

3014 Irene Street
Butte, MT. 59701
March 11, 2006

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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Environmental Quality Council (EQC)
Attn: Chairman and Committee
P.O. Box 201706
Helena, MT. 59620-1706

RE: Written comments Wolf De-listing-Montana

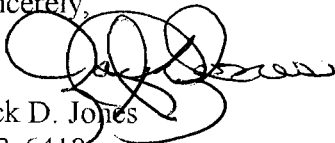
Dear Chairman and committee:

I am submitting written comments for the record for the Wolf Management subject on your agenda for the March 17, 2006 meeting in Helena. I have spent a considerable amount time going through all the records and documents I available on this subject. I have collected documents over the years and my statement is based on factual information. I therefore feel it is important that it be included in the record. I would appreciate it very much if a copy is made available to each committee member as well. I may also be at the subject meeting but I wanted to forward this to you in advance.

If I am not at the meeting I request this be included as a written statement submitted timely. As you can see it is a subject that I could not cover completely within the allotted 5-10 minutes.

Thanking you very much and I hope you find the information useful for your findings. I would appreciate an acknowledgment that you received this if that is appropriate.

Sincerely,



Jack D. Jones
723-6418

Public Comment to Environmental Quality Council (EQC)
Meeting – Friday, March 17, 2006 Helena, Montana

My name is Jack D. Jones, 3014 Irene Street, and residing Butte, MT. 59701. I am a native Montanan 4th generation from Bozeman originally with a background in Range Management and Fish & Wildlife Management and graduate of Montana State University then Montana State College. I was a wildlife biologist with BLM in Montana for most of the 35 years in central, north central and western Montana, now retired. I have been involved in range, wildlife and public land issues for years. I was and still am vice-pres. for the Coalition for Appropriate Management of State Land, Jack Atcheson. Sr. pres. We won with sportsmen's support access to 5.2 million acres public state lands with HB778 signed into law on April 25, 1991. Our attorney was Jim Goetz, Attorney of Bozeman who was also the attorney for Montana's Stream Access Law.

I am commenting here today on the subject of Wolf Management on your agenda. I anticipated being allowed five minutes or less for public comment so I am submitting my comments in writing for the record which would have taken more than five minutes. I strongly support de-listing wolves immediately. There is no justification for waiting and delaying any longer. In addition there seems to be enough background information and data available that would seriously question if wolf re-introduction into YNP had been legal and if various federal laws were followed. US Code Title 18 if used to question federal employees would have determined if the public was deceived from the beginning.

When addressing wolf issue today it is necessary to go back and review a few of the events prior to wolves being introduced in 1995-96 into YNP from Alberta and B.C. An excellent early reference on wolves in Yellowstone National Park can be found in "Animal Life of Yellowstone National Park" by Vernon Bailey Chief field Naturalist, US Biological Survey, 1930. Written on Page 136 "With persistent hunting and trapping during the spring this band of wolves was broken up, and apparently most of those not procured were driven out of park. Evidently a few remain, however, and as they breed rapidly, constant care must be exercised to prevent their becoming re-established in numbers to do serious damage to the game". He goes on "Wolves are powerful animals, and their habit of hunting in pairs, families, or packs enables them to pull down and kill any game animal, even to the size of full grown buffalo or elk." Interesting as well we were warned by B.C. and Alberta wildlife authorities of the problems we will have by bringing those wolves to YNP. They were correct of course and I have their letters.

Were wolves present in YNP prior to the re-introduction in 1995-1996? It is clear to me from evidence I have available and in the late 1960's they were present inside and outside YNP. One of such events to verify all this was a scheduled field trip to YNP to examine elk winter range in the Lamar Valley in March 1969 with a small group of BLM wildlife biologists and NPS biologist Glen Cole. I suggested the field trip to look at elk winter range in the Lamar Valley and range studies, past and present. We met at Mammoth in Glen Cole's office. Glen Cole was to lead the field trip. I stood by Glen Cole as he was sitting at his desk and in plain sight were a number of black and white and colored photographs on the wall surrounding his desk, quite a few as a matter- of- fact.

They were photographs of wolves and people. I became interested in these and asked Glen if these photos were from Yellowstone National Park. He politely answered "yes". I then said to him those wolves seem to be standing next to the highway quite unusual for elusive wolves sometime in early morning. He responded by saying "yes, it is near the Buffalo Ranch". I then looked at crates in other photographs next to the same highway. I can still recall the dates on the photographs 1968-69. I continued to ask questions and Glen immediately cut me off "we have got to get started on this field trip". With that we left the office and started on the field trip at about 10:00 A.M I was in the vehicle with Glen Cole most of the day and two other vehicles followed and the trip ended around 3PM. We drove on to Cook City to stay overnight and Glen returned to Mammoth. Glen seemed a little sensitive about wolf questions so I refrained from asking more. We drove back through the Lamar Valley the next morning and examined some of the vegetation and protected areas along the way and then proceeded on to Bozeman for the Montana Chapter of The Wildlife Society meeting to begin the next day. These dates are accurate from the information that I have.

After returning to Malta where I was working at the time I discussed this with Cliff Martinka F&G biologist who was in the process of leaving the Montana Fish and Game Department at Havre to work for the National Park Service in Glacier National Park as research biologist. Cliff stated to me those wolves were brought into YNP as an experimental population from Mount McKinley National Park in Alaska. The experiment was not to receive any public notification since the public would not understand what the experiment was all about. He also mentioned helicopters were used to transport them into YNP. Cliff did his M.S. graduate work on elk under Glen Cole in Grand Teton N.P.

Then when discussions surfaced about bringing wolves back into YNP in the 1992-94 era I became interested again. My recollection was that they are already there in 1968-1969 and why re-introduce more?

In 1994 one year before the re-introduction in YNP I was on an early elk-hunting backpack trip with my friend Jack Atcheson, Sr. Early season elk hunting was offered inside the Absaroka-Beartooth Wilderness Area north of YNP. We drove south from Big Timber to the trailhead south of Baboon Mt. From there we backpacked down a steep mountain trail to the valley below. The next day the weather turned bad and we were in rainy and snowy weather. We walked from camp to the hunting area in the Hellroaring Creek watershed inside the Wilderness Area about 1 mile from camp before sunrise each morning. We did this for 3 days and the second day Jack mentioned that we had four separate grizzly bears around our camp. He also mentioned that after we split up one morning he came across a grizzly track in the snow as large as any grizzly track you would find in Alaska and said it crossed my track.

On the fourth day we hiked back out with no success and this required going back out up the steep trail and climbing back to the top of the divide with a fully loaded backpack. As we neared the top of the ridge Jack said look over there those are fresh wolf tracks. We walked over and he said 4 wolves were here just a short time ago. These were the first

wolf tracks I had ever seen and of course large. Now we have two events to verify wolves were present in YNP and adjoining National Forest prior to the re-introduction there in 1995-96 there are others I am sure as well and probably documented. I photographed the tracks and later the photographs with the exact location were sent to the USFWS in Helena as a good gesture. They never acknowledged receiving them. Could it be the USFWS didn't want to see something like this one year before the re-introduction was planned? Now I will have to search my negative files to find the negatives and make prints if I desire. They were excellent 4"x6" color photographs.

Prior to 1995, Frank Dunkle then Director of the US Fish and Wildlife Service and former Director of the Montana Fish and Game Department had a number of news releases about wolf re-introduction in various newspapers. Re-introducing wolves into YNP he stated would violate the Endangered Species Act of 1982, P.L. 96-159 and E.S.A. of 1973 P.L.93-205 (f) Recovery Plans since wolves are already present. The Act requires the "existing populations to recover" and of course not mixing the genetic history with wolves from somewhere like Canada. I did not save my copies of those articles but someone could easily research them out by going back to those dates. The USFWS should have 'official files' available there as well in Washington D.C. at the directors office. The releases appeared in most all Montana newspapers as well as some national media papers as well.

USFWS Director Frank Dunkle was of course correct that the existing YNP population should be allowed to "recover" under the Law and a recovery plan should have been written for that existing population to recover. I am sure as well Frank Dunkle was guided by fact. None of this set well with the Clinton administration and Bruce Babbitt of course. Their 'course' seemed to be re-introduce wolves as a part of the Clinton 'environmental agenda' and be damned the public. Frank Dunkle a short time later suffered 'administrative fate' and was dismissed. I remember him as a great administrator and he certainly was with the Montana Fish and Game Department. While Frank was the Director of the Montana Fish and Game Department that agency received the highest award among all the state wildlife agencies in the U.S., it's all in the record.

The National Park Service USFWS in my view violated a number of federal laws and the 'public trust' when wolves were brought into YNP prior to 1995 and all their later environmental documents were flawed. Included would be the Endangered Species Act of December 28, 1973, P.L. 93-205, 87 Stat. 884 et. seq. 16 USC 1531 as amended, Lacey Act of 1900, 31 Stat. 188, 16 U.S.C. 667, U.S.C. 701, The National Environmental Policy Act and the Yellowstone Protection Act of 1884, 28 Stat. 72 and also the more recent Federal Data Quality Act. The 'public trust' was seriously eroded with a 'secret experiment (venture)'. That would also violate US Code Title 18, 1001 a federal crime and holds government employees liable for "fraud and false statements" in a 'government matter'. It states "any department or agency of the United States, knowingly or willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry.." That law applies today as well and we have been reading about the

various cases, prosecutions and fines. The F.B.I. also investigates these matters when evidence is brought forward. This is a very powerful law that holds federal employees accountable.

The wolf venture can also be 'paper trailed' back to the University of Montana Cooperative Wildlife Research Unit, since they actively participated in the 'venture'. Others included a former USFWS employee at Missoula and also F&G warden both now deceased. Glen Cole is also now deceased. There may also be a 'paper trail' of any disease testing of those wolves if brought into Montana from Alaska as well as official records from Mt. McKinley National Park. In 1999 I was notified one of those YNP wolf crates was on a ranch in Paradise Valley and marked "Mount McKinley N.P, NPS". I did not drive over to the ranch to photograph it.

More evidence of wolves in YNP would include the book "Playing God In Yellowstone" by Alston Chase. In this book he goes into some detail in Chapter 10 "The Wolf Mystery". He discusses the "wolf conspiracy". "There were stories of trucks, loaded with crates carrying wolves, entering the park in the middle of the night in winter and disgorging their woolly contents in the Lamar valley". I was told in 1969 that a helicopter or two was also used. I do not recall if a helicopter was in one of the photographs I viewed but it seems to me one was. All of this met with Park Service and USFWS denials years later and even today. In addition in that book when speaking of Glen Cole Glen Cole stated "He had found, Cole insisted, records of the presence of wolves that earlier historians had missed. Apparently, a breeding population of wolves had lived in the park all along". Page 133 "If the wolves were not remnants of a native population, where did they come from"? Perhaps DNA of Mount McKinley wolves compared to wolves showing up in YNP would have provided the answer maybe even today.

Also reported "Jay Ward, a professional photographer in Cody, Wyoming, remembers taking pictures of bison in the Lamar valley in early spring 1969." "While I was there this man came up to me, Ward told me (Alston Chase) 'As we were chatting', this fellow said 'You should have been here last year when we released some wolves, you could have gotten some good pictures'. As we parted we introduced ourselves. The fellow introduced himself as Glen Cole. In addition "By 1972 they (wolves) were seen with increasing frequency outside the park". My opinion is someone at a much higher level in government than Glen Cole prescribed this 'experiment' as one person could not have planned and carried this out on his own initiative and obligated public funding in the NPS and USFWS budgets.

Yellowstone wolves, Research Note No. 4. YNP, G.F. Cole, collaborates what was happening as well. Figure.1 illustrated data points for "probable" wolf sightings 1930 – 1980. The graph shows 3 sightings in 1930 and the number increased to 18 in 1969 to 39 in 1970. Wolves were also being seen in the Lamar Valley during the day. This may indicate a new population entered YNP somehow.

I apparently happened along quite by accident at a period of time in 1969 and was in YNP when all of this had just happened in 1968-1969 in what seemed to be the winter of

1968-1969. When requesting information from the US Fish & Wildlife Service under the Freedom of Information Act about all this I received denial and the run-around, I have their response. Official federal files would show this information where public funding, per diem, helicopter time, money to the University of Montana, Wildlife Cooperative Unit (USFWS), wages, names of people involved with wolves at the Univ. of Montana and F&G Department records. That is if all these 'official documents' were not destroyed, a crime under US Code Title 18.

My FOIA request 5/18/2000 to the Director of the USFWS read "copies of all documents, agreements, helicopter costs, funding to the University of Montana, FWS personnel costs, any studies, costs from Mount McKinley National Park in Alaska in 1970-71, Lamar Valley". The response "... simply rumors and tall tales. It is possible a few captive raised wolves or wolf/dog hybrids could have been released by unknown persons in the late 1960's and early 1970's but I believe this too is undocumented. If any wolf-like canids were released in the park prior to 1995, none survived long enough to reproduce. Signed Ed Bangs, Wolf Recovery Coordinator," This statement of course conflicts with G.F. Cole's information who was actually in YNP at the time. Ed Bangs was in Alaska at the time if I have that correct. Also information surfaced that the Charles M. Russell Refuge was involved as well in an advisory capacity. Bob Burkholders name surfaced, also a pilot, and he recently transferred from Alaska to the USFWS in Montana at CMR during the same time period. I was in Malta and knew him. Another USPS certified FOIA request to the director USFWS (Director Clark) followed when the experimental wolves were being shock collared on the Flying D ranch. The same questions were asked and more denial and run around by the USFWS.

In the book "The Northern Yellowstone Elk Ecology and Management, 1982 by Douglas B. Houston" also provides additional insight. On page 194 concerns were expressed on the effects of adding wolves to the present system. "This model suggested that wolves could, in theory, reduce the size of the elk population if the estimated numbers of elk killed by wolves were added to all existing sources of mortality, including the human predation characteristic of the 1935-56 period". Wolves could reduce or displace other carnivores including the coyote (Mech 1966, 1970). This has already happened by the NPS own admission. The coyote was native to YNP. "Wolf predation in the park could substitute for much human predation (hunting) outside the park, since elk movements to wintering areas outside seem to be density-dependent. This has happened as well (refer to FWP and NPS elk surveys). Also interesting when the 'magic pen' encircled wolf recovery zones in Montana the zones included areas supporting some of our most productive big game herds, especially elk. We now are suffering loss of hunting opportunity to feed wolves and the situation gets worst by the year.

When discussing wolves Errington, Paul L., Predation and Vertebrate Populations, Quarterly Review of Biology, 1946 stated when referring to bighorn sheep and wolves page 157 "that predation, as by wolves, can have a controlling influence or may restrict populations to superior habitats" he also cited A. Murie, 1944 who studied wolves and Dall sheep at Mount McKinley N.P. in Alaska.

Under "References" in Houston book page 452 cited is Cole, G.F. 1971b. Yellowstone wolves. Research Note no.4. Yellowstone National Park. 6 pp. This paper refers to wolf observations in the Lamar Valley prior to the re-introduction in 1995-1996. Wolves began showing up and viewed during the middle of the day as well and peaked to 39 in 1970. A viable population seemed to exist that could reproduce and recover without any re-introduction.

Any information that I have is available to anyone who seeks answers to this dilemma in the 'legal arena'. I would hope a more comprehensive in depth review of all this will follow. Much remains to be researched out, FOIA requests, and data gaps connected for unanswered questions to be answered. Montana remains the big loser as a result of wolves brought into YNP from B.C and Alberta under the guise that none existed. If true a number of federal and possibly state laws were violated.

Some seem to support re-instating the 'Clinton rule' today and that would provide vast areas for wolves to increase outside the park, additional predation and harassment impacts on Montana big game populations, loss of hunting opportunity and less public access to public federal and state lands. Reinstating the 'Clinton rule' would carry on the legacy of loss of valuable wild ungulates to Montana as happened north of YNP and use of winter range habitat here largely as the result of sportsmen's (hunter) dollars just to feed more wolves where big game animals now exist. Only a matter of time wolves will show up in the Missouri Breaks if not already there.

Hunting wolves in Montana will never make a dent in the increasing populations because of the elusive nocturnal nature of wolves. If 100 permits were issued today you would be lucky to shoot 1. This can be verified by checking with Alaska, B.C and Alberta wildlife agencies. Montana will need to adopt a program and policy similar to Alaska. Also private landowners should be allowed to shoot any wolf, anytime, anywhere, anyplace near livestock no questions asked and no long government forms to fill out. It's time to de-list all wolves and get back to managing Montana's wildlife resources. 'Advisory committees' to politicians and agencies should consist of individuals who know what is going on and will represent the hunters 'pro-wolf' people have dominated these committees even today.

Thank you.

A handwritten signature in black ink, appearing to read "Jack D. Jones", with a stylized flourish at the end.

Jack D. Jones

cc: