

10J Testimony

Thank you vice chair and committee for offering the opportunity to provide testimony. My name is Matthew Collins and I am acting on behalf of the Western Landowners Alliance.

In the Northern Rockies, 96% of wolves exist outside of national parks. By and large, they exist on working wild landscapes with people and livestock. This overlap does not come without challenges or conflict, whether that be between wolves and livestock, or between people over the management of this species.

While media coverage may not capture this nuance, WLA has worked to build agreement on the tools needed to manage wolves. People who live and work with this sometimes polarizing species agree that four C's—compensation, conflict prevention, control (meaning lethal control), and collaboration contain solutions that support conservation, and the economic viability of working lands that provide space for wildlife.

Take one of these C's out, and this system can fall out of balance.

Without a 10(j) nonessential experimental population rule, Colorado Parks and Wildlife and livestock producers will lack the authority to apply both injurious and non injurious conflict prevention tools and lethal control to effectively manage wolf-livestock conflicts.

Further Proposition 114 mandates that the state will (and I quote) “Assist owners of livestock in preventing and resolving conflict between gray wolves and livestock.”

A 10(J) designation is essential to providing both Colorado Parks and Wildlife and livestock producers the flexibility and the tools necessary to manage conflicts so that Coloradans can adapt and live with both the challenges and opportunities of sharing the landscape with this species.

That is why we recommend you pass Senate Bill 256 that ensures managers and producers will have all tools on the table to prevent and reduce conflicts.

Thank you for your time and for your consideration of this testimony.



“Voice of the Western Slope since 1953”
A coalition of counties, communities, businesses & individuals

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Submitted through the Written Testimony Portal
Chair Representative Karen McCormick
House Committee on Agriculture, Water & Natural Resources
Upon Adjournment of House Floor Proceedings, HCR 0107

Good Afternoon Chair McCormick and Committee Members,

My name is Brittany Dixon, and I am the Interim Executive Director of Club 20. I am testifying today in support of SB23-256, concerning the prerequisites to the management of gray wolves prior to the wolves being introduced.

Club 20 has been arduously advocating for our members and the entire populace of western Colorado since the conception of the conversations surrounding the reintroduction of gray wolves. Our members' livelihoods, businesses, and livestock stand to be amongst some of the most detrimentally impacted by the reintroduction, which alarmingly, could result in a lack of food for all Coloradan's.

We would like to reiterate that the language written, and passed, by the voters in Proposition 114 states that, by December 31, 2023, “the Commission shall, take the steps necessary to begin reintroductions of gray wolves.” Nowhere in the verbiage that was passed into law does it state that there needs to be “paws on the ground” in accordance with that timeline.

Club 20 acknowledges that the law must be implemented, but we also recognize the importance of enforcing laws under correct pretenses and not those that were interpreted differently than what was written. Neither this piece of legislation, nor our comments, have the intention to reverse the reintroduction efforts, rather are encouraging that “the steps necessary to begin reintroduction of wolves” are taking place. This bill, if passed, helps to take those steps necessary, provides protections, supports the success of the reintroduction plan, and sets management plans in place that would help ensure that Coloradan's have food on their tables and their livelihoods preserved.

In conclusion, we are requesting that you go back and reference what the language says and then determine whether this bill helps to satisfy and complement the guidelines provided by the law and passed by Colorado voters. Club 20 supports this legislation and urges the committee to also vote yes on this important bill.

Thank you for this opportunity to provide these comments and the committee's consideration.

Sincerely,

Brittany Dixon
Interim Executive Director
Club 20

Kissinger Testimony SB23-256

We appreciate that both SB23-255 and 256 have been cleaned up. SB26-256, however, still seems designed to indefinitely postpone the reintroduction of wolves. We challenge its sponsors to answer these four questions:

- 1) Since when have Coloradans become so anxious to ask for permission from the federal government before we follow our own state law?
- 2) What will happen if the Secretary of the Interior declines to approve the so-called experimental status and the Colorado Parks & Wildlife Commission finds itself in violation of state law?
- 3) What will happen if the Secretary of the Interior approves the so-called experimental status but her decision is delayed by court action?
- 4) Why does the Colorado Parks & Wildlife Commission feel it needs “management flexibility,” e.g., killing, intentional harassment, beyond that already provided for in state law?

Glenn & Susan Kissinger, 4-24-2023

Chair and Committee members

Thank you for the opportunity to submit my written testimony on SB 23-256. I am Jennifer O’Hearon – Rio Blanco County Commissioner. Rio Blanco County is in strong support of this bill. The 10(j) rule represents the primary avenue for the successful reintroduction of gray wolves into Colorado. The implementation of the 10(j) rule provides local communities with a viable framework to coexist with gray wolves, as it offers a mechanism to effectively manage and address any problem wolves while allowing those that are not causing issues to be left undisturbed. In the absence of the 10(j) rule, local communities may face challenges that cannot be addressed, I believe it would result in local communities believing their concerns are not being taken seriously and would cause a lack of sense of hope, which could potentially result in reduced cooperation in efforts related to wolf reintroduction. If the 10(j) is not in place from the Federal government, Colorado Parks and Wildlife (CPW) may not have management opportunities as long as gray wolves are listed as endangered under the Endangered Species Act (ESA). This could prevent CPW from implementing local solutions to the various problems we know will arise from wolf reintroduction.

Despite the State investing \$1 million in the Environmental Impact Statement (EIS) process, the state’s opposition to ensuring its completion before the release of wolves is unclear. This reasons for this opposition may require further investigation and analysis. The State’s extensive planning efforts, which may have involved significant financial investment, could face challenges in implementation if the 10(j) rule is not in place. Without the rule, certain aspects of the State Plan may not be able to be fully implemented, potentially jeopardizing the effectiveness of the planning efforts. The misuse and negligent waste of taxpayer dollars may be occurring due to the State wanting to reintroduce the wolves before the 10(j) rule is in place, despite significant investment in planning efforts.

One potential approach for you to reduce the urban/rural divide is to support the bill as written and align with the sponsors lead on all amendments. This is because the sponsors are actively listening to and representing the interests of their constituency, which could foster trust and collaboration between urban and rural areas.

Please support and vote “yes” on this bill. I appreciate your time and attention to his important matter we face in Rio Blanco County.

House Agriculture, Water & Natural Resources
 04/24/2023 Upon Adjournment
 SB23-256 Management Of Gray Wolves Reintroduction
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Charles Seymour Against himself</p>	<p>DNR Director Dan Gibbs opposes 256 and calls is a “solution in search of a problem that doesn’t exist.” We need to let CPW do their job without unnecessary interference from the legislature and without being beholden to a federal agency.</p> <p>Here are a few reasons why I’m opposed to 256 and why it is simply unnecessary:</p> <p>1) The first section mentions that 15 months after we voted for 114, wolves were then re-classified as an endangered species. This fails to mention is that up until January 2021, wolves were, in fact, a federally endangered species (there was just a very short 15 month window of time when wolves were de-listed). When Prop 114 was being debated and ultimately voted upon, wolves were federally listed (as they are now), so this notion that the voters expected anything other than wolves to be federally listed is completely false. We voted for this when wolves were endangered and a 10j ruling had nothing to do with Prop 114 and the clear direction the voters gave to CPW to create a wolf plan.</p> <p>2) Section 4 of the bill cites a “Safety Clause” that somehow this bill is needed for human safety. Yet again - this is completely false. Even with wolves being an endangered species, humans can take lethal actions to protect human safety. Perhaps the authors of the bill could simply refer to the CPW website that clarifies this point: https://cpw.state.co.us/learn/Pages/Wolves-in-Colorado-FAQ.aspx. Here again, the 10j and NEPA analysis has nothing to do with the ability to protect human safety.</p> <p>3) The CPW plan allows for very generous compensation to ranchers for any losses caused by wolves and payment of compensation is not in any way tied to the 10j rule. I’ve watched all the CPW meetings around wolf restoration and personally attended 3 of the Stakeholder Advisory Group meetings over the past couple years (2 in Glenwood, 1 in Denver), and that plan works fine with or without the 10j. In fact, CPW has already paid out over \$10,000 in compensation to ranchers in the North Park area of Colorado (mostly to Don Gittleson). In short, we don’t need the 10j rule to compensate our ranchers. This compensation fund has already been approved by the Senate, will shortly be approved by the House, and will adequately fund the wolf program.</p>

	https://www.fws.gov/press-release/2020-10/gray-wolf-final-delisting-determination-questions-and-answers
<p>Gail Bell Against themselves</p>	<p>To: Committee Members:</p> <p>As one of the two proponents of Ballot Initiative #114, now the law in Colorado, I am appalled at this last minute attempt by certain members of the Colorado State Legislature to defy, ignore, and attempt to decimate the will of the people of Colorado!</p> <p>An enormous effort and a great deal of taxpayer money has already been put forth over the past three years to implement a wolf reintroduction plan that is based upon the best available science. CPW was entrusted with developing this plan, and they have done so. The 10J rule is being written now, and is expected to be finalized prior to the reintroduction deadline of December 31, 2023.</p> <p>SB23-256 is a blatant attempt by those who oppose wolf reintroduction to delay and prevent wolves from ever returning to Colorado. This action on the part of some in our State Legislature is reprehensible, and in defiance of the vote of the people.</p> <p>Our country is witnessing the greatest attempt in modern history to destroy our democracy. This attempt by some of our elected representatives is exactly that! Please honor our democracy, and the vote and the will of the people of Colorado, your constituents, and vote "No" on SB23-256!</p> <p>Thank you! Gail Bell</p>
<p>Ty Postlewait None themselves</p>	<p>To whom it may concern,</p> <p>Hello, My name is Ty Postlewait. I'll keep this short. I am utterly dismayed by the lack of planning when it comes to the re-introduction of wolves into Colorado. You are setting up a no-win situation for both the wolves and the residents of Colorado. I personally operate as an outfitter in Colorado and understand the impact that wolves have on my family's livelihood. We have seen in other states such as Idaho the massive impact wolves have on outfitters when the population is left completely unmanaged, most outfitters can't and won't survive. You are completely failing my family by not having a plan to manage the wolves. I pray that this committee will see the wisdom in Rule 10j and represent all of the people of Colorado, not just those who they are politically aligned with.</p> <p>Regards, Ty Postlewait</p>

<p>Rose Pray Against themselves</p>	<p>CPW and FWS are working diligently to finalize a 10(j) rule by December 15. SB 256 would upend the federal NEPA process that’s underway, likely requiring a new NEPA process resulting in substantial delays in wolf reintroduction thereby denying the will of the voters to reintroduce wolves by December 31st 2023.</p> <p>SB23-256 pulls the rug out from under the current USFWS process that is on track to develop a 10(j) rule by December 15th, 2023. NEPA requires agencies to analyze their decisions in the context of existing law, so by changing the law partway through the process, SB 256 pulls the rug out from under the USFWS and the NEPA process. USFWS could conclude that SB 23-256 fundamentally alters the consequences of the no-action and action alternatives, and that a complete rework of the DEIS, is warranted given that the no-action alternative (with 256 in place) would mean no deliberate releases of wolves into Colorado – denying the will of the voters to reintroduce wolves by December 31st 2023.</p> <p>SB23-256 is partially based on the unfounded concern that livestock producers will be harmed by the reintroduction of wolves that will ‘decimate’ the livestock industry. Evidence does not support this notion (Data graphic below).</p> <p>SB23-256 is partially based on the unfounded concern that elk populations will decline due to the presence of wolves. Evidence does not support this notion (Data graphic below)</p> <p>SB23-256 ignores the science that documents that 1) the climate in Colorado is rapidly warming to result in large-scale and devastating changes to our landscape and water; and 2) gray wolves, where present in robust and protected populations, can help restore resilience to climate-warming driven changes to Colorado.</p>
<p>Elizabeth Gibson Against themselves</p>	<p>Dear Representative Karen McCormick,</p> <p>I am writing this to urge this body to vote NO on Senate Bill 23-256.</p> <p>In this era it takes courage to vote against monied interest, and citizens and organizations that have maintained privileges for decades, and refuse to acknowledge intelligent ecological science that benefits a greater good.</p> <p>I grew up on a farm with a large herd of cattle and sheep. I understand first hand how difficult and financially precarious the industry can be, but also understand how a healthy balanced ecosystem can benefit us all....not to mention the tourism benefits.</p> <p>Multiple peer reviewed studies show that wolf reintroduction can be done safely and sensibly for all involved, and good programs exist to reduce and compensate for losses.</p>

	<p>My family had half a flock of prize ewes with lambs slaughtered by a pack of uncontrolled domestic dogs. There was no compensation. Wolves do not do this.</p> <p>Please help Colorado stand with wisdom, not politics and do what you can to make sure this bill does not pass. My grandchildren depend on your courage.</p> <p>Respectfully, Elizabeth Gibson 6430 Highway 73 Evergreen, CO 80439</p>
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