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## Fish and Game Commission



*Wildlife Heritage and Conservation*  
*Since 1870*

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Public Comments Processing  
U.S. Fish and Wildlife Service Headquarters  
MS: BPHC  
5275 Leesburg Pike  
Falls Church, VA 22041-3803

Submitted via the Federal eRulemaking Portal at <http://www.regulations.gov>

ATTN: Docket No. FWS- HQ-ES-2018-0097, Removal of Gray Wolf (*Canis Lupus*)  
from the List of Endangered and Threatened Wildlife

Dear U.S. Fish and Wildlife Service staff:

This letter is in response to the U.S. Fish and Wildlife Service (USFWS) proposed rule *Removing the Gray Wolf (Canis lupus) From the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf (Canis lupus baileyi) by Listing It as Endangered.*

On behalf of the California Fish and Game Commission (Commission), I am writing to oppose the proposed rule as it prematurely terminates recovery efforts for gray wolf in the lower-48 states.

A proclamation of recovery appears very premature. The limited gray wolf return to some of the states that will be impacted by the proposed rule, including California, has been for only a brief period in the thousands of years history of gray wolf as a species, and most of the suitable habitat in these states has not yet been repopulated. Gray wolf needs the protection of the federal Endangered Species Act (ESA) to repopulate ecosystems around the country, including California. Gray wolf should continue to be monitored, studied, and allowed to continue to expand where suitable habitat and movement corridors exist.

The proposed rule also does not address the lack of gray wolf population in most of the species' historic range. The proposed rule defines "range" to only mean "current range," which is a nonsensical definition in that it arbitrarily sets the range to one reflecting past losses, thereby creating a "shifting baseline." This shift is particularly relevant to

California as gray wolf has only recently reappeared and has not yet repopulated its historic California range. While efforts to recover gray wolf in the northern Rocky Mountains and western Great Lakes have made significant progress, these areas represent a small fraction of the gray wolf's historic range and a fraction of the remaining habitat identified by scientists as suitable for supporting gray wolf, including in the southern Rocky Mountains, California, Pacific Northwest, and Northeast. Discounting California and other vital, historic habitats ignores science and the law.

In addition, recovery requires a goal of maintaining a minimum population number, as well as adequate genetic diversity. There is uncertainty as to whether the gray wolf's reproductive potential is secure enough to maintain a genetically viable population and how that may change if it is delisted. The degree to which dispersing or colonizing wolves in California can breed with and exchange individuals between other states wolf packs may influence both the genetic diversity and the level of risk posed by small population size. The USFWS proposed rule for removing gray wolf from protection does not provide adequate safeguards for the genetic diversity of the population or a large enough population for maintaining long-term reproductive potential.

In fact, much of the rule bases its recovery analysis on an outdated recovery plan using decades-old science. The science regarding ecology, taxonomy, and the human dimensions of carnivores in general, and wolves in particular, has advanced considerably since the wolf recovery plan was produced. It is highly likely that a recovery plan written with the current scientific understandings of wolves as a background would look substantially different. In short, the recovery criteria on which the rule is heavily based does not factor in the best available science, and therefore any analysis in the rule which is based on it does not either.

Two conservation principles cited in the proposed rule are resiliency and redundancy. Establishing and maintaining redundant populations of gray wolf across its historic range, with robust numbers of healthy individuals existing in suitable habitat, can help ensure long-term survival of the species, especially when adverse conditions result in localized or regional population decline or even collapse. The capacity to recover quickly, and having nearby, redundant sources of individuals for rebuilding a population are critical for long-term recovery success. However, if gray wolf is delisted, there is a potential risk of populations stalling or even declining from hunting and lethal management.

A number of states that would be affected by the proposed rule have already indicated that they would initiate hunting seasons on gray wolf if the proposed rule is adopted. Additionally, as gray wolf populations recover and expand, tensions have grown between agriculture and public sectors in addressing suspected wolf depredation, where the focus is often on lethal management. Increased hunting and lethal management can hinder the ability to re-establish gray wolf populations in its full historic range. For recovery efforts in California, it is important that federal law continues to protect source populations of gray wolf in adjacent and nearby states.

On a related note, the discussion of the role of public attitudes is cursory and glosses over one of the key factors in establishing wolf recovery. Contrary to the proposed rule's assertion, people's attitudes, and the behaviors that stem from those attitudes, are well understood; the proposed rule cites much of the research, and there is much beyond that, but astoundingly none of it is discussed. As an example, consider poaching. Rather than being "impossible to accurately determine," the number of illegal wolf killings can be and has been estimated using proper scientific methods; estimates have shown that poaching is more prevalent than previously believed. Wolves cannot properly be delisted until a full understanding of illegal human mortality causes is brought to bear in the discussion, much of which is counterintuitive or surprising. We urge USFWS to factor in the peer-reviewed literature on illegal wolf killing and on other large carnivores analogous to gray wolf.

Human attitudes can change, and the behaviors that result from those changes can be beneficial or detrimental to the wolf; delisting will likely have an effect on these attitudes. Since targeted extirpation of the species was one of the main factors that led to gray wolf's near extinction in the U.S., it behooves USFWS to conduct a thorough analysis to demonstrate that such attitudes will not become a detriment to the future of the species.

The Commission celebrates the success some other states have achieved in reestablishing gray wolf; however, gray wolf was extirpated in California nearly a century ago and, while gray wolf has recently returned, self-sustaining populations needed for recovery have not yet been achieved in the state. The Commission is committed to supporting collaborative efforts with USFWS and other agencies on gray wolf conservation and recovery efforts in California, which are enhanced by federal ESA protection. Federal ESA protection contributes to conserving gray wolf in California through federal prosecution for illegal take, federal funding, cooperative management with federal agencies, and protecting wolves in other states that may contribute to the genetic diversity of the wolf population in California.

Federal policy should reflect a greater commitment to active gray wolf recovery efforts, identifying and protecting critical habitat and movement corridors, maintaining a population level consistent with ecosystem functionality, and innovative policy and guidance to reduce lethal control as a management strategy.

If you have any questions, please contact Ari Cornman, wildlife advisor to the Commission, at (916) 653-4899 or [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov).

Sincerely,



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President

U.S. Fish and Wildlife Service

July 15, 2019

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