

# Perils of State Politics

in state wolf policies & actions.

The Advocate's Guide to Wolf Conservation Planning was written to offer information, guidance and cautionary tales to wolf advocates. It is aimed at those who wish to be involved in wolf-conservation efforts, or who have been selected to participate in the development, update or implementation of a state wolf plan.

In keeping with the motto “forewarned is forearmed,” wolf advocates are advised to be aware that state wolf-planning processes and plan implementation are subject to powerful political forces that affect — or even supersede — agency public and technical advisory committee processes. Here we identify seven key outside political forces that frequently have significant impacts on wolf planning, policy and actions in the state.





## State Wildlife Commissions & Boards That Oversee and Set Policy for State Wildlife Agencies

All states have a wildlife agency. They may be called Department of Fish and Wildlife; Department of Fish and Game; Department of Natural Resources; Department of Wildlife; Fish, Wildlife and Parks; or other similar titles.

Each state agency has an oversight board. They may be called Department of Natural Resources Board, or Fish and Game Commission, etc.

Depending on the state, the commission/board members may be appointed by the state governor, then require confirmation by the state's legislature.

Depending on the state, the director of the state wildlife agency will either be hired by the oversight commission/board or appointed by the state's governor.

Each state will, by legislation, define what requirements are necessary to get a seat on the oversight commission/board. Requirements may be minimal. Members are rarely required to have a science background in fish or wildlife biology or conservation. Some states require that all members possess state hunting, trapping or fishing licenses. Some states require that the commission/board include members of the livestock or hunting industry, but have no similar requirements to include scientists, non-consumptive users or underrepresented communities. In some states an individual applies through the governor's office, but how specific people get selected by a state's governor to then put them forward as nominees is often a mysterious, opaque process.

While these oversight commissions/boards are charged with setting policy for the state wildlife agency they oversee, the result is decision-making bodies that are almost always lacking in scientific qualifications and completely out of touch with the public's changing values toward wildlife and environmental protection.

A recent 50-state study on wildlife management demonstrated a significant and rapid shift in Americans' wildlife values over the past 15 years. Titled [America's Wildlife Values](#), the study showed greater support for wildlife protection and decreased interest in hunting and fishing across the nation. State by state, results revealed increases in the rate of people supporting "non-consumptive" interests in wildlife — like photography, birdwatching and wildlife viewing — and decreases in the rate of people supporting "consumptive" uses of wildlife like hunting and fishing.

The ongoing budget woes of various state wildlife agencies are evidence that these oversight bodies and the agencies they oversee are failing to keep up with these shifting values. They continue to try to fund their work via revenue obtained from the sales of licenses and permits to hunt, fish or trap. This outdated funding structure perpetuates the idea that people who hunt, fish or trap are the primary "customers" of state wildlife agencies, even though the vast majority of state residents for whom the agencies are supposed to be conserving wildlife are not consumptive users. And governors who appoint commission/board members have not acted to right the ship. Instead, their choice of proposed appointees ignores these changing public demographics and perpetuates a system that allows industry to drive critical decisions on wildlife policy...



## State Wildlife Commissions & Boards That Oversee and Set Policy for State Wildlife Agencies

... #1 Continued

In the midst of the climate and sixth mass extinction crises, we need the appointment of thoughtful, diverse candidates who will prioritize science. But over and over, appointees represent more of the same broken model that has failed to protect wildlife or to create a sustainable path for state wildlife agencies.

This is not about any one individual appointee or governor. This is about a system that continually puts livestock and hunting and trapping industry interests ahead of science and conservation. The current system of agency oversight bodies is not designed to represent all members of the public nor to adhere to the mission of conservation. Time and again, commissions and boards that oversee state wildlife agencies bow to industry influence and ignore science, treating members of the public who advocate for wildlife conservation with alarming disrespect in the process.

It is imperative that wolf advocates become educated on who sits on the state's wildlife oversight commission/board, when seats are coming open to be filled, and how to identify and propose qualified candidates to the governor's office. Further, wolf advocates must learn how to loudly oppose candidates put forward whose credentials herald business as usual, kowtowing to the livestock, hunting and angling/fisheries industries.

It's also imperative that wolf advocates educate their communities, whether they are members of organizations they work for, groups of fellow advocates, or simply friends and family who care about wildlife. Advocates need to motivate others to sign up to receive emails from their state commission/board alerting them of upcoming public meetings and agenda items for those meetings, and train them in the skills of how to testify and/or submit written comment letters to these decision-making bodies.

For decades, the livestock, hunting and angling industries have known of these bodies and the decisions they make and have wielded their power by testifying and letter-writing to obtain policies and regulations in their favor. The wolf- and wildlife-advocacy communities lag far behind in understanding these processes and the importance of weighing in whenever needed to try to direct policy and regulation changes greatly needed for fish and wildlife conservation, protection and recovery.

Finally, for actions that wolf advocates and their respective communities respond to, when an agency or commission/board action is the subject of concern, public response should always be directed at both the agency's director and the members of the commission/board. At times, cc'ing the governor is important to keep him or her apprised that the state agency or commission is taking very troubling actions.



# #2

## State Legislatures and Legislative Committees

All states have a state legislature composed of officials elected by the public and consisting of two decision-making bodies, a Senate and a House of Representatives (sometimes known as the Assembly).

Decisions on policy regarding fish and wildlife should be left to the state wildlife agency and its oversight commission/board, but it is sometimes the case that elected legislators try to assume that role. They do so by introducing legislation, also known as bills, addressing a fish or wildlife issue, convincing their colleagues of the merits of their bill, getting the bill passed through a committee, and then getting a full vote “on the floor” of that bill.

Often senators and representatives will work together to each introduce a companion bill in the Senate and House, which are identical or very similar to one another. It can be difficult to get a copy of the bill in the draft form, so that even if advocates become aware such a bill is being crafted, we may not have an opportunity to try to influence the bill’s outcome until it has been officially introduced into the legislature.

Wolf advocates usually find that any wolf-related bill introduced into a state legislature is a bad bill for wolves. Advocates routinely find themselves having to work hard to get such bills “killed.” In effect, this means spending much time speaking to committee chairs to explain why the bill should not be allowed to come up for a vote in the committee. It often also means spending extra time with elected officials explaining why the bill their colleagues have introduced must not receive their support.

Even after being given assurances that a bill won’t be allowed out of committee, or that a representative won’t vote for it if it reaches the floor, constant vigilance by wolf advocates and ongoing communications with the committee chair and committee members is necessary to avoid the bill being traded for votes on other issues.

In some states, legislatures seek to remove all wildlife decisions from the state wildlife agency and its oversight commission/board, and to take over all related issues. This can result in a state legislature passing a bill with terrible outcomes for wolves, such as bills to require a wolf hunt, allow the use of hounds in hunting wolves, remove all quotas in wolf-hunting units, and allow or require other unscientific, unethical or undemocratic policies regarding treatment of wolves by the state.

When issuing action alerts on state legislation that is harmful to wolves, it will be helpful for wolf advocates if they have engaged in public education to wolf supporters to help them understand the legislative process, how a bill becomes a law, and the different decision points at which there are opportunities to keep a bad wolf bill from advancing. Regardless of political affiliation, legislators must hear from wolf advocates because they are hearing from members of the hunting, trapping and livestock communities.





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## Governors and Their Natural-Resource Policy Advisors

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State governors are frequently the entities that nominate appointees to the oversight commission/board for the state wildlife agency. The appointment process is not transparent, and the choice of appointees can be — and usually is — disastrous for fish and wildlife.

Most governors also have staff who directly report to them, including one or more natural-resource policy advisors. These advisors may make promises to elected officials in the state legislature, regarding whether the governor will support a particular bill. We have seen this play out badly for wolves.

In one instance, a state wildlife commission voted to prematurely delist wolves from the state endangered species act. State legislators then introduced a bill to ratify the commission's decision. The governor had initially signaled she was not inclined to sign the bill but ended up doing so. It turned out that her natural-resource policy advisor had helped write the bill and promised lawmakers the governor's support for the measure in exchange for their support on other items on the governor's agenda. The fact the governor signed the bill into law also had the unfortunate effect of mooting out a pending court case to restore state wolf protections.

Governors can sometimes be a good ally for wolves. In one instance a wildlife agency oversight commission denied an administrative petition filed by wolf advocates. The petition urged the commission to adopt transparent, enforceable rules for addressing livestock-wolf conflict that would hold the agency and livestock owners accountable to use nonlethal livestock-wolf conflict prevention methods. The wolf advocate petitioners were able to file an appeal with the governor, who overturned the commission's decision and directed the commission to start a rulemaking process.

This result was largely due to the ongoing campaign by wolf advocates and general members of the public. Over the course of nearly 5 years, both expressed outrage to the governor and provided his office with ongoing evidence of the agency's constant reliance on killing wolves to appease the livestock industry despite science concluding that nonlethal measures are more effective over the long haul.

Wolf advocates should identify opportunities, avenues and strategies for engaging the office of the governor and their natural-resource policy advisors in state wolf policy and actions issues.





# #4

## State Attorneys General Offices

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State attorneys general offices are, in effect, the lawyers for the state. They represent the governor, the commission, the agencies, etc. When any of those entities is sued by wolf-advocate groups, the state attorneys general offices will represent them in court. If the agency or commission wants to create a new policy or action, the state attorneys general offices will review and provide guidance, based on their interpretation of the law, as to whether the proposed policy or action is lawful.

The state attorneys general office is not a political entity, though the head of that office is an elected position. It is their job to interpret the law.

There are times when it is worthwhile to notify the state attorneys general office of concerns. They may or may not issue an advisory opinion on the matter — they may direct the inquiry elsewhere. But sometimes it is a good idea to contact them to let them know of a concern.

Examples of where one might want to write to the attorney general is if a question of ethics is at stake. For instance, if the spouse of a wildlife commissioner is a paid lobbyist for a special interest group and that lobbyist testifies before the commission to urge a specific action, should that spouse-commissioner recuse him- or herself from voting on the issue? Or, if the agency decides to allow a sheriff's assistant to trap wolves so the agency can collar them, is this an allowable practice? Does the use of hounds in hunting wolves violate state laws regarding dog fighting?



# #5

## County Commissions or Boards of Supervisors & Their Wildlife Subcommittees

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Within any state, there are also oversight bodies at the county level. Most if not all counties across the United States have an oversight body that's often called a County Board of Supervisors, or a County Commission. These are elected positions. Sometimes these county oversight bodies will have subcommittees that discuss and create policy for wildlife within the county.

While state law has supremacy over county actions, when it comes to wolves, it is not unusual for a county in a rural part of the state to pass a resolution or ordinance that, for instance, prohibits wolves from coming into their counties. While resolutions are non-binding, they do communicate the will of the commission.

Wolf advocates would be wise to pay heed to these county bodies and be prepared to attend and organize your members in that county to attend any hearings on wolf-related matters. Wolf advocates should use this as an opportunity to let these county bodies hear testimony from wolf supporters who live in that county, and to provide them with factual information on wolves since most such resolutions and ordinances are driven by misinformation and fear.





SHERIFF

## #6

### County Sheriff Departments

Sheriff's Departments have enormous influence and power within counties, especially within western states. The voice these departments frequently represent is that of livestock owners and other rural residents who want to keep state and federal government policies, requirements and actions out of their lives.

At the same time, out West, Sheriff's Departments also seek to be intimately involved in the policies and activities of state wildlife-agency management of wolves and other predators such as mountain lions and bears. Some have sought to have their own "wildlife specialists" be allowed to trap and radio-collar wolves alongside or in place of state wildlife agency biologists, or to be allowed to conduct investigations of livestock deaths and to make an official determination on whether the loss was due to wolves.

It is not always just the sheriffs advocating for an increased role. Sometimes state agencies actively seek to "outsource" some of their duties to local sheriffs. The result is the same, but it's good to keep an eye on how sheriffs play into any policy proposals.

Wolf advocates should remain vigilant to note if any such circumstance and efforts are arising in their states and take steps to thwart those efforts. This includes email and phone campaigns to the state wildlife agency, state wildlife commission/board, the governor's office and the attorneys general office.





## #7

### Deep Pockets With Ulterior Motives

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The Cato Institute, the Manhattan Institute, the Koch Brothers and their Americans for Prosperity organization, the American Legislative Exchange Council (ALEC), the National Rifle Association, Safari Club International — these are just a few of the entities that may be involved in helping draft anti-wolf and anti-wildlife legislation at the state and federal level. They may also fund campaigns around these bills and candidates who will work to get them passed, and have, at their base, a moneyed interest in matters that go far beyond wolves: oil and gas development, access to mining and mineral rights, and the continued plunder of the natural world. They also may use their power to stir up anti-wolf sentiment among those members of the public who are opposed to government regulation and therefore want unrestricted ability to kill wolves.

Wolf advocates should take heed and be prepared to investigate any outside influence coming into play with respect to wolves in their state. If you find a connection, whether a “money trail” or a suspect politico, make sure to draw attention to this with any reporters you speak to who are covering wolf issues in your state.

Since these are private entities, you won’t be able to submit state public records act requests or federal Freedom of Information Act requests to obtain their records and search for any links. But you can submit public records act requests of state agencies and entities, and of federal agencies and entities, asking for any records they have that include the names of groups you suspect are behind an anti-wolf campaign. And reporters may have other means to investigate for behind-the-scenes connections.

If such connections or trails exist, it’s essential to inform the public of them — to let them know that what seems to be homegrown opposition to wolves is actually a well-funded campaign by well-funded outside groups with ulterior motives.