

REFERENCE TITLE: Mexican wolf; population rule

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

SCR 1006

Introduced by
Senator Griffin

A CONCURRENT RESOLUTION

SUPPORTING THE PROTECTION OF ARIZONA AND NEW MEXICO LANDOWNERS AND THE
DIVERSION OF FUTURE MEXICAN WOLF INTRODUCTION EFFORTS TO REMOTE AREAS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Whereas, the United States Fish and Wildlife Service (USFWS) has issued
2 a proposed rule under which the gray wolf (*Canis lupus*) will be removed from
3 the list of endangered and threatened species under the Endangered Species
4 Act (ESA) based on the large numbers of wolves across the species' range in
5 North America; and

6 Whereas, the USFWS also intends to reclassify reintroduced wolves in
7 the southwestern United States as a new wolf subspecies called the Mexican
8 wolf (*Canis lupus baileyi*) and to list this new subspecies as endangered
9 under the ESA; and

10 Whereas, the USFWS is also proposing to issue a revised experimental
11 population rule under section 10(j) of the ESA that would cover the new
12 Mexican wolf subspecies and facilitate the introduction of additional wolves
13 into Arizona and New Mexico; and

14 Whereas, Congress enacted section 10(j) of the ESA to mitigate fears
15 that reestablishing populations of endangered species would negatively impact
16 landowners and other private parties, recognizing that flexible rules,
17 developed in consultation with local governments and private citizens, could
18 encourage recovery partners to actively assist in the establishment and
19 hosting of endangered populations on their lands; and

20 Whereas, to the maximum extent practicable, section 10(j) rules are
21 intended to represent an agreement between the USFWS, affected state and
22 federal agencies and persons holding any interest in land that may be
23 affected by the establishment of an experimental population; and

24 Whereas, the objective of 1982 Mexican Wolf Recovery Plan is the
25 establishment of a viable, self-sustaining population of at least 100 Mexican
26 wolves in the wild; and

27 Whereas, as of 2012, there are approximately 75 wolves in the wild in
28 Arizona and New Mexico, 97 per cent of which were conceived and born in the
29 wild as a direct result of previous wolf introduction efforts; and

30 Whereas, the reclassification and listing of the Mexican wolf and the
31 adoption and implementation of the revised experimental population rule will
32 allow additional wolves to be introduced within Arizona and New Mexico; and

33 Whereas, the introduction of wolves into Arizona and New Mexico has
34 resulted in significant adverse impacts on private landowners and resource
35 users, as well as hunting and other recreational activities, which are vital
36 to our local and regional economy; and

37 Whereas, under its regulations, the USFWS must consult with appropriate
38 state fish and wildlife agencies, local governmental entities, affected
39 federal agencies and affected private landowners in developing and
40 implementing experimental population rules; and

41 Whereas, in developing its experimental population rules for the
42 Mexican wolf, the USFWS has failed to meaningfully consult with local
43 governmental entities, whose citizens will be adversely affected by the
44 introduction of wolves, and with private land and resource users who will be
45 adversely impacted by the introduction of wolves; and

1 Whereas, the proposed listing and experimental population rules for the
2 Mexican wolf indicate that the USFWS intends to expand the areas in which
3 releases of captive-bred wolves will occur and to introduce additional wolves
4 into that expanded area, creating even greater conflicts with private
5 landowners and resource users.

6 Therefore

7 Be it resolved by the Senate of the State of Arizona, the House of
8 Representatives concurring:

9 1. That the Members of the Legislature support focusing future Mexican
10 wolf introduction efforts on remote areas within the northern Sierra Madre
11 Occidental mountain range, which contains substantial habitat suitable for
12 Mexican wolves and, in many places, is largely uninhabited.

13 2. That the Members of the Legislature support shifting the primary
14 responsibility for the administration of the Mexican wolf introduction
15 program in Arizona and New Mexico to the Arizona Game and Fish Department and
16 the New Mexico Department of Game and Fish.

17 3. That the Members of the Legislature do not support additional
18 introductions of Mexican wolves in Arizona and New Mexico unless and until it
19 has been determined that wolves cannot be introduced successfully in northern
20 Mexico and the natural expansion of the existing wolf population in Arizona
21 and New Mexico is not capable of achieving the 100-wolf population goal of
22 the 1982 Mexican Wolf Recovery Plan.

23 4. That the Members of the Legislature believe that the 10(j) rule
24 governing the management of Mexican wolves in Arizona and New Mexico should
25 authorize private landowners and their agents, following reasonable notice
26 and reporting requirements, to take Mexican wolves that enter private land,
27 unless the landowner has entered into a management agreement with the USFWS
28 allowing wolves to enter private land.

29 5. That the Members of the Legislature believe that the 10(j) rule
30 governing the management of Mexican wolves in Arizona and New Mexico should
31 authorize private landowners and their agents to take Mexican wolves that are
32 killing, wounding, biting, chasing, threatening or harassing humans, pets or
33 livestock on private land, subject to reasonable notice and reporting
34 requirements.