

March 29, 2023

Colorado General Assembly
Senate Agriculture & Natural Resource
Committee
200 E Colfax Avenue
Denver, CO 80203

Colorado Department of Natural Resources
Executive Director Dan Gibbs
1313 Sherman St.
Denver, CO 80203

Dear Chairman Roberts and Members of the Colorado Senate Agriculture and Natural Resources Committee,

We, the undersigned organizations, write to you on behalf of tens-of-thousands of Colorado hunters, anglers, conservationists, and outdoor enthusiasts. We do so to respectfully express our support for SB23-255, Management of Gray Wolves Reintroduction.

With the passage of Proposition 114 in November of 2020, Colorado voters directed the Colorado Parks and Wildlife Commission to develop a plan to reintroduce and manage gray wolves in Colorado no later than December 31, 2023 on designated lands west of the Continental Divide. Proposition 114 further directed Colorado Parks and Wildlife (CPW) to hold statewide hearings to solicit public input in the development of the state's Wolf Restoration and Management Plan, and allocate state funds to assist livestock owners in preventing conflicts with gray wolves and to pay fair compensation for livestock losses.

At the time of the passage of Proposition 114, the gray wolf was classified as "threatened" under the Endangered Species Act (ESA). However, in February of 2022, a federal court order overturned the previous ruling which resulted in the gray wolf once again being listed as an "endangered" species under the ESA in most the lower 48 states, including Colorado. With that court ruling, the management of gray wolves in Colorado is now solely under the jurisdiction of the U.S. Fish & Wildlife Service (USFWS), unless the state is granted a 10(j) rule by the USFWS for its ballot mandated wolf reintroduction effort.

The 10(j) rule is a provision of the Endangered Species Act (ESA) which allows for the reintroduction of federal listed endangered species into suitable habitat outside of the species' current range as a "nonessential experimental population." When an endangered species is reintroduced into an area under the 10(j) rule, the prohibitions and consultation requirements that exist for that species under the ESA are relaxed. Under the 10(j) rule that CPW is pursuing, gray wolves would be regulated as a "threatened" species which allows for greater management of the population by the state, as well as providing more nuanced and flexible management prescriptions.

From the onset, CPW understood that a wide range of tools and management prescriptions would be necessary to ensure a successful reintroduction effort, manage cultural carrying capacity, and to ensure that gray wolves are managed in concert with all of the other species across the state. As such, CPW has initiated the application process to secure a 10(j) designation and is currently engaged in the discussions with the US Fish and Wildlife Service to achieve that outcome.

Moreover, CPW has already invested significant time, effort, and financial resources into the process of securing a 10(j) designation through the development of their Wolf Restoration and Management Plan with the assistance of the state established Technical Working Group and the Stakeholder Advisory Group. Colorado's hunters, anglers, and conservationists are significantly vested in seeing that those previous efforts and commitments from the state are honored. It is the expectation and hope of Colorado's outdoor sporting community that those collaborative efforts made in good faith will serve as the basis for the management protocol for a successful gray wolf reintroduction effort under a 10(j). If the state were to decide to move forward with a reintroduction of gray wolves without a 10(j) rule in place, the federal government would possess sole management authority over the reintroduced population of wolves in Colorado, and the Wolf Restoration and Management Plan would be inapplicable.

SB23-256 appropriately level-sets the expectations of Coloradans who voted for a reintroduction during a time when the gray wolf was not listed as an endangered species. Furthermore, this bill ensures that CPW can continue its work to responsibly reintroduce gray wolves into Colorado under a process that provides them with the necessary tools and flexibility to ensure its long-term success.

For the reasons stated above, we encourage you to vote "YES" on SB23-256.

Sincerely,
Members of the Colorado Wildlife Conservation Project

Theodore Roosevelt Conservation Partnership
Safari Club International
Rocky Mountain Elk Foundation
Coloradans For Responsible Wildlife Management
Colorado Wildlife Federation
Congressional Sportsmen's Foundation
Colorado Outfitters Association
Colorado Bowhunters Association
Colorado Conservation Alliance
Muley Fanatic Foundation
Keep Routt Wild
Colorado State Muzzle Loading Association