



National Association of Conservation Districts

April 11, 2017

Representative Rob Bishop
Chairman
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Representative Raul Grijalva
Ranking Member
House Committee on Natural Resources
1329 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman and Ranking Member:

On behalf of the nation's 3,000 conservation districts and the 17,000 men and women who serve on their governing boards, the National Association of Conservation Districts (NACD) urges you to bring up and move favorably out of committee, H.R.424 "Gray Wolf State Management Act" so it can be considered by the full House.

December 28, 2011, the U.S. Fish and Wildlife Service (Service) published (76 Fed. Reg. 81666) a final rule which removed three things: 1) the Western Great Lakes Distinct Population Segment (WGL DPS) of Gray Wolf from the list of endangered and threatened wildlife, 2) the critical habitat designation in Michigan and Minnesota, and 3) the special regulations in Minnesota. This action was done after a thorough review of the best available scientific and commercial data, which showed that the WGL DPS did not meet the definitions of threatened or endangered under the Endangered Species Act (Act).

Similarly, the Service issued a final rule on September 10, 2012 (77 Fed. Reg. 55530), which used the best available scientific and commercial data to determine the gray wolves in Wyoming (*Canis Lupus*) had recovered and could be removed from the federal list of endangered and threatened wildlife and removed the Yellowstone Experimental Population Area which was established in 1994 to facilitate reintroductions. The rule also returned the management of these populations in the hands of the appropriate state and tribal agencies. Federal agencies maintained management of gray wolves in National Parks and National Wildlife Refuges. Despite these two final rules, in 2014, two U.S. District Court decisions reinstated gray wolves under the protections of the Act.

If enacted, H.R. 424 would direct the Secretary of the Interior to reissue the Western Great Lakes and Wyoming gray wolf final rules, "without regard to any other provision of statute or regulation that applies to issuance of such rule." Additionally, this legislation would ensure that the reissuance is not subject to judicial review.



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The need for H.R. 424 is further demonstrated by the recent ruling by the U.S Court of Appeals for the District of Columbia, overturning the 2014 District Court ruling on the Wyoming gray wolf. The appellate court found that federal officials exercised proper judgment and adequately responded to concerns about Wyoming's management plan.

H.R. 424's prohibition on future judicial rulings would also give certainty to state and local communities when creating their species management plans.

Thank you for your consideration. NACD looks forward to working with you and the committee in the future as we continue to serve the nation through natural resource conservation.

Sincerely,

Brent Van Dyke
President