Attorneys for Animals

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January 27, 2022

Rep. Gary Howell
Chair, Natural Resources Committee
Michigan House

Via email, Molly Wingrove, mwingrove@house.mi.gov

Re: Oppose SCR 0007, House Natural Resources Committee Meeting, January 27, 2022

Dear Representative Howell, Resolution Sponsors, and Committee Members:

Thank you for the opportunity to provide testimony. 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 SCR 0007 which "urge[s] the Natural Resources Commission to authorize, and the Department of Natural Resources to organize, wolf hunting and trapping as part of the state's wolf management efforts beginning in 2021."

AFA has a long history of opposing wolf hunting in this state and has spoken out against it in this legislature, most recently during a hearing last February on an identical resolution in the Senate Natural Resources Committee[i]; at several Natural Resources Commission meetings; and in response to the 2019 U.S. Fish and Wildlife Service (USFWS) proposal that resulted in a Final Rule issued November 3, 2020 removing gray wolves from Endangered Species Act protections effective January 4, 2021.[ii]

I have been appointed on behalf of Attorneys for Animals, to the 6-person Wolf Management Advisory Council (WMAC), to represent an animal advocacy organization.

This resolution was first introduced last February (as SR 0015, with identical wording to SCR 0007), within weeks of gray wolves being delisted by the federal government. By that time, the DNR had already announced it would update the 2015 Wolf Management Plan[iii] by convening the Wolf Management Advisory Council, updating the Plan, and conducting a Public Attitude Survey. These steps would take time and would not be completed in time for a fall 2021 hunting season.

The Resolution before you is dismissive of those plans[iv], reaching its conclusion that there must be a wolf hunt without benefit of updated science or recent public opinion[v]. Yet it recites the usual mantra that "The law is clear that the commission should, to the greatest extent practicable, utilize principles of sound scientific management in making decisions regarding the taking of game"[vi] while providing neither sound scientific management principles, nor why it isn't "practicable" to do so.

In the intervening time, the following have occurred – or are in process – which only make SCR 0007 more ill-timed and lacking in scientific rigor (in addition to being poor public policy and emphasizing politics over science). These are all worthy of consideration by this committee in determining whether to vote SCR 0007 from committee:

- The WMAC has had 6 monthly meetings to date (monthly from August through January) and will have its recommendations completed by June 2022. To assist in our work, the DNR staff has provided research and updates on, for example, the wolf population survey method; factors limiting deer abundance (concluding that wolves are not the main factor)[vii]; and a Summary of Management Accomplishments for each of the 12 Strategic Goals and Objectives from the Plan.
- The DNR is in the process of updating science related to wolf management, with the "White Paper" to be available in March 2022
- The Public Attitude Survey[viii] was presented at the January 19, 2022, WMAC meeting in *preliminary* form; the DNR is seeking citizen input with its own survey of the general public through January 31, 2022 [ix]
- DNR predation data for 2021 shows a total of 12 events, with 14 animals killed[x]; however, 9 of the 12 occurred on the same farm, meaning that wolf predation occurred on 4 Upper Peninsula farms last year. Non-lethal methods were implemented in all but one case.[xi]
- Research that indicates liberalized killing of wolves does not lead to decreased poaching[xii]; with a study focusing on Michigan to be published soon (before the WMAC finishes its work)

The Resolution describes the 2015 Plan as "active and legitimate"[xiii] but ignores or is at odds with some of its major conclusions:

- The Plan does not call for a hunt[xiv] or what it terms a "public wolf harvest for reasons other than managing wolf-related conflicts" but rather sets forth a 3-step process to determine its feasibility. This is far from what the Resolution's supporters appear to believe, i.e., that the 2015 Plan provides the green light to the NRC to institute such a hunt.
- The Plan focuses on individual wolves or packs who are causing problems to livestock at a particular time; and in that case, calls for non-lethal methods to be used initially
- SCR 0007 relies on numbers to argue for a hunt; the Plan, on the other hand, does not set a maximum number[xv]
- Contains "Literature Cited" as separate section, with 11 pages of research; an integral part of the Plan, this Resolution would dispense with a literature review and update in a rush to have a hunt

As a result, the Resolution misunderstands or inaccurately represents the 2015 Plan in its haste to promote a hunt.

To put this resolution in a broader context, consider the USFWS rationale for removing gray wolves from Endangered Species Act protection (although we disagree with the decision). An important component for delisting was whether the states were capable of managing a species which

had so recently, and for so long, had been federally protected. Therefore, the Final Rule contains an extensive review of the existing Michigan's Wolf Management Plan:[xvi]

> With regard to implementing a public harvest for recreational or utilitarian purposes, the Michigan Plan identifies the need to gather and evaluate biological and social information, including the biological effects and the public acceptability of a general wolf harvest.[xvii]

However, with this Resolution, the Legislature seeks to interject its opinion that a wolf hunt should be authorized and organized post-haste and without further review or input. It does so without an understanding that sound science does in fact take into account social acceptability and public opinion; and contrary to the stated plans of the DNR and the assumptions of the USFWS.

We urge the Committee to not report SCR 0007.

Very Truly Yours,

Beatrice M. Friedlander, JD
President

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[i] https://committees.senate.michigan.gov/testimony/2021-2022/Additional%20written%20testimony,%20N.R.%2002.24.21%20SR%2015.pdf, pages 9-11 of 54; and as a member of a 20-organization coalition, https://committees.senate.michigan.gov/testimony/2021-2022/Written%20Testimony%20part%203%20N.R.%2002.24.21%20SR%2015.pdf, page 1 of 4

[ii] https://www.federalregister.gov/documents/2020/11/03/2020-24171/endangered-and-threatened-wildlife-and-plants-removing-the-gray-wolf-canis-lupus-from-the-list-of#p-102

[iii] https://www.michigan.gov/documents/dnr/wolf_management_plan_492568_7.pdf

[iv] SCR 0007 as adopted by the Senate, at page 2, lines 20 to 27, "While we commend the department for beginning the process of updating this plan again and commend the Natural Resources Commission for setting a plan update deadline of the end of 2021, there is no statutory requirement or precedent to delay a 2021 wolf hunt while the plan is reviewed and updated. Neither is there a requirement for a statewide public attitude survey or study to occur prior to a hunting season", https://www.legislature.mi.gov/documents/2021-2022/concurrentresolutionadopted/Senate/pdf/2021-SACRS-0007.pdf

[v] Nor with any mention of the 2014 ballot proposals passed by a majority of Michigan voters who rejected a hunt

[vi] *Supra* note iv, page 2, line 28 through page 3, line 1

[vii] https://www.michigan.gov/documents/dnr/Factors_Deer_UP_738385_7.pdf, page 10: "This data shows that changes in the Upper Peninsula deer population are not primarily driven by wolf population levels or wolf predation. ϖ Wolf predation, winter weather, predation by other species, habitat quality, changes to deer harvest regulations, declining hunter numbers, and changes in timber harvest all play a combined role in changes to the deer population in the Upper Peninsula. ϖ Predation from wolves is simply one portion of what impacts our deer herd in the Upper Peninsula, they are not solely responsible for the variation."

[viii] https://www.michigan.gov/documents/dnr/Riley_January_746199_7.pdf

[ix] https://forms.office.com/Pages/ResponsePage.aspx?id=h3D71Xc3rUKWaoku9HIl0QAX0JXc2oZPmVZUlrPcflhUNlhGWFNKRUZRVlhOSTE2WFdLQkwxVFBDRC4u

[x] 12 calves, 1 cow, 1 mini pony; total compensation paid = $7635.01 (owner of mini pony declined payment); $6590.51 was paid to farm with 9 events

[xi] In that case, 2 wolves were shot by predator hunters under permit, but predation continued at the farm with 9 events

[xii] Chapron G, Treves A. 2016, Blood does not buy goodwill: allowing culling increases poaching of a large carnivore. Proc. R. Soc. B 283: 20152939. http://dx.doi.org/10.1098/rspb.2015.2939

[xiii] *Supra* note iv, page 2, line 19

[xiv] Wolf Management Plan, 2015, Sec. 6.12.2: "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", page 68 of 101

[xv] *Supra*, Sec. 5.1.1, "This plan does not identify a target population size, nor does it establish an upper limit for the number of wolves in the State. As a result, public preferences regarding levels of positive and negative wolf–human interactions will strongly influence the extent to which wolf abundance and distribution exceed the minimum requirements for a viable population", page 25 of 101. *See also* Sec. 6.7, "This plan does not identify a target population size, nor does it establish an upper limit for the number of wolves in this State", page 44 of 101; *see also* Sec. 5.3.2, Effective Conflict Management: "Setting numeric goals for wolf abundance at large geographic scales (e.g., the entire State, the entire UP) may not be necessary or effective for addressing most wolf-related conflicts. Broadly based abundance goals may not reflect the unequal distribution of wolf habitat, human activity and the potential for positive and negative interactions in local areas. Moreover, wolf numbers alone do not necessarily predict the frequency of certain types of interactions", page 29 of 101

[xvi] Review of Michigan's plan is found beginning at https://www.federalregister.gov/d/2020-24171/p-539

[xvii] https://www.federalregister.gov/d/2020-24171/p-558 (*citation omitted*)