



*Excellence in Wildlife Stewardship Through Science and Education*

## **ANNOUNCEMENTS**

*Week of Friday, March 22<sup>nd</sup> 2013*

Check out the chapter on Facebook at:

<https://www.facebook.com/pages/The-Wildlife-Society-New-Mexico-Chapter/122478411098284>

1. New Mexico Ornithological Society 51st Annual Meeting – 27 April 2013
2. Federal Employees Free to Serve in Professional Societies
3. Toronto councillor wants ban on feeding coyotes
4. Sequestration slashes money from wildlife funds
5. The Challenge of Wolf Recovery

##

## **1. New Mexico Ornithological Society 51st Annual Meeting - 27 April 2013**

Western New Mexico University  
Silver City, New Mexico

The New Mexico Ornithological Society (NMOS) will hold its 51st Annual Meeting on Saturday the 27th of April 2013 at Western New Mexico University, Silver City, NM. This meeting will include an NMOS business meeting, an NMOS general science session, and an evening banquet. The keynote banquet speaker will be Dale Zimmerman, who will present a talk entitled “**Some changes, over a century, in the bird life of Silver City, New Mexico**”.

Further details on the meeting, including the Call for Abstracts, Registration information, and a preliminary schedule will be posted on the NMOS website (<http://www.nmbirds.org>) as they become available.

Article link: [http://www.nmbirds.org/?page\\_id=98](http://www.nmbirds.org/?page_id=98)

##

## 2. Federal Employees Free to Serve in Professional Societies

March 20, 2013

Jessica P. Johnson

Beginning April 5, 2013, federal employees will once again have the opportunity to serve as officers, directors, or trustees of nonprofit organizations without fear of violating a federal criminal statute. A new amendment to the Code of Federal Regulations (CFR) marks the end of a 15-year effort by The Wildlife Society and other professional societies to reverse a roadblock to professional development and collaboration.

“Federal agencies are an important source of highly-qualified volunteers to serve in leadership positions, and agency assistance with travel costs certainly helps with budgetary bottom lines,” said Wini Kessler, TWS President. “Government employee participation is vitally important for The Wildlife Society and other nonprofit societies.”

The CFR amendment (5 CFR 2640) changes the interpretation of statute 18 U.S.C. 208(a), which prohibits federal employees from serving in leadership positions with organizations where that service may result in a conflict of interest with their federal employer. In 1996, the Department of Justice interpreted the statute to mean that federal employees couldn't participate in any official capacity for nonprofit organizations, even when a conflict of interest did not exist. Under the statute, waivers for participation could and were issued, but the waiver process was not standardized across agencies. Some agencies, including the National Institutes of Health, issued waivers freely. Others, such as the U.S. Department of Agriculture, denied waivers in most cases, and some failed to alert their employees at all that serving on nonprofit boards could result in criminal prosecution.

TWS and dozens of scientific societies have battled for the amendment since 1998, meeting with the Office of Government Ethics (OGE), the White House Office of Science and Technology Policy, and the Office of Personnel Management. The latter two agencies recognized that the statute's restrictions made it difficult for the federal government to retain talented scientists by denying those scientists opportunities for career development through leadership roles in professional societies. In turn, societies faced a shortage of representation from the federal sector.

The battle was won on March 6, when the OGE issued a final rule that amends how the statute is interpreted. Under this amendment, federal employees may serve nonprofit organizations because OGE determined that the possibility of a conflict of interest between the employee's loyalty to the government and any

fiduciary duties to the organization is remote. The amendment eliminates waivers because regulations are already in place that allow federal employers to approve an employee's participation in nonprofit organizations ahead of time and to require employees to document, limit, or end their service to nonprofit organizations if conflicts of interest do arise.

TWS Executive Director Ken Williams said that this is one step in the right direction toward reversing a disturbing trend — a growing separation between the wildlife research and management communities. "The entire conservation community is strengthened by a vital and diverse professional society," said Williams. "This rule change was badly needed."

Article link: <http://news.wildlife.org/featured/federal-employees-free-to-serve-in-professional-societies/>

##

### 3. Toronto councillor wants ban on feeding coyotes

*By Trevor Dunn, CBC News*

Posted: Mar 19, 2013 5:36 PM ET

Last Updated: Mar 20, 2013 11:47 AM ET

A Toronto city councillor says the city needs a new policy on how to deal with coyotes.

Coun. Glenn De Baeremaeker says that policy should be not to shoot, trap or poison coyotes.

"Coyotes are not going to steal your baby. They're not going to assault you. They're not going to chase you down the street," he said.

Last month Toronto police shot and killed a coyote and De Baeremaeker says he's heard from residents who want to do the same.

He wants city staff to develop formal rules — including an official ban on killing and trapping them.

"There are better ways to rid your neighbourhood of a coyote than resorting to extreme measures that could do more harm than good," he said.

De Baeremaeker's plan also calls for more public education about coyotes, along with a ban on feeding them.

Toronto Wildlife Centre executive director Nathalie Karvonen says the ban on feeding is the key.

"If you don't feed them, they'll just quietly go about their business and they will ignore people, which is what most coyotes are doing in Toronto."

Last month a dog was killed by a coyote in the Beaches neighbourhood..

But Karvonen says it's been over 10 years since an attack on a person in Toronto and in that case, the coyote nipped the hand of a woman who was feeding it.

Article link: <http://www.cbc.ca/news/canada/toronto/story/2013/03/19/toronto-coyotes-council.html>

##

## 4. Sequestration slashes money from wildlife funds

March 22, 2013 12:00 am

About \$44 million in federal grant money will be cut to states for fish and wildlife programs because of sequestration-related reductions, the U.S. Fish and Wildlife Service announced Thursday.

It is unclear what will happen to the sequestered money, the Congressional Research Service said. It may become available in later years.

About \$39.2 million will be carved from the Pittman-Robertson Wildlife Restoration Program apportionment for 2013, which totals \$522.5 million, and the Dingell-Johnson Sport Fish Restoration Program apportionment for 2013, which totals \$359.9 million. Additional Wildlife and Sport Fish Restoration grant funding has also been cut to the states to reach the \$44 million figure. The apportionments were all reduced by 5.1 percent.

The more than \$882.4 million in excise tax revenues generated in 2012 by sportsmen and sportswomen will be distributed to state and territorial fish and wildlife agencies to fund fish and wildlife conservation and recreation projects across the nation. Although funds will be cut to states, the money generated from taxes on firearm sales actually climbed in 2012 because of fears over assault rifle bans or possible gun control legislation.

Total tax collections on gun and ammunition sales in 2012 were more than \$555 million, up from \$388 million during the previous year, following two years of declining revenue, according to a recent Congressional Research Service report.

The funds are made available to all 50 states and territories through the Pittman-Robertson Wildlife Restoration and Dingell-Johnson Sport Fish Restoration programs. Revenues come from excise taxes generated by the sale of sporting firearms, ammunition, archery equipment, fishing equipment and tackle and electric outboard motors. Recreational boaters also contribute to the program through fuel taxes on motorboats and small engines.

The Service's Wildlife and Sport Fish Restoration Program reimburses up to 75 percent of the cost of each eligible project while state fish and wildlife agencies contribute a minimum of 25 percent, generally using hunting and fishing license revenues as the required nonfederal match.

Funding is paid by manufacturers, producers and importers and distributed by the U.S. Fish and Wildlife Service's Wildlife and Sport Fish Restoration Program to each state and territory.

In Montana the federal funds will contribute \$13.8 million for wildlife and \$8.5 million for fish programs. In Wyoming the amount is \$9.3 million for wildlife and \$5.4 million for fish. To see each state's figures, visit [http://www.fws.gov/home/feature/2013/pdf/Master\\_apport\\_table\\_Final\\_2013.pdf](http://www.fws.gov/home/feature/2013/pdf/Master_apport_table_Final_2013.pdf). The question is whether cash-strapped states will have enough money to contribute their 25 percent to acquire the grants.

The Wildlife and Sport Fish Restoration Programs have generated a total of more than \$15.3 billion since their inception — in 1937 in the case of the Pittman-Robertson Wildlife Restoration Program, and 1950 for the Dingell-Johnson Sport Fish Restoration Program — to conserve fish and wildlife resources. The recipient fish and wildlife agencies have matched these program funds with more than \$5.1 billion.

Article link: [http://billingsgazette.com/lifestyles/recreation/sequestration-slashes-money-from-wildlife-funds/article\\_13e9c230-c85a-5128-91c3-ed301f6f335f.html](http://billingsgazette.com/lifestyles/recreation/sequestration-slashes-money-from-wildlife-funds/article_13e9c230-c85a-5128-91c3-ed301f6f335f.html)

##

## 5. The Challenge of Wolf Recovery

By L. David Mech  
March 22, 2013

### An Ongoing Dilemma for State Managers

"Dave, would you do another legal declaration on the wolf for us?" The weary voice on the phone belonged to Mike Jimenez, Northern Rocky Mountain Wolf Management and Science Coordinator for the U.S. Fish and Wildlife Service

(FWS). He was calling from Wyoming to ask me to prepare a document to address a legal challenge to the FWS's August 2012 delisting of the wolf (*Canis lupus*) in Wyoming, a highly controversial move. Mike's tone reflected the reality that — as so many wildlife biologists know and live each day — wildlife management is mainly people management. This contention could not be truer for managing any wildlife species than for managing the wolf.

Dubbed “the beast of waste and desolation” by Teddy Roosevelt ([The Wilderness Hunter 1893/1900](#)), wolves had been universally hated as prolific predators of valuable livestock and game. Around the turn of the 20th century, members of the U.S. Biological Survey and various state agents, ranchers, cowboys, and other frontiersmen poisoned and persecuted wolves, extirpating them from most of the contiguous United States (Young and Goldman 1944). By 1967, Minnesota and nearby Isle Royale National Park in Michigan held the only remaining wolves in the Lower 48 states, prompting the FWS to place the wolf on the Endangered Species List (established by the [Endangered Species Preservation Act of 1966](#)). The wolf then became the list's poster species, and the timing was ideal: *Silent Spring* (Carson 1962) had just seeded and fertilized the environmental movement, which blossomed on Earth Day (April 22, 1970) into the environmental revolution. “Save the wolf!” became one of the movement's rallying cries. And save the wolf we did.

## Arduous Road to Recovery

It seemed to matter to no one that a thriving population of 60,000 wolves remained next door in Canada and Alaska: Because they were gone from the western wilderness — including Yellowstone National Park and other wild lands in the contiguous states — wolves were officially endangered and considered worthy of salvation. I was an early proponent of that philosophy. My book *The Wolf: The Ecology and Behavior of an Endangered Species* ended by saying, “The wolf haters must be outnumbered. They must be outshouted, outfinanced and outvoted” ([Mech 1970](#)). To save the species, federal agencies put protections in place. Soon the ranks of wolf supporters began to rise, making it easier to outvote the anti-wolf factions.

After the passage of the Endangered Species Act of 1973 ([ESA](#)), wolves gained new protections. In 1978, the FWS approved the [Recovery Plan for the Eastern Timber Wolf](#) (a subspecies of gray wolf) that eventually covered populations in Minnesota, Michigan, and Wisconsin. Wolves were already increasing in Minnesota by that time ([Fuller et al. 1992](#)), and the added protection furthered the increase and allowed Minnesota's population to flow over into Wisconsin and Michigan ([Wydeven et al. 2009](#), [Beyer et al. 2009](#)). In 1987, the [Northern Rocky Mountain Wolf Recovery Plan](#) proposed restoring wolves to Wyoming, Montana, and Idaho. Meanwhile, a similar public attitudinal change in Canada ([Carbyn 1983](#)) reduced pressure on wolves there, and dispersers from the rising Canadian wolf population began to recolonize Montana ([Ream et al. 1991](#)).

The ESA of 1973 also gave new impetus to an idea that had long been simmering among professional conservationists the restoration of wolves to Yellowstone National Park (Leopold 1944, Pimlott 1967, [Mech 1970](#)). Assistant Secretary of the Interior Nathaniel Reed championed the idea in the 1970s. A long political process followed involving considerable Congressional wrangling, a \$350,000 appropriation for an Environmental Impact Statement (EIS) on wolf reintroduction, 160,000 written comments on the EIS, an unsuccessful court case against the reintroduction, and a last-minute injunction against releasing the wolves that was soon rescinded ([Cook 1993](#), [McNamee 1997](#)).

The process culminated in the reintroduction of wolves into Yellowstone and central Idaho in 1995 and 1996 ([Bangs and Fritts 1996](#)) as part of FWS's Northern Rocky Mountain Wolf Recovery Plan. According to that plan, wolves would be considered "viable" (or recovered) in the region once 10 breeding pairs were maintained in each of three designated recovery areas (in parts of Idaho, Montana, and Wyoming) "for a minimum of three successive years" ([FWS 1987](#)). Thanks to legal protection and the wolves' biotic potential, the species reached the recovery goal in 2002 with at least 663 individuals, and numbers have continued to increase.

Likewise, the plan for wolves in the Upper Midwest specified that the species would be considered recovered once Minnesota retained its existing population of at least 1,250 wolves for five consecutive years, and when Wisconsin and Michigan were supporting at least 100 wolves between them ([FWS 1992](#)). By 1999, Minnesota, Wisconsin, and Michigan had reached those objectives, and their wolf populations also continued to increase.

## More Wolves, More Tension

The understanding and intention of both the Northern Rocky Mountain (NRM) and Upper Midwest wolf recovery teams were that once the wolf populations reached their science-based biological recovery levels, the FWS would delist them, and their management — including public harvest — would be returned to the states. Those expectations met numerous roadblocks, however.

In 2003, FWS changed the status of Upper Midwest wolves to threatened rather than endangered, and in 2007 and 2009, delisted them. In 2003, 2008, and 2009, FWS also tried to reclassify or delist the Idaho, Montana, and Wyoming wolf populations. Each attempt, however, was successfully challenged in court by animal-protection groups on the basis of legal technicalities, such as failure to address threats to wolves outside the core recovery areas.

Wolf populations in the NRM and Midwest have continued to increase beyond recovery levels, much to the chagrin of many ranchers, hunters, and guides. In the NRM, those folks generally have been extremely patient and tolerant while

wolf populations have grown far beyond the levels that many residents had believed they would have to live with based on the publicly vetted recovery plans. After wolves were delisted in the West (except in Wyoming) and then relisted once more by court order in 2010, some western residents appealed to their Congressional representatives. As a result, in 2011 Congress intervened by legislatively delisting wolves in Montana and Idaho (as well as in parts of Washington, Oregon, and Utah), and exempting that ruling from legal challenges ([ENS 2011](#)). By then, the NRM wolf population exceeded 1,750 wolves, about six times the minimum recovery level. Likewise, in the Upper Midwest, the Minnesota wolf population had reached more than twice the minimum recovery level, and the Wisconsin/Michigan population hit 12 times the minimum level, so FWS again delisted wolves in the region in late 2011.

With each of these states' wolf populations far higher than recovery levels, some groups began to strongly promote public wolf harvesting. (Federal culling of depredating wolves had been ongoing for years in these states, resulting in removal of more than 4,000 wolves.) All the states with recovered wolf populations (except Michigan) began to allow various forms of public wolf harvest. Their approaches varied: all allowed hunting, some allowed trapping, snaring, and baiting. But all set conservative quotas and seasons in their first year's regulations.

Even so, neither Montana nor Idaho nor Wyoming reached their initial harvest quotas, and wolf populations continued to increase. Montana, for example, had hoped to harvest 220 wolves in the 2010-2011 season but ended up taking only 166, even after extending the season. The state's wolf population then increased by 15 percent. Likewise, Minnesota, which had issued 3,600 wolf permits during the 2012 deer season, saw hunters harvest 147 of the 200 quota. (A second special season for hunting, trapping, or snaring wolves, with 2,400 permits and a quota of 253, did reach that quota.)

Though conservative wolf-harvest quotas were based on population science, hunting of wolves greatly upset many members of the public. Saving wolves had gained a large and passionate constituency. Wolves in Yellowstone were seen by hundreds of thousands of visitors and had generated an estimated \$35 million per year for the local economy ([Duffield et al. 2008](#)). Some biologists had also concluded that through trophic cascades, wolves were improving populations of everything from beetles to trout in the Yellowstone ecosystem ([Hebblewhite and Smith 2010](#)), and the popular media had greatly publicized those findings. (After a recent review of the literature, however, I concur with several other scientists who question those findings [[Mech 2012](#)].)

In any case, wolf aficionados took great umbrage at states for instituting wolf harvesting. In Minnesota, for example, some 15 anti-wolf-taking billboards appeared along major highways; protests and vigils were regularly held in front of Governor Mark Dayton's home; new websites were launched; and the ad-hoc

group “Howling for Wolves” filed a suit to stop the hunt. When that failed, a lawsuit was filed against the FWS by the Humane Society of the United States and three other groups to relist the wolf in the Upper Midwest.

Delisting had clearly opened the floodgates to action by constituents with strong pro and anti-wolf feelings. It turns out that the 1978 Eastern Timber Wolf Recovery Team had been prescient when it wrote the following: “It is important to remember that the wolf is controversial, so there will be local opposition to any attempt to re-establish the animal or afford it any measure of protection. Similarly there will be opposition from other quarters to any effort to control the animal, although control may be necessary for the good of the animal itself in certain areas. If re-establishment of the wolf is accomplished, regulated taking of the animal undoubtedly will be necessary in the restored range sooner or later” (FWS 1978).

Similarly, NorthernRockyMountain team members wrote, “We predict that controversy will continue well beyond the time when wolves are recovered and removed from federal protection, although the focus will shift from whether and how wolves should be restored to how wolves should be managed (Mech 1995), particularly in relation to state-regulated ungulate hunting programs” (Bangs and Fritts 1996).

## Special Case in Wyoming

Those predictions typify Wyoming’s situation. Yellowstone National Park forms about half of the planned Wyoming recovery zone for wolves. However, the area outside that zone comprises some 80 percent of Wyoming and is intensively grazed by livestock. Wolves in that massive area — which Wyoming named the Predator Zone — regularly prey on livestock, causing problems for area ranchers. From 2003 through 2012, agencies authorized the killing of 70 depredating wolves in the Predator Zone, which resulted in no packs ever being able to persist there. Nevertheless, this area for years has been a special zone of contention for wolf advocates, and still is.

The FWS had mandated that each state develop a management plan showing how it would achieve and sustain wolf recovery. By 2008 the Service had approved recovery plans for Minnesota, Wisconsin, Michigan, Montana, and Idaho, but it had rejected Wyoming’s plan partly because it proposed unrestricted taking of wolves in the extensive non-wilderness Predator Zone — long a prominent feature of the state’s various wolf management plans. Very few wolves inhabit that area because of their constant conflict with livestock, so biologically nearly all of that portion of Wyoming is inconsequential to Wyoming’s wolf population. However, in principle (wildlife management is primarily people management, remember?), the idea that wolf taking would be unrestricted in such a large portion of Wyoming has been unacceptable for many wolf advocates.

Media became complicit in this controversy by failing to note that relatively few wolves inhabit the Predator Zone. That “oversight” appears deliberate. For example, in several phone interviews with the media, other biologists and I have regularly pointed out this key fact, but seldom was that included in a story. The overall impression was that Wyoming intended to wipe out most of its wolves. One widely circulated account stated that eight groups suing the FWS claimed that Wyoming’s management plan classified wolves as “predators that can be shot on sight in most of the state” ([Denver Post 2012](#)).

In any case, FWS refused to approve Wyoming’s plan for years, and it was that plan that figured prominently in lawsuits and even in the Congressional 2011 delisting of the wolf in Montana and Idaho but not Wyoming. In 2012, however, the FWS approved a new [Wyoming Gray Wolf Management Plan](#), which had some modifications that addressed the Service’s biological concerns but still allowed open, year-around taking of wolves in the Predator Zone. The FWS delisted the wolf in Wyoming in August 2012 ([FWS 2012](#)). The state promptly opened a regulated take of 52 wolves in a “Trophy Zone” (which held about 450 wolves, at least 224 of which were outside of Yellowstone National Park) and unlimited take in the Predator Zone. Some 41 wolves were taken in the trophy area and 20 or so in the Predator Zone. As of this writing, two groups of animal-protection organizations are suing the FWS to relist wolves in Wyoming. Thus Wyoming wildlife managers, who had never before had to contend with controversy over public wolf harvests, suddenly were faced with conflicting views of the Wyoming legislature, big-game hunters, and livestock producers on one side versus wolf advocates on the other. The controversy continues to simmer.

### Other Challenges over ‘Take’

Once wolf populations recovered in the Lower 48, several states began to allow public wolf trapping (in addition to shooting) and faced new controversy over that method of take. A graphic photo of a legally trapped wolf in Idaho went viral on the Internet in March 2012 and brought worldwide protest. In addition, the Wisconsin legislature passed a law in 2012 allowing hunters to use dogs to hunt wolves in keeping with that state’s long tradition of using dogs to hunt bears (*Ursus americanus*), coyotes (*Canis latrans*), and bobcats (*Lynx rufus*). Animal-protection groups successfully sued to postpone that on the grounds that it would be cruel to the dogs, fearing that the wolves would turn on the dogs and eat them! (After the season closed, the court ruled that use of dogs would be legal.)

Wisconsin has also had to deal with two other new wildlife management issues—tribal interests and night hunting—that have arisen since it assumed wolf management responsibility in 2012. Some tribes, including Ojibwes in the Upper Midwest, view the wolf as sacred. “The Ojibwe have always understood the wolf to be their brother. They look at wolves as teachers, showing ... how to live on the landscape, how to raise young using family units, how to persevere under persecution — all the traits necessary to survive in this often-harsh environment”

(Johnston 2012). Thus Wisconsin reserved 85 wolves of its planned quota of 201 for the Ojibwe, who then vowed not to kill them. Likewise, in Minnesota, tribes have prohibited public wolf harvest on tribal lands.

A regulation in Wisconsin that allowed night hunting of wolves spawned another new problem and lawsuit. The Ojibwe reasoned that if the state allowed night hunting of wolves, then the natives should be allowed night hunting of deer (*Odocoileus virginianus*). Thus the Great Lakes Indian Fish and Wildlife Commission recently authorized Wisconsin tribes to hunt deer at night with lights. According to one news account, Sue Erickson, a spokeswoman for the Commission, said, “The DNR said it’s safe to have hunters in the woods at night hunting wolves and using a light at the point of kill ... The tribes are simply instituting the same thing” (*Star Tribune* 2012). The Wisconsin Department of Natural Resources has now sued the tribes to stop their night hunting of deer.

Clearly the varied issues related to public harvest of wolves will be a challenge for all the states with recovered wolf populations — an idea recently captured by Tom Ryder of the Wyoming Game and Fish Department. “Wolves represent every facet of wildlife management and the North American Model of Wildlife Conservation,” he says, “touching on public ownership of wildlife, how science must be brought to bear, predator-prey relationships, the challenges of managing a charismatic species, politics, and human dimensions.”

Given all those complexities, there are no easy answers to the dilemma facing states trying to responsibly manage such a controversial creature as the wolf. One approach that might help pacify wolf advocates would be for each state to set aside special wolf sanctuaries free from public wolf taking. Such sanctuaries could provide buffer zones around national parks and perhaps reduce the number of park wolves killed just outside the park. (So far in 2012, eight radio-collared Yellowstone Park wolves valuable for research have been killed, drawing much media attention and public condemnation.) Sanctuaries might also help satisfy some of the tribal concerns and would be favored by at least some of the animal protection-groups, although setting aside sanctuaries certainly would not end all the controversies.

In summary, wolf recovery in the Midwest and NRM was easy—for the wolves — but just the opposite for the states. Similar endless and expensive controversy also pervades the ongoing Mexican wolf recovery program in the southwestern U.S. and the red-wolf (*Canis rufus*) program in the Southeast. Such controversy probably ensures that wolf restoration will never be undertaken in other areas.

After that weary phone call from Mike Jimenez, I did submit the legal declaration he requested for the Wyoming court cases. The wolf population is secure in that state today, but only time will tell whether all the legal technicalities were followed in the delisting process. One wonders if all this controversy and litigation by both sides — which began in 1994 and likely will persist into the foreseeable future —

might cause some future wildlife-management students to start wondering whether to change their major to pre-law.

**Author Bio:** L. David Mech, Ph.D., is Senior Research Scientist with the U.S. Geological Survey's Northern Prairie Wildlife Research Center, Adjunct Professor at the University of Minnesota-St. Paul, and Founder of the International Wolf Center in Ely, Minnesota.

Article link: <http://news.wildlife.org/twp/2013-spring/the-challenge-of-wolf-recovery/>

##