. The 100 fewer wolves in the reduced management goal was finally added to the 328 in the 2008 mortality goal to reflect a new 2008 mortality goal of 428.

Following the Commission’s unanimous approval of that motion, Chairman Wheeler commented, “I think we did what we thought was right with the opportunity we were given and the restraints that were put on us.” (emphasis added) But who sold out Idaho citizens and cut a deal with FWS to change the minimum wolf population in Idaho from 150 wolves to 200 – and then to 500-700?

Steve Nadeau was the first to announce it publicly followed by Ed Bangs but the change to a 200 wolf minimum was also included in the Draft Wolf Plan prepared for the Commission by the Wildlife Bureau. Did the Commissioners hold a secret meeting to authorize those new restraints? If not, who authorized Director Groen and Commissioner Power to tell the Legislature and the media “We are going to manage for 500-700 wolves”?

Did the Office of Species Conservation make a commitment to FWS (as it did in 2004 to classify wolves as a Game Animal rather than Special Predator)? Idaho citizens should be told who is responsible for >\$5 million in additional annual game and livestock losses and control costs resulting from agreeing to maintain the extra wolves.

We'll, Be Quiet No More!!!!!!

By Lowell Rosanbalm



May 17, 2008 photo by author of mule deer doe with flank ripped open and twin fawns removed.



Close-up photo shows nothing eaten from the doe and only a small amount eaten from each of the unborn fawns.

May 22, 2008 email to the Idaho Department of Fish and Game and F&G Commissioners Fred Trevey, Wayne Wright and Randall Budge, with copies to Governor Butch Otter and Tony Mayer.

Dear Sirs:

As a 65 year old long-time Idaho outdoorsman, I am sick and tired of what your department and the Idaho State government have permitted the USF&W to shove down our throats, wolves!

Last Saturday, May 17, 2008, my wife and I drove to Livingston Mine on the East Fork of the Salmon River. While in the area, we came upon a pathetic scene (see attached photos) where wolves had pulled down a doe and pulled her two fetuses from her womb. Clearly the fawns were within hours of being born. This was approximately 18 miles up from Hwy 75.

The sickening photos pretty much speak for themselves. As we headed back down the road (approx. 3:30p) only about a mile from the crime scene, a truck was coming up the road with the dust just a boiling. What do ya know, it was a F & G truck. Whoever it was, he's sure to remember my red Dodge, with a red camper shell on it, with the license plate TMBRLNE. My guess is he was headed up there ASAP to remove the evidence. Wouldn't want Zimo to see or hear about that. He may anyways.

I only have three heroes. They are Charlton Heston, John Wayne and Ron Gillett, in that order. They would all three know what to do with wolves. It's high time you quite pandering to the likes of Ed Bangs, Suzanne Stone, and all the other phony "tree-huggers". Get off this damned "Political Correctness" and start taking care of our herds.

I guess I would like to think that the new wolf hunting season is a start to eradicating wolves completely, but I have NO confidence in IDF&G of that happening. Wouldn't want to piss anybody off.

You've seen the bumper stickers that read "Save 100 Elk, Kill a Wolf". Well the new bumper stickers are going to read "Gut Shoot A Wolf".

Get rid of these sport-killing vicious killers. You can see in the pictures that they ate nothing more than two (very young) hearts and none of the doe. How many more are lying out there, just out of view and behind the roads?

You can call me one of the many "Quiet Majority". We'll, be quiet no more!!!!!!!!!!!!!!

Lowell Rosanbalm

Boise

PS, I would have liked to send this message to ALL F & G Commissioners, but only three had guts enough to list their email address. At least, I commend those three.

(NOTE: Each week I receive about a hundred emails from knowledgeable outdoorsmen who express similar anger or frustration at Idaho Fish and Game's failure to protect and perpetuate our valuable wild game resource. Most of these people indicate they do not attend F&G hearings or participate in surveys, yet believe they represent the opinion of the majority of license buyers who pay IDFG millions of dollars annually to support responsible resource management. In my opinion that silent majority are not getting what they pay for.

Mr. Rosanbalm's letter and photographs are being widely circulated on the internet. Like the recent *Outdoor Life* photos of a whitetail doe being slowly eaten by a wolf while still alive, they provide a graphic look at reality. - ED)

Highlights of Idaho's 2008 Legislative Session

By George Dovel

HB 467 - Originally sponsored by former Senator Laird Noh in the 2007 session as House Bill 262, the so-called "Ranch, Farm and Forest Protection Act" was reintroduced in 2008 as HB 467. It would have provided an income tax credit of up to \$500,000 each to landowners, including corporations, who donate (sell) a Conservation Easement covering all or part of their land for conservation purposes.

Representing the Nature Conservancy, Noh was instrumental in forming a coalition of agriculture, forestry, and environmental organizations; plus two sportsman groups, Sportsmen for Fish and Wildlife (SFW) and the Rocky Mountain Elk Foundation (RMEF); and several other non-profit trusts who would benefit directly if the bill passed.

During the March 3, 2008 hearing in the House Revenue and Taxation Committee, Sharon Kiefer representing Idaho Fish and Game, spoke in favor of the bill stating the Commission had discussed the legislation and had voted to support this bill. She testified the bill provides continued support for hunting, trapping, and fishing. Ms. Kiefer stated this tax credit benefits the state economy in many ways.

A member of the Committee asked Ms. Keifer about farm land being used to access public land. Ms. Keifer stated the Commission has some very robust access programs and this legislation is complimentary to those programs.

House Majority Leader Mike Moyle stated that while he is in favor of the concept, there is a perception in the public that this bill will save and protect farm lands and, if what we want to do is preserve farm lands, this bill will not accomplish that task. Ms. Kiefer stated this tax credit would be competitive and the bill would allow the Committee to choose the best of the best and farm land with limited wildlife resources would not be chosen to participate.

Dave Turell, Land Program Manager for The Rocky Mountain Elk Foundation, spoke in favor of the bill stating the Foundation supported the bill because they see it as a tool to move the State of Idaho into the future. "This bill would assist the State with the challenges it faces today to preserve the lifestyle we value," he said and stated the easements could be adapted and modified over time to assure the long-term protection of our farm and ranch lands.

Nate Helm, representing Sportsmen for Fish and Wildlife, spoke in favor of the bill stating the sportsmen in Idaho want an abundant game population and think this bill is the proper use of tax dollars. And Rep. John Stevenson spoke in favor of the bill stating the legislation does not serve everyone in the State, but does serve those in need.

Assistant House Majority Leader Scott Bedke said the Nature Conservancy and other more rabid groups want to substitute their management for his and get him off the land. After a motion was made by Rep. Leon Smith to send HB 467 to the House floor with a "do pass" recommendation Rep. Bedke made a motion to hold the bill in Committee.

Majority Caucus Chairman Ken Roberts expressed concern that the proposed easements from 30 years to perpetuity were unrealistic and did not reflect changing ecosystems and priorities. He opposed "tying the hands of future generations" and made a substitute motion to send HB 467 to General Orders for an amendment supporting easements for terms ranging from 5-50 years.

The bill also provided that if the tax credit for any year exceeded the tax owed, the excess amount would be treated as an overpayment, "refunded" to the taxpayer, and not considered taxable income. Responding to a question from the Committee, Dan John representing the Idaho Tax Commission stated that nothing in this bill would preclude someone from out of state receiving the tax credit and/or rebate.

Rep. Roberts' motion passed by a vote of 10-7-1 with Representatives Lake, Collins, Leon Smith, Saylor, Jaquet, Killen and Ruchti voting nay and Rep. LeFavour absent. The coalition's leader and lobbyist, Suzanne Budge, reportedly told the media, "If the amendment is approved, conservation groups will no longer back the bill. It was tough enough getting them to agree with farmers and ranchers to include 30-year easements and not just easements into perpetuity."

The concession to accept some agreements for as little as 30 years may have been patterned after Senator Mike Crapo's 2007 Endangered Species Recovery Act bill, which would grant a 100% federal income tax credit for a perpetual easement protecting an endangered species and a 75% credit for a 30-year easement. However HB 467 sponsors let the bill die and vowed to try again later.

Similar income tax rebate incentives for granting (selling) conservation easements to government or non-profit private trusts (e.g. TNC, RMEF and other land trusts) exist in only 12 states but the limit per transaction is generally much lower than the \$500,000 in HB 467. In 467 a selected property appraised at \$2 million would generally receive ~\$1 million as payment for granting the conservation easement and would then be eligible to receive the maximum \$500,000 state tax credit.

The claim by Sharon Kiefer that HB 467 provided continued support for hunting, trapping, and fishing is not substantiated by language in the bill. The highly-publicized

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conservation easements on 500 acres in Montana that include protection of big game winter range were designated as providing habitat for grizzly bears and wolves, in addition to the elk that serve as their prey.

In reality hunting and trapping are prohibited on most of the property acquired by conservation easements and the "robust" access programs touted by Ms. Kiefer are losing landowner participants according to IDFG at the May 2008 F&G Commission meeting. The acquisition or control of migration corridors and buffer zones to complement its wildlands/biodiversity agenda remain the major thrust of conservation easements by TNC.

There are documented examples of farmers and ranchers and/or their heirs losing their ability to earn a living once their conservation easement was sold to overzealous federal or state agency enforcers. And on the other side of the coin, reported wholesale abuses of the system by wealthy property owners or investors are becoming more common.

A February 9, 2008 article in *Rocky Mountain News* by investigative reporters Jerd Smith and Burt Hubbard titled "Abuses Taint Land Deals," documents numerous abuses of the "open spaces and ranch protection" (conservation easement tax rebate) legislation since it was approved by the Colorado Legislature in 1999. These include granting rebates for: home lots along a golf course, vacant lots between houses in expensive subdivisions and small ranchettes where each owner is still allowed to build and market several houses.

Part of an 80-acre family dude ranch that would have qualified for the increased \$260,000 tax rebate maximum approved by the Legislature in 2003 was instead split into 15 parcels with each parcel receiving the maximum rebate for a total cost of \$3.8 million to Colorado taxpayers. The owner still insists it was "a good deal for taxpayers" with the claim that he could have made twice that much by subdividing the land.

The 2003 amendments increased Colorado's maximum tax credit amount from \$100,000 to \$260,000 and allowed limited liability corporations and partnerships to receive the credit even if the principal owners lived out of state. These provisions resulted in an unprecedented explosion in the number of easements created and tax credits claimed.

HB 467, with nearly twice that maximum tax credit and similar enticement to out-of-state owners or investors, would undoubtedly have attracted a flood of wealthy investors seeking a tax shelter investment. Such deals rarely include access to hunters or the general public.

The Colorado Department of Revenue, which is investigating several hundred transactions, said many easement deals may be legal under the law. "But that doesn't mean they honor the intent of the law," said John Vecchiarelli, senior director of taxation.

According to the article, public records show that 25 of the 201 conservation easements acquired by the Greenlands trust since 2003 allow the property owners to charge fees for commercial hunting as long as Greenlands gets 25 percent of the purse. "These shenanigans need to be stopped," said former Sen. Dave Owen, R-Greeley, a co-author of the law. "We were trying to preserve farmlands and open space (but) these people are taking advantage of the statute."

Legislators, F&G Commissioners and others who claim such legislation will preserve family farms and ranches for public benefit should read the entire article at: <http://www.rockymountainnews.com/news/2008/feb/09/abuses-taint-land-deals/> A report published in May 2008 by the National Center for Public Policy Research, "Conservation Easements: The Good, the Bad, and the Ugly" by Dana Joel Gattuso, is available online at: <http://www.nationalcenter.org/NPA569.html>.

It states that The Nature Conservancy reports receiving more than \$100 million annually in grants from the federal government which it uses to acquire conservation easements. Then, by prearrangement with government agencies, it sells easements to the agencies at a profit which amounts to another \$262 million annually – one-fifth of TNC's annual funding from all sources.

This practice allows the government agencies to quietly assume control of virtually all activities on private property without having to condemn it or pass restrictive regulations. Both of those practices generate strong public opposition and are generally far more costly than simply buying easements from TNC, Ducks Unlimited or other conservation trusts.

Thousands of legitimate farmers, ranchers and timber owners who granted (sold) the easements to private trusts with assurance they would be allowed to continue farming, raising livestock or growing and harvesting timber as they had for years, suddenly find their operation controlled by government bureaucrats whose goal appears to be either total control or eventual ownership.

Lacking money to fund acquisition of migration corridors and buffer zones to create a safe haven for wolves and grizzly bears, F&G agencies and their environmentalist allies are asking taxpayers to pay the bill by pretending it will benefit hunters and the game they pursue. Research in Alaska and Canada indicates just the opposite is true.

Landowners who grant conservation easements are already receiving a billion dollars each year in federal tax incentives – including forgiveness of federal estate taxes and a 100% federal income tax rebate on the easement – all paid for by U.S. taxpayers. Why should taxpayers at the state level be asked to pay higher taxes to fund a program with questionable success and flaws that need correcting?

The day after the hearing on HB 467, editorials in the three major Idaho newspapers attacked the three House leaders personally for opposing such a "popular" bill.

HB 472 – 2-pole permit. Allows an Idaho resident who is not required to buy a fishing license (e.g. youth age 13 or younger) to purchase a 2-pole permit for \$13.75 and fish with two fishing poles in designated waters. Also allows a nonresident youth age 13 or younger who is not required to purchase a fishing license to buy a 2-pole permit for \$13.75 and fish with two poles providing he/she is accompanied by a licensed adult and any fish caught must be included in that adult's bag/possession limit.

Passed House 64-0-6, passed Senate 33-0-2, and is effective July 1, 2008.

HB 473 - Makes it a misdemeanor offense for any person to provide consideration or compensation to another person for outfitting or guiding services when the person providing compensation knows that the person providing services does not have the required license. It increases the \$100 fine to \$1,000-\$5,000 and/or a term in the county jail not to exceed one year for the unlicensed outfitter, and provides the same penalty for the person who pays him.

Passed House 53-8-9 Nays – Bock, Harwood, Henbest, Lake, Loertscher, Marriott, McGeachin, Patrick.

Passed Senate 34-0-1, effective July 1, 2008

HB 629 – Approved F&G FY 2009 Budget of \$76,637,100 (\$43,669,500 dedicated and \$32,967,600 federal) with 528 maximum full time positions.

HJR 2 – Printed on February 13th, the proposed Right-to-Hunt amendment to the Idaho Constitution was approved and endorsed by the National Rifle Association and 12 legislators in the House and Senate. A Jan. 31, 2008 unofficial research opinion from Deputy Attorney General (DAG) Steven Strack to House Sponsor Rep. Marv Hagedorn claimed that changing hunting and fishing from a “privilege” to a “right” might cause people to challenge the requirement to buy licenses, report harvests, and forfeit that right.

Although the amendment included safeguards protecting property rights and other rights guaranteed in Idaho's Constitution, DAG Strack also wrote: “...the language imposes a duty upon the state not only to protect hunting and fishing rights but to ‘preserve, protect, perpetuate and manage’ fish and wildlife.

“One can predict with a high degree of confidence that such language would be seized upon by wildlife advocates as embodying a constitutional directive akin to the provisions of the federal Endangered Species Act... it may well be argued that applications to divert water would have to be weighed against the constitutional duty to preserve fish species residing in the affected stream.”

The “preserve” language Strack referred to is also found in Idaho Wildlife Policy – I.C. Sec. 36-103 – where it has existed, unchallenged, for the past 70 years. Unlike the federal ESA which contains the requirement that habitat be protected, nothing in the Fish and Game Code or the proposed amendment mentions or implies habitat protection.

However, IDWR (the Idaho Department of Water Resources) has exercised its authority to limit or regulate certain applications for new water rights based on potential interference with fish spawning habitat so HJR 2 sponsors and the NRA legal staff approved additional language provided by Norm Semanko representing Idaho Water Users in a new version – HJR 103. Meanwhile, on February 22, IDFG DAG Dallas Burkhalter and Sharon Kiefer provided a 4-page critical analysis of HJR 2 to the F&G Commissioners.

HJR 3 – When a March 3, hearing was held on the new version, Matt Compton said he represented 30,000 sportsmen in the Idaho Sportsmen's Caucus Advisory Council and said they strongly supported HJR 3. Nate Helm representing Sportsmen for Fish and Wildlife said his group also strongly supported HJR 3 and there was no other public testimony.

Sharon Kiefer said F&G had not had time to take a position but then submitted the four pages of written testimony comparing a right to hunt with the right of free speech “which does not require a license and cannot be revoked for committing a crime.” The NRA states that the right to hunt is under attack as part of the attack on the Constitutional right to keep and bear arms (see Article I, Section 11 of the Idaho Constitution).

Ms. Kiefer's written testimony included the same “technical and legal concerns and unintended consequences” F&G always uses to torpedo right to hunt proposals. Committee member (and former F&G Commissioner) Fred Wood voiced strong opposition to the wording based on both DAGs' opinions, and F&G convinced several other committee members that language in HJR 3 should be changed or the resolution killed.

The NRA General Council advised it would not support changing the wording further to satisfy IDFG as that would allow activists to eliminate certain methods of take which is why the amendment was worded as it was in the first place. On March 11, Rep. Hagedorn asked the Committee to hold both versions, which killed another effort to protect Idaho citizens' heritage of pursuing and harvesting wild game, fish and furbearers.

SB 1266 (1374) – By Sharon Kiefer, IDFG and Jeff Allen, Office of Species Conservation – establishes a new reporting requirement for landowners killing depredating mountain lions, and rules plus reporting requirements for killing depredating wolves. Floor Sponsor Siddoway – Passed the Senate by 31-0-4 but was sent to General Order for amendment in the House following testimony by Judy Boyle, presenting a group of ranchers' concerns that the bill would place an unreasonable burden of proof on them.

The amendments defined the term “molesting” as “the actions of a wolf that are annoying, disturbing or persecuting, , especially with hostile intent or injurious effect, or chasing, driving, flushing, worrying, following

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after or on the trail of, or stalking or lying in wait for, livestock or domestic animals.” They also added reporting within 72 hours, “with additional reasonable time allowed if access to the site where taken is limited.”

The House passed the amended version 65-4-1 with Representatives Bock, Durst, LeFavour and Ringo voting “Nay” and Trail absent. The Senate approved the amended version 35-0-0, effective March 28, 2008.

SB 1267 and **1269** corrected words allowing youths and nonresident hunters with small game licenses to hunt huntable furbearers and not hunt pygmy rabbits. **SB 1268** deleted reference to regional wildlife councils providing a list of appointees for the winter feeding advisory committees. All effective July 1, 2008.

SB 1373 – Adds any grizzly bear not protected by ESA to black bear and mountain lion damage prevention and control provisions in I.C. Sec. 36-1109. Passed both houses unanimously - effective March 14, 2008. **SB 126** simply changed the terminology in I.C. Sec. 36-409A allowing use of crossbow, from “handicapped” to “disabled“

In the June Outdoorsman

Due to space and time constraints, **The Nevada Predator Debate, Fish and Game Transparency** and additional **Reader Opinion** articles will carry over into the June issue.

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The Lighter Side



Photo of his children's pet cat titled, “Pippy's Gone,” emailed to me by Matt Dovel.



The same photo only this one is genuine with the osprey flying off with a fish it just grabbed at Sawyer's Pond near Emmett.

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