



January 31, 2013

Via electronic mail only

Director Charlton H. Bonham
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Secretary John Laird
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RE: “Coyote Drive 2013” Contest Hunt

Dear Director Bonham, Commissioners, and Secretary Laird:

On behalf of our more than one million California members and constituents, we are writing to ask the California Department of Fish and Wildlife (“CDFW”) to take immediate action to stop the “Coyote Drive 2013,” a coyote-killing contest hunt scheduled for February 8-10, 2013 in Modoc County. This action is necessary to carry out your obligations as California’s wildlife management agency and to ensure protection of wolf OR-7 (also known as “Journey”) – as well as any other un-collared gray wolves that may be in the area – whose safety is jeopardized by this hunt.

Specific details about the hunt are as follows:

Proposed Activity: “Coyote Drive 2013”
HQ for Event: Adin Supply Company, Adin, CA
Co-Sponsors and Promoters: Pit River Rod and Gun Club, Adin Supply Outfitters
Address: Adin Supply Company, Adin, CA
Date of Event: Feb. 8-10, 2013
Web page: <http://www.adinsupply.com/coyote%20drive.htm>

This contest will occur in an area of northern California that is part of the home range of OR-7, the dispersing wolf from the Imnaha Pack in Oregon, and on public lands.¹ Other, uncollared wolves may be in the area and therefore will also be put at risk. We are concerned that OR-7 or other protected wolves that may be in the area will be put at grave risk as a result of this coyote hunt.

This risk exists not only due to the proximity of the hunt to OR-7’s territory, but also due to the similarity in appearance between coyotes and wolves and, where wolves are generally larger than coyotes, the fact that contestants could be competing to take the largest animal.² While the hunt targets coyotes, wolves are often misidentified as coyotes and killed either intentionally or accidentally.³ On January 29th, the U.S. Fish and Wildlife Service confirmed that a large canine shot by a coyote hunter in Kansas was a wild wolf - the first instance of a wolf in Kansas in almost 75 years.⁴ As reported in the *San Francisco Chronicle* last May, OR-7 was seen mingling with

¹ The first photograph of Journey was taken outside of Adin in May 2012.

² State wildlife agencies, including CDFW, often provide information to hunters to assist them in distinguishing between coyotes and wolves to avoid the killing of non-target animals, which could entail substantial penalties. See, e.g., <http://www.dfg.ca.gov/wildlife/nongame/wolf/>; <http://www.dfg.ca.gov/wildlife/nongame/wolf/FAQ.html>; http://wdfw.wa.gov/conservation/gray_wolf/wolf_information.html; <http://dnr.wi.gov/topic/wildlifehabitat/wolf/identify.html>; http://dfw.state.or.us/Wolves/about_gray_wolves.asp

³ See, e.g., WolfPark.org./coyotes (“The coyote is often mistaken for the larger, bulkier wolf, especially when only glimpsed in fading light or behind foliage.”); www.arizonahuntingtoday.com (““A 70-pound female wolf was shot and killed Jan. 25 by a coyote hunter in Roberts County. Wolves are protected under the Endangered Species Act and state law, and it is illegal to kill them, according to U.S. Fish and Wildlife Service and state Game, Fish and Parks Department officials. People who plan to hunt coyotes in northeastern South Dakota, particularly in northern Roberts County, must make sure the animal is definitely a coyote and not a wolf.”); Montana Fish, Wildlife & Parks (fwp.mt.gov/search) (“It is sometimes hard to tell the difference between wolves and coyotes, especially from a distance.”); Michigan Wolf Management Plan (July 10, 2008) at 34 (“Other regulations could protect the wolf population in more-specific ways. For example, in recent years, the coyote season has been closed in the UP and the northern LP during the November 15–30 firearm season to help prevent the killing of wolves misidentified as coyotes. This restriction and other regulations will be reviewed, modified or enacted as necessary to provide the wolf population with appropriate levels of protection.”) (available at http://www.michigan.gov/documents/dnr/Draft_Wolf_Management_Plan_030708_227742_7.pdf); <http://www.examiner.com/article/coyote-hunting-shutdown-north-carolina-after-endangered-wolves-shot-dead> (news report of endangered red wolves killed late last fall during coyote hunt).

⁴ Corn, M. Jan. 29, 2013. “DNA Tests Confirm Animal Was a Wolf,” *The Hays Daily News*. (accessed online on 1.29.13 at <http://www.hdnews.net/Story/wolfkilled012913>)

coyotes in Modoc County- in the very area where this hunt is to take place.⁵ Our concerns are only further exacerbated by anti-wolf sentiments in this area, such as one hunter's desire, expressed in an online post during last year's Coyote Drive, to kill OR-7:

Isn't there a wolf in CA right now? Yes, and he is still here. Real close to my Cabin as a matter of fact. Might have to go do some target practice.
<http://www.dfg.ca.gov/wildlife/nongame/wolf/docs/OR7-Map.pdf> *He might get smoked this weekend during the Adin Coyote Drive. I hope."*⁶

Adding to our concerns is the apparent lack of special use authorization for the hunt on nearby public lands. The contest's co-sponsors – the Pit River Rod and Gun Club and the Adin Supply Outfitters – have informed participants that “no geographic boundaries have been made” and the contest is not restricted to private land. (See Attachment 1- contest notice).⁷ Participants have also been notified that “[h]unters will fan out from the small town of Adin into public and private lands of northeastern Shasta County, Siskiyou, Modoc and Lassen Counties”⁸ Consequently, the hunt may occur on public lands that are under the jurisdiction of the United States Forest Service (“USFS”), including the Lassen, Modoc, and Shasta National Forests, and the Bureau of Land Management (“BLM”), as well as on other federal, state and private lands.⁹

Yet, there is no indication that the contest sponsors have obtained required special use permits from federal managers of these nearby public lands.¹⁰ Indeed, in response to notification about the upcoming hunt, the BLM has recently informed the hunt organizers that the hunt cannot occur on BLM lands as the organizers have not obtained a Special Recreation Permit (see Attachment 2). The hunt's promoters have also failed to inform participants of restrictions on hunting on National Park Service (“NPS”) and U.S. Fish and Wildlife Service (“Refuge”) lands in the area.

⁵ Fimrite, P. May 13, 2012. “California's lone wolf seen mingling with coyotes,” *San Francisco Chronicle* (accessed online on 1.28.13 at <http://www.sfgate.com/science/article/California-s-lone-wolf-seen-mingling-with-coyotes-3554309.php>)

⁶ Accessed online on 1.24.13. Account required: (<http://mobile.calguns.net/calgunforum/showthread.php?t=524854>)
Text only:
(<http://webcache.googleusercontent.com/search?q=cache:DTtZRZGEvGkJ:www.calguns.net/calgunforum/archive/index.php/t-524854.html>)

⁷ Although the Pit River Rod and Gun Club was at one time registered as a tax-exempt organization with the U.S. Internal Revenue Service, its status under 501(c)(3) of the tax code has apparently been revoked due to its failure to file required forms with the IRS for three years. See, e.g., <http://non-profit-organizations.findthebest.com/1/899320/Pit-River-Rod-and-Gun-Club>.

⁸ See http://www.myoutdoorbuddy.com/hunting_report.php?Hunting=6796 (emphasis added).

⁹ In addition to the Modoc, Lassen and Siskiyou National Forests, nearby public lands include the Eagle Lake, Altoras, and other nearby BLM Districts; the Lower Klamath and Clear Lake National Wildlife Refuges; the Sierra Army Depot, a facility managed by the U.S. Department of Defense; and the Ash Creek or Dutch Flat Wildlife Management Areas, which are managed by CDFW.

¹⁰ We have advised the relevant federal agencies about the contest hunt, and requested they inform the hunt sponsors of any restrictions or requirements that would be relevant to contest hunt participants killing coyotes on their lands (see attachments). The BLM has replied to our notification as explained in the text (and see Attachment 2) but the USFS has not.

There are also several State-managed Wildlife Management Areas in the area. Karen Kovacs, DFW wildlife program manager, has confirmed that coyote and predator hunting is not allowed in the Ash Creek or Dutch Flat Wildlife Management Areas, both of which are very close to Adin, California (pers. comm. with Ms. Kovacs on 1.18.13). Ms. Kovacs acknowledged that due to serious concerns for OR-7's safety, CDFW has increased the number of wardens in the field during last year's contest hunt. She noted, however, that the agency is short-staffed on its warden force and cannot patrol all areas where hunters participate in this hunt.¹¹

Thus, we have grave concerns for the safety of Wolf OR-7 and any other gray wolves which may be in the area, because there exist no boundary limits for the hunt, because the unauthorized hunt will occur on public lands surrounding the contest area including terrain where OR-7 has spent substantial time over the past year, and due to the strong potential for misidentification of wolves as coyotes as well as the direct threat against OR-7 made in last year's Coyote Drive.

Therefore, we call on you to exercise your broad authority to regulate California's wildlife pursuant to the California Game Code, and to suspend this hunt pursuant to this authority and the California Administrative Code. *See* Cal. Admin. Code title 14, Foreword ("the commission may suspend or modify these rules, in whole or in part, upon good cause shown or when in the discretion of the commission the particular facts or circumstances render such action appropriate in a given instance"). As the gray wolf begins its long-awaited return to California, careful planning and forethought is needed to ensure that activities like the Coyote Drive do not undermine the wolf's ability to persist and to thrive once again in California. Exercising your existing authority in this way is a necessary step toward this objective.

Finally, we understand that the hunt organizers intend to award two silver belt buckles (with a value of \$300) to the contest winners and will raffle off one or more guns during the event including as prizes during the Saturday evening banquet and at the conclusion of the event. The total value of such prizes and inducements will likely exceed the \$500 maximum as permitted under state law.¹²

At a minimum, we ask that you take immediate steps to: 1) advise the hunt promoters that the gray wolf is a federally protected species and that take of any wolves (including harming, harassing, or killing) violates federal law; 2) provide the contest promoters with information in an effort to help hunters distinguish between coyotes and wolves; 3) advise the promoters that predator or coyote hunting is not allowed on designated Wildlife Management Areas; 4) request that the promoters inform participants that they must receive written permission from land owners in order to hunt on private lands; 5) ensure sufficient numbers of wildlife law enforcement officers are present in the area during the hunt to enforce compliance with all relevant federal and state laws.

¹¹ We also note that although the hunt's promoters have instructed participants to seek permission to hunt on private lands, they have failed to inform participants that they must obtain *written* permission from private landowners as required by Ch. 6 § 474(b) of the California Code of Regulations.

¹² See California Fish and Game Code, Section 2003, (d) This section does not apply to any person conducting an individual contest, tournament, or derby for the taking of game birds and mammals, if the total value of all prizes or other inducements is less than five hundred dollars (\$500) for the individual contest, tournament, or derby.

Thank you for your expeditious attention to this matter. We look forward to hearing from you.

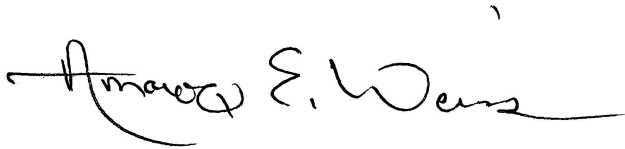
Sincerely,



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