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California Wolf Center



Conservation, Education, Research



WILDLIFE RESCUE
SONOMA COUNTY



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LETTER IN SUPPORT FOR REGULATIONS TO BAN NIGHT-TIME HUNTING AND LETHAL TRAPPING IN GRAY WOLF TERRITORY (PETITION #2015-010)

Item #32(A), April 14, 2016 California Fish & Game Commission Meeting

Sent via electronic mail

March 30, 2016

California Fish and Game Commission (“the Commission” or “FGC”)
President Eric Sklar
Vice President Jacqueline Hostler-Carmesin
Commissioner Anthony Williams
Interim Executive Director Michael Yaun

1416 Ninth Street, Room 1320
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Re: SUPPORT FOR REGULATIONS TO BAN NIGHT-TIME HUNTING AND LETHAL TRAPPING IN GRAY WOLF TERRITORY (PETITION #2015-010) (Item #32(A), April 14, 2016 FGC Meeting)

Dear President Sklar, Vice President Hostler-Carmesin, Commissioner Williams, and Director Yaun:

We—Action for Animals, Animal Legal Defense Fund, Apex Protection Project, Battle Creek Alliance, California Wolf Center, Cascadia Wildlands, Center for Biological Diversity, Defenders of Wildlife, Eastern Sierra Wildlife Care, Endangered Species Coalition, Environmental Protection Information Center, International Marine Mammal Project, Klamath Forest Alliance, Los Angeles Wilderness Training, Marin Humane Society, Mountain Lion Foundation, Natural Resources Defense Council, Nevada Wildlife Alliance, Peace 4 Animals, Project Bobcat, Project Coyote, River Otter Ecology Project, Shark Stewards, Sierra Club California, Social Compassion in Legislation, Sonoma County Wildlife Rescue, The Humane Society of the United States, Western Watersheds Project, WildEarth Guardians, and Wildlife Emergency Services, collectively representing over 3,100,000 Californians—write to express our strong support for regulations to ban night-time hunting and lethal trapping of coyotes and other species within the range of the gray wolf in California (Petition #2015-010). We urge the Commission to expeditiously adopt the ban in order to protect the federally and state-listed gray wolf and aid this magnificent species on its critical road to recovery in California.

As the Commission is well aware, the recovery of California’s gray wolf population is precarious in light of only a single pack, the Shasta Pack, currently known to be residing in the state. In recognition of this status, the gray wolf is listed as endangered under both the state and federal Endangered Species Acts (“CESA” and “ESA”). While these regulatory mechanisms render both the intentional and accidental taking of gray wolves in California illegal, specific regulations are necessary to protect wolves in the state from one of the greatest threats to their recovery: the accidental killing of gray wolves mistaken for other species, particularly coyotes, in night-time hunting and lethal trapping currently permitted in occupied and potential wolf territory. We are pleased that the Commission is now, in response to a petition, considering regulations to address this need.

We urge the Commission to take swift action on the requested regulations in order to greatly reduce the risk of future takings of wolves in violation of the ESA and CESA. Well-documented cases across the United States show that wolves have frequently been killed by hunters targeting coyotes as well as having been injured or killed in traps set for other species.¹ The Commission, in your notice of findings for the

¹ See Petition #2015-010 for further details.

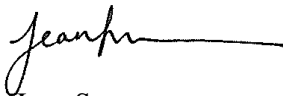
gray wolf CESA listing, confirmed that “dispersing wolves and small wolf populations are inherently at risk due to . . . being killed by hunters that mistake them for coyotes.” Further, the California Department of Fish and Wildlife articulated the accidental killing of wolves “mistak[en] . . . for coyotes” and “by traps or snares” as key sources of wolf mortality in its December 2015 Draft Conservation Plan for Gray Wolves.² The risk of mistaken identity is greatest at night, with threats to species that look nothing like the target species, including humans.³ California’s current regulations which permit night-time hunting and lethal trapping of coyotes and other nongame and furbearer species within the range of the gray wolf will, absent amendment, almost certainly result in the illegal take of the endangered gray wolf. The Commission’s adoption of a ban against such activities serves to greatly reduce the likelihood of ESA and CESA violations by hunters and trappers, as well as the Commission’s and Department’s own potential legal liability under these statutes.

Moreover, the protections we seek for the gray wolf are neither new nor extraordinary; identical protections are already afforded to California’s two other CESA-listed wild canids. Specifically, the Commission previously enacted prohibitions on night-time hunting and the use of lethal traps within the range of the endangered San Joaquin kit fox and Sierra Nevada red fox⁴—protections identical to those we now seek on behalf of the gray wolf. The Commission should afford equal protective treatment to the endangered gray wolf population.

While we recognize that wolf recovery and management in California will be a multifaceted and long-term endeavor engaging myriad stakeholders, the most immediate risks to the species can and must be addressed by the Commission. As the current California gray wolf population consists of only seven known wolves, it is indisputable that the wolves’ very survival in the state is precarious, thus warranting expeditious action to minimize risks of their illegal take. The requested regulations are an essential step in this effort.

Thank you for your consideration of these comments. We look forward to the Commission’s swift action on this matter.

Sincerely,



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² California Fish and Wildlife Department, Draft Conservation Plan for Gray Wolves in California Part II, p. 13 (December 2015), <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=112630&inline>.

³ Exemplifying this in California in 2014, Department Warden Bob Perra suffered near-fatal neck injuries from night-time shots taken by a contestant of a coyote-killing contest in El Dorado County. *See* Locke, Cathy, El Dorado County man charged in 2014 wounding of game warden (Feb. 25, 2015), <http://www.sacbee.com/news/local/crime/article11171996.html>. See Petition for further analysis.

⁴ *See* 14 CCR § 465.5(g)(5)(c), 466 and 474(a).



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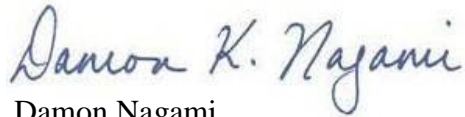
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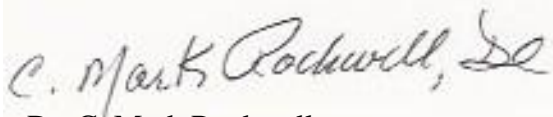
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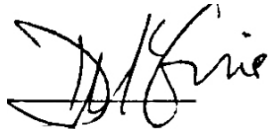


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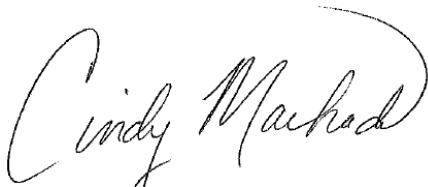
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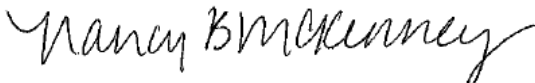


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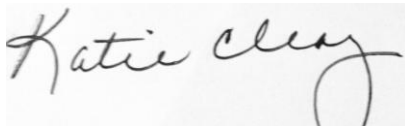
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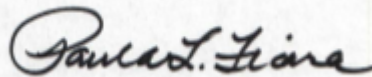
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