



# STATE OF UTAH

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

GARY R. HERBERT  
GOVERNOR

GREG BELL  
LIEUTENANT GOVERNOR

September 22, 2011

Ken Salazar, Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary Salazar:

I am writing in regard to the on-going efforts by the Fish and Wildlife Service to list and develop a recovery plan for the Mexican wolf and delist the remainder of wolves in the United States. The State of Utah is participating on the Mexican wolf recovery team and we have serious concerns about the apparent direction the Service is taking. Under the ESA, the Service can protect the Mexican wolf as either a *distinct population segment* ("DPS") or as a *subspecies*. All of the states (Utah, Arizona, and Colorado) participating on the Mexican wolf recovery team support listing the wolf as a DPS rather than as a subspecies.

Despite the obvious advantages of a DPS listing over a subspecies listing, the Service remains inexplicably resistant to the concept. Thus far, the Service maintains it must list the Mexican wolf as a subspecies to ensure the greatest degree of management flexibility and legal defensibility. It further resists all efforts by the participating states to exclude Utah and Colorado from the Mexican wolf recovery equation, despite the lack of evidence that either state was within its core historic range. The only explanation they give is that Utah and Colorado have unoccupied wolf habitat, and therefore must contribute to the recovery of the Mexican wolf, even though the wolves that once occurred in Southern Utah and Colorado were a separate subspecies.

The State of Utah's position is twofold: 1) delist wolves in the remaining portions of the State; and 2) list and successfully recover the Mexican wolf in compliance with ESA and using the best scientific evidence available. The unavoidable conclusion is that the Mexican wolf must be listed, managed and protected by means of a distinct population segment that is confined to the core historic range of the subspecies. A more detailed letter explaining our position is being sent to Service Director Dan Ashe by the Utah Department of Natural Resources.

The State of Utah will vigorously resist any effort by the Service to: 1) leave wolves listed in the State; 2) list the Mexican wolf as a subspecies, or 3) include Utah within any distinct population segment created to protect wolves under the ESA.

Sincerely,

Gary R. Herbert  
Governor

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# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240



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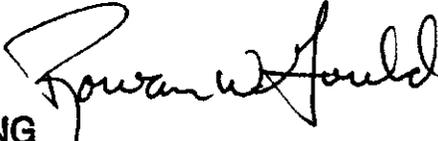
The Honorable Gary R. Herbert  
Governor, State of Utah  
Office of the Governor  
Salt Lake City, Utah 84114-2220

Dear Governor Herbert:

Thank you for your letter of September 22, 2011, to Secretary of the Interior Salazar, expressing the position of the State of Utah on the reclassification and recovery of the Mexican wolf. The comments and perspectives of the affected States are crucial to these decisions, and we appreciate your input. As your letter indicates, we also received a September 21, 2011, letter from Mr. Jim Karpowitz, Director, Utah Division of Wildlife Resources and Mr. Michael Styler, Executive Director, Utah Department of Natural Resources further explaining Utah's position.

Given the critical nature of this issue, the Fish and Wildlife Service's Southwest Regional Director, Dr. Benjamin Tuggle, and his staff will be meeting with Mr. Karpowitz and his staff in the near future to have a detailed face-to-face discussion of the questions and points raised in both letters. It is critical that we have a mutual understanding of these issues as we proceed with Mexican wolf reclassification and recovery.

Sincerely,

  
**ACTING**  
DIRECTOR