



49651 Shenandoah Circle  
Canton, MI 48187

April 23, 2019

Senator Ed McBroom  
Chair, Natural Resources Committee  
Michigan Senate

*Hand Delivered; and via email to Jackie Mosher, Committee Clerk,  
[OfcSMCC@senate.michigan.gov](mailto:OfcSMCC@senate.michigan.gov) and [jmosher@senate.michigan.gov](mailto:jmosher@senate.michigan.gov)*

**Re: Opposition to SR 0038, Senate Natural Resources Committee Meeting, April 24, 2019**

Dear Senator McBroom and Committee Members,

Thank you for the opportunity to provide information to the committee. Attorneys for Animals, Inc. (AFA), is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. The organization's Board of Directors voted to oppose the resolution. We do not agree that "federal protection of the gray wolf is no longer necessary," and we dispute that Michigan is "well prepared to manage gray wolves in the best interests of its residents." Our reasons for disputing these two statements are discussed below.

**Background:**

The resolution urging the US Fish and Wildlife Service "to remove the Michigan gray wolf from the federal endangered and threatened species list" is the latest salvo in a long, involved and contentious effort to allow wolves to be hunted in Michigan. In fact, the draft wolf management plan acknowledges that "[h]arvest (i.e., hunting and trapping) of wolves by the public is a controversial issue that often polarizes stakeholder groups. Indeed, 'the issue of hunting and trapping wolves—a public take—after they become delisted is perhaps the most divisive and potentially explosive issue in the entire wolf debate.'" <sup>i</sup>

Unfortunately, the resolution sweeps away the division, controversy and lack of scientific consensus on the issue of a recreational hunt of the gray wolf.

**Discussion:**

Is Federal Protection Necessary? We believe it continues to be for two reasons:

[www.attorneysforanimals.org](http://www.attorneysforanimals.org)  
[info@attorneysforanimals.org](mailto:info@attorneysforanimals.org)

First, the U.S. Department of the Interior has never fully analyzed the impact of de-listing and has neglected to apply all standards required by the Endangered Species Act. Its 2011 attempt to de-list has been vacated by a federal appellate court which found that the agency failed “to reasonably analyze or consider two significant aspects of the rule—the impacts of partial delisting and of historical range loss on the already listed species”<sup>ii</sup>.

Second, there remains significant scientific dispute as to the effects of a public hunt and the appropriate population numbers, in Michigan and around the country, for which continuing federal ESA protection is appropriate.

Is the state well-prepared to manage the hunt in the best interests of the residents? The resolution under consideration ignores the social and public policy ramifications of a wolf hunt that must be considered and addressed,<sup>iii</sup> the NRC/DNR’s bias toward hunting and the view of Michigan voters.

The 2015 Wolf Management Plan reached this stunning but seemingly ignored conclusion: “Although members of the Michigan Wolf Management Roundtable reached consensus on every other issue, they did not reach agreement on whether a regulated wolf hunting/trapping season should be provided in the absence of any need to reduce wolf-related conflicts.”<sup>iv</sup>

It also acknowledged that the public “is more ambivalent on the issue of a public wolf harvest specifically for recreational or utilitarian purposes”<sup>v</sup> Finally, it noted the “elephant in the room”, i.e., “[i]n November of 2014, only 45% of statewide voters voted yes on the public referendum (Proposal 1, 2014) to approve the law that made wolves a Game animal.”<sup>vi</sup>

Nonetheless, the DNR is proceeding toward a recreational hunt, despite the Roundtable’s lack of consensus and the fact that a majority of Michiganders voting to oppose the law that made wolves a game animal. This is based on an interpretation of those factors, which we believe gives too little importance to their implications: “Given the absence of a strong public preference, and given the lack of specific guidance from the Roundtable, and the need to assess the biological effects of different levels of take, the following actions focus on the need to gather and evaluate biological and social information regarding a general wolf harvest.”

There is also a subtle but significant shift between the 2006 draft and the 2015 update, in the respective “Action” steps. While the former uses the criteria of “biologically defensible, legally feasible, and **supported by the public**” as guidelines for developing a public hunt, by the time of the 2015 update (and, we believe significantly, after the November 2014 vote), these criteria have become “biologically sustainable, legally feasible, and **socially responsible**” (*emphasis added*).<sup>vii</sup>

These factors call into question the state’s commitment to “the best interests of the residents” regarding wolves.

## Conclusion:

The resolution fails to acknowledge the complexity of the issue. Its conclusions are not justified or supported, even by the DNR studies it cites. We urge Senators to not report this resolution out of Committee.

Very Truly Yours,



Beatrice M. Friedlander, JD  
President

---

<sup>i</sup> Draft Wolf Management Plan of March, 7, 2008, page 63 (*citation omitted*), [https://www.michigan.gov/documents/dnr/Draft\\_Wolf\\_Management\\_Plan\\_030708\\_227742\\_7.pdf](https://www.michigan.gov/documents/dnr/Draft_Wolf_Management_Plan_030708_227742_7.pdf) (last visited April 22, 2019)

<sup>ii</sup> Humane Society of the U.S. v. Zinke, No. 15-5041 (D.C. Cir. August 1, 2017, at page 4), [https://www.cadc.uscourts.gov/internet/opinions.nsf/9EDB5CE0814D2B948525816F00511636/\\$file/15-5041.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/9EDB5CE0814D2B948525816F00511636/$file/15-5041.pdf) (last visited April 22, 2019)

<sup>iii</sup> 2015 Wolf Management Plan, June 11, 2015 (page 5, section 2.5) itself acknowledges this: “However, science alone does not establish wildlife management goals. Those goals are often determined within a social context where stakeholder values and priorities must be addressed.”

[https://www.michigan.gov/documents/dnr/wolf\\_management\\_plan\\_492568\\_7.pdf](https://www.michigan.gov/documents/dnr/wolf_management_plan_492568_7.pdf) (last visited April 23, 2019)

<sup>iv</sup> *Ibid* (page 60, section 6.12.2); the full quote is: “Although members of the Michigan Wolf Management Roundtable reached consensus on every other issue, they did not reach agreement on whether a regulated wolf hunting/trapping season should be provided in the absence of any need to reduce wolf-related conflicts. Some Roundtable members supported such a hunting/trapping season because many Michigan residents would place an important value on and derive benefits from the opportunity to harvest wolves. Other members opposed a hunting/trapping season in the absence of a specific need to reduce local wolf abundance because it would conflict with the cultural and personal values of many other Michigan residents. After substantial deliberation, the group concluded consensus on any guiding principles regarding the issue was not possible because the disagreement focused primarily on important differences in fundamental values.”

<sup>v</sup> *Ibid* (page 58, citation omitted)

<sup>vi</sup> *Ibid* (page 58)

<sup>vii</sup> “supported by the public”, Draft Wolf Management Plan, *supra* (page 66, section 6.12.2); “socially responsible”, 2015 Wolf Management Plan, *supra* (page 60, section 6.12.2)