

July 30, 2018

Public Comments Processing  
Attn: FWS-R4-ES-2018-0035  
U.S. Fish and Wildlife Service  
MS: BPHC, 5275 Leesburg Pike  
Falls Church, VA 22041-3803

**Re: 10(j) Rule Revision: North Carolina Legislator Comments**

We, the undersigned North Carolina and other legislators are writing in support of the active promotion of wild red wolf recovery in North Carolina, and to express our opposition to the U.S. Fish and Wildlife Service's ("FWS" or "the Service") proposed changes to the red wolf recovery program.

FWS must stem the rapid decline of the only wild population of red wolves in the world. With perhaps fewer than 30 wild red wolves left -- and only three known breeding pairs, the species could be soon extirpated from the wild unless the Service pursues:

1. Maintenance or expansion of the North Carolina Nonessential Experimental Population ("NC NEP") management area;
2. Expansion of the current wild population in North Carolina;
3. Resumption of work to curtail hybridization with coyotes;
4. Improvement of law enforcement efforts to disincentivize the poaching of red wolves;
5. Monitoring of all "take" of red wolves;
6. Improvement of outreach to local residents in the recovery area; and
7. Utilization of additional reintroduction sites across the red wolf's historic range.

The Draft Environmental Assessment for Proposed Replacement of the Regulations for the Nonessential Experimental Population of Red Wolves in Northeastern North Carolina ("Draft EA") examines only one alternative that promotes wild red wolf recovery in North Carolina, Alternative 2. In contrast, the implementation of FWS' preferred alternative ("Alternative 3") would mark the end of federal efforts to recover the species in the wild in North Carolina. For these reasons and those described below, the undersigned write in support of the adoption of Alternative 2, and in opposition to the adoption of Alternative 3.

**I. Federal Lands in Dare County Cannot Alone Support A Viable Wild Red Wolf Population**

The reintroduction of red wolves into eastern North Carolina was a monumental step forward for the recovery of *Canis rufus*. Yet, Alternative 3 would reverse this progress by drastically reducing the recovery area and removing – or killing – wolves from private and public lands in the area surrounding the diminished North Carolina Nonessential Experimental Population ("NC NEP") management area. Specifically, Alternative 3 proposes to shrink the management area by

90 percent, restricting the red wolf's sanctuary to federal lands in Dare County only, with no effective protections for wolves that step off these federal lands.<sup>1</sup>

The NC NEP management area contemplated in Alternative 3 cannot maintain a viable population of red wolves; therefore, this alternative is inconsistent with red wolf recovery and the best available science. The 2014 report by the Wildlife Management Institute concluded that “even the current 1.7 million acre restoration area may not be conducive to holding a viable, self-sustaining red wolf population for the long term,” but that “there is abundant, potentially suitable habitat on private and state land to the west of the current restoration area that could be occupied by red wolves.”<sup>2</sup> Red wolves should be allowed to establish additional territories in the North Carolina recovery area, rather than kept in captivity, so that population growth might once again continue.<sup>3</sup> Additional removal and killing of existing wild wolves, as proposed in Alternative 3, would further disrupt pack dynamics and encourage hybridization with coyotes.

Rather than reverse red wolf recovery and accelerate population loss by diminishing the North Carolina recovery area, the Service should work to better protect the existing wild population through actions such as reducing gunshot mortality and gaining support from adjacent landowners. We strongly urge the Service to reconsider its decision to constrict the North Carolina recovery area for red wolves, and urge the Service's adoption of Alternative 2 in the Draft EA.

## **II. Regular Reintroductions of Individuals into the Wild Population are Essential to Red Wolf Recovery**

With 30 or fewer individuals left in the NC NEP, the red wolf is perilously close to extinction in the wild. With a high background rate of human-caused mortality from gunshot wounds, poisoning, trapping, and automobile collisions, regular reintroductions of new individuals are essential to maintaining and boosting the wild population of wolves. The NC NEP has been consistently diminishing for years because FWS has stopped supplementing the population with reintroduced individuals to help offset the rapid and consistent anthropogenic losses.

Alternative 2 is the only acceptable alternative examined in the Draft EA. However, more than five wolves should also be permitted to be reintroduced into the population per year so that reintroductions may effectively offset mortality and rebuild the NC NEP. Because Alternative 3 seeks to actively shrink the NC NEP by 90 percent or more, it would inevitably result in the extinction of the tiny remnant population that persists in the recovery area today. Accordingly, Alternative 3 is unacceptable.

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<sup>1</sup> Draft EA at 18.

<sup>2</sup> Wildlife Management Institute, Inc. A Comprehensive Review and Evaluation of the Red Wolf (*Canis rufus*) Recovery Program (Nov. 14, 2014) (hereinafter “WMI Report”) at 37-38.

<sup>3</sup> The captive population of red wolves is secure and does not need additional influxes of wild wolves to prevent extinction. It is not at risk of extinction. See PVA Team Letter to Cynthia Dohner (Oct. 11, 2016); PVA Study at 3.

### **III. The Renewal of Efforts to Curtail Hybridization between Red Wolves and Coyotes is Essential to Red Wolf Recovery**

In addition to boosting the overall numbers of red wolves in the NC NEP, another essential component of management involves the renewal of efforts to prevent the interbreeding of red wolves and coyotes; efforts which have faltered since 2014. Without both of these parallel efforts, and due to the lack of available mates, the rapidly diminishing wild red wolf population is left increasingly vulnerable to the dilution of its genetics through hybridization with coyotes, and due to the lack of available mates. Because both active reintroduction and anti-hybridization efforts are so essential to the perpetuation of *Canis rufus*, we praise the inclusion of the Red Wolf Adaptive Management Work Plan (“RWAMWP”) across the five-county area in Alternative 2.

### **IV. Enhancement of Law Enforcement Efforts is Essential to Red Wolf Recovery**

Because anthropogenic mortality – including mortality resulting from gunshots wounds, poisoning, trapping, and vehicle strikes – is the primary cause of death for wolves in the NC NEP, FWS should focus more of its resources on law enforcement efforts designed to investigate, catch, prosecute, fine and dissuade poachers in the recovery area. Alternative 2’s mandatory investigation of all incidents of red wolf take is the only option examined in the Draft EA that provides for robust law enforcement against red wolf poachers, and, therefore, it is the only acceptable alternative. In contrast, Alternative 3 removes anti-poaching law enforcement from most of the present-day recovery area, legalizing the poaching currently occurring on private and state lands within the recovery area.

### **V. Monitoring of All “Take” of Red Wolves is Essential to Red Wolf Recovery**

In order to ensure that recovery efforts are successful, FWS must carefully monitor all “take” of the small number of red wolves that remain on the landscape. Without knowledge of the number of red wolves being killed by humans, FWS is unable to keep track of whether the tiny NC NEP is on the verge of total collapse. For this reason, Alternative 3’s standard that red wolf take only need be reported to FWS if the deceased wolf was collared is unacceptable. Only Alternative 2 requires that all take – even potential take – be reported immediately to FWS, and as such, it is the only acceptable course of action.

### **VI. Enhanced Outreach to Local Residents is Essential to the Success of the NC NEP**

In order to reduce the poaching of red wolves and pursue the success of the program, FWS must improve its relations with local residents via outreach, advocacy, and cooperation for the promotion of the red wolf NC NEP. Alternative 2 includes essential initiatives to seek out private landowners who would voluntarily collaborate with FWS to have individual wolves released on their private property as a part of the program. As stated by FWS in the Draft EA, “given the importance of private lands to red wolf conservation range-wide, development of effective means to foster state and landowner cooperation is imperative.”<sup>4</sup> However, Alternative

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<sup>4</sup> Draft EA at 17.

3 turns that concept on its head, relying instead on private actors to cooperate with FWS in eradicating the NC NEP.

## **VII. More Reintroduced Populations Are Essential For Red Wolf Recovery**

Although the red wolf reintroduction program was extraordinarily successful until recent years, further recovery depends on establishing additional wild populations. The 1990 Red Wolf Recovery Plan called for the reintroduction of wolves into at least three areas,<sup>5</sup> and the Wildlife Management Institute report reaffirms this need. The report found that “[s]uccessful accomplishment of the current recovery plan objectives will require identification of suitable areas and reintroduction of red wolves to two other distinct locations within historic red wolf range.”<sup>6</sup> Establishment of additional reintroduction sites is long overdue and could allow for interactions between populations to achieve exchange of genetic material necessary for red wolf survival and recovery.

The Service’s September 2016 decision states that the Service will, as part of the red wolf’s five-year status review, work to identify potential reintroduction sites across the red wolf’s historic range.<sup>7</sup> We support the Service’s decision to identify additional sites, and we urge the Service to promptly move forward with these reintroductions, as well as ensure these reintroduction areas are protected from all hunting and poaching. However, pursuing potential reintroduction areas for red wolves in no way, shape, or form justifies abandoning red wolf recovery efforts in North Carolina.

## **VIII. Red Wolves Are a Listable Entity Under The Endangered Species Act**

We support the Service’s decision to continue to recognize the red wolf as a listable entity. A majority of experts on this subject have concluded, time and time again, that the red wolf is a listable entity under the ESA.”<sup>8</sup> Although the scientists differed on whether red wolves should be considered a distinct species, subspecies, distinct population segment, or admixture, they all agreed red wolves represent a unique lineage that is worthy of conservation.<sup>9</sup> In addition, reviews of paleontological, craniometric, and historical data support recognition of *Canis rufus* as a distinct species.

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For all these reasons, we the undersigned submit this letter in support of Alternative 2, and against Alternative 3. We urge FWS to take all actions necessary to recover red wolves in the wild.

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<sup>5</sup> U.S. Fish and Wildlife Service for Southeast Region. Red Wolf Recovery/Species Survival Plan (Oct. 1990) at 10.

<sup>6</sup> WMI Report at 3.

<sup>7</sup> 2018 Recommended Decisions.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

Sincerely,

Deborah Butler  
NC Rep. Deb Butler  
House District 18  
[deborahbutler100@gmail.com](mailto:deborahbutler100@gmail.com)

North Carolina General Assembly  
Representative John Autry  
House District 100  
Legislative Building, Room 1019  
919-715-0706 Phone  
[john.autry@ncleg.net](mailto:john.autry@ncleg.net)

Rep. Pricey Harrison  
Pricey.Harrison@ncleg.net  
204 Ridgeway Dr., Greensboro, NC 27403  
Phone: (336) 274-5574

Representative Verla Insko  
Democratic Whip  
2018 First Extra Session  
Democrat - District 56  
[Orange](#)  
N.C. House of Representatives  
300 N Salisbury Street, Room 502  
Raleigh, NC 27603-5925  
919-733-7208  
[Verla.Insko@ncleg.net](mailto:Verla.Insko@ncleg.net)

Representative Gale Adcock  
2018 First Extra Session  
Democrat - District 41  
[Wake](#)  
N.C. House of Representatives  
16 W Jones Street, Room 1213  
Raleigh, NC 27601-1096  
919-733-5602  
[Gale.Adcock@ncleg.net](mailto:Gale.Adcock@ncleg.net)

Representative Joe John  
House District 40 - Wake  
1013 Legislative Bldg.  
16 W Jones St.  
Raleigh, NC 27603  
(919) 733-5530

Representative Bobbie Richardson  
Democratic Whip  
2018 First Extra Session  
Democrat - District 7  
[Franklin, Nash](#)  
N.C. House of Representatives  
16 W Jones Street, Room 1217  
Raleigh, NC 27601-1096  
919-715-3032  
[Bobbie.Richardson@ncleg.net](mailto:Bobbie.Richardson@ncleg.net)

Representative Marcia Morey  
2018 First Extra Session  
Democrat - District 30  
[Durham](#)  
**APPOINTED 04/05/2017**  
N.C. House of Representatives  
16 W Jones Street, Room 1111  
Raleigh, NC 27601-1096  
919-733-7663  
[Marcia.Morey@ncleg.net](mailto:Marcia.Morey@ncleg.net)

Nan Orrock	State Senator	Georgia
Mary Lou Marzian	State Representative	Kentucky
Sue Errington	State Representative	Indiana
Mary Mushinsky	State Representative	Connecticut
Jeannie Darneille	State Senator	Washington State
Raymond Dehn	State Representative	Minnesota
Robert Renny Cushing	State Representative	New Hampshire
Harriet A. Drummond	State Representative	Alaska
Robert Wittenberg	State Representative	Michigan
Tavia Galonski	State Representative	Ohio
Kevin Ryan	State Representative	Connecticut

Beth Kerttula  
Former Minority leader  
Alaska House of Representatives

Senator Floyd B. McKissick, Jr.  
2018 First Extra Session  
Democrat - District 20  
[Durham](#), [Granville](#)  
N.C. Senate  
300 N Salisbury Street, Room 515  
Raleigh, NC 27603-5925  
(919) 733-4599  
[Floyd.McKissick@ncleg.net](mailto:Floyd.McKissick@ncleg.net)

Senator Paul A. Lowe, Jr.  
2018 First Extra Session  
Democrat - District 32  
[Forsyth](#)  
N.C. Senate  
16 W Jones Street, Room 1119  
Raleigh, NC 27601-2808  
(919) 733-5620  
[Paul.Lowe@ncleg.net](mailto:Paul.Lowe@ncleg.net)

Senator Valerie P. Foushee  
2018 First Extra Session  
Democrat - District 23  
[Chatham](#), [Orange](#)  
N.C. Senate  
300 N Salisbury Street, Room 517  
Raleigh, NC 27603-5925  
(919) 733-5804  
[Valerie.Foushee@ncleg.net](mailto:Valerie.Foushee@ncleg.net)

Representative Susan C. Fisher  
2018 First Extra Session  
Democrat - District 114  
[Buncombe](#)  
N.C. House of Representatives  
300 N Salisbury Street, Room 504  
Raleigh, NC 27603-5925  
919-715-2013  
[Susan.Fisher@ncleg.net](mailto:Susan.Fisher@ncleg.net)

Representative Grier Martin  
2018 First Extra Session  
Democrat - District 34  
[Wake](#)  
N.C. House of Representatives  
16 W Jones Street, Room 1023  
Raleigh, NC 27601-1096  
919-733-5773  
[Grier.Martin@ncleg.net](mailto:Grier.Martin@ncleg.net)

Representative Yvonne Lewis Holley  
2018 First Extra Session  
Democrat - District 38  
[Wake](#)  
N.C. House of Representatives  
16 W Jones Street, Room 1219  
Raleigh, NC 27601-1096  
919-733-5758  
[Yvonne.Holley@ncleg.net](mailto:Yvonne.Holley@ncleg.net)

Representative Evelyn Terry  
2018 First Extra Session  
Democrat - District 71  
[Forsyth](#)  
N.C. House of Representatives  
16 W Jones Street, Room 1015  
Raleigh, NC 27601-1096  
919-733-5777  
[Evelyn.Terry@ncleg.net](mailto:Evelyn.Terry@ncleg.net)

Representative Mary Belk  
2018 First Extra Session  
Democrat - District 88  
[Mecklenburg](#)  
N.C. House of Representatives  
16 W Jones Street, Room 1313  
Raleigh, NC 27601-1096  
919-733-5607  
[Mary.Belk@ncleg.net](mailto:Mary.Belk@ncleg.net)



Senator Terry Van Duyn  
Democratic Whip  
2018 First Extra Session  
Democrat - District 49  
[Buncombe](#)  
N.C. Senate  
16 W Jones Street, Room 1025  
Raleigh, NC 27601-2808  
(919) 715-3001  
[Terry.VanDuyn@ncleg.net](mailto:Terry.VanDuyn@ncleg.net)