

1 **WOLF MANAGEMENT**

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Allen M. Christensen**

5 House Sponsor: Curtis Oda

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses the management of the wolf in the state.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ makes legislative findings and declarations concerning the wolf;
- 14 ▶ provides for the Division of Wildlife Resources to request federal removal of

15 wolves found within areas of the state where the wolf is listed as endangered or
16 threatened;

- 17 ▶ requires the division to manage the wolf to avoid the establishment of a viable pack
18 of wolves within the areas of the state where the wolf is not listed as endangered or
19 threatened;

- 20 ▶ allows the division to make administrative rules concerning the management of
21 wolves; and

- 22 ▶ makes technical changes.

23 **Monies Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **23-29-101**, Utah Code Annotated 1953

- 30 **23-29-102**, Utah Code Annotated 1953
- 31 **23-29-103**, Utah Code Annotated 1953
- 32 **23-29-201**, Utah Code Annotated 1953
- 33 **23-29-202**, Utah Code Annotated 1953

35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **23-29-101** is enacted to read:

37 **CHAPTER 29. WOLF MANAGEMENT ACT**

38 **Part 1. General Provisions**

39 **23-29-101. Title.**

40 This chapter is known as the "Wolf Management Act."

41 Section 2. Section **23-29-102** is enacted to read:

42 **23-29-102. Definitions.**

43 As used in this chapter:

44 (1) "Service" means the United States Fish and Wildlife Service.

45 (2) "Wolf" means the species *Canis lupus*.

46 Section 3. Section **23-29-103** is enacted to read:

47 **23-29-103. Legislative findings and declarations.**

48 (1) Section 23-14-1 appoints the division as trustee and custodian of protected wildlife
49 in the state.

50 (2) The wolf is listed as endangered under the federal Endangered Species Act
51 throughout the greater portion of the state.

52 (3) The service is the federal agency charged with responsibility to administer the
53 Endangered Species Act.

54 (4) The service acknowledges that Utah is not critical to the recovery of wolves and
55 that it does not intend to actively recover wolves in the state.

56 (5) The division prepared a wolf management plan outlining its management
57 objectives for the wolf in Utah when the wolf was delisted and removed from federal control.

58 (6) The wolf management plan prepared by the division was formally submitted to the
59 service in 2007 for approval.

60 (7) The service has neither approved, denied, nor otherwise commented on the plan
61 since receiving it in 2007.

62 (8) The state formally requested, in writing on multiple occasions, that the service
63 delist the wolf throughout Utah, and the service has failed to acknowledge or otherwise
64 respond to any of the requests.

65 (9) The state cannot adequately or effectively manage wolves on a pack level in the
66 small area of the state where the species is currently delisted without significantly harming
67 other vital state interests, including livestock and big game populations.

68 (10) It is the policy of the state to legally advocate and facilitate the delisting of wolves
69 in Utah under the Endangered Species Act and to return wolf management authority to the
70 state.

71 Section 4. Section **23-29-201** is enacted to read:

72 **Part 2. Wolf Management**

73 **23-29-201. Wolf management.**

74 (1) The division shall contact the service upon discovering a wolf in any area of the
75 state where wolves are listed as threatened or endangered under the Endangered Species Act
76 and request immediate removal of the animal from the state.

77 (2) The division shall manage wolves to prevent the establishment of a viable pack in
78 all areas of the state where the wolf is not listed as threatened or endangered under the
79 Endangered Species Act until the wolf is completely delisted under the act and removed from
80 federal control in the entire state.

81 (3) Subsections (1) and (2) do not apply to wolves lawfully held in captivity and
82 restrained.

83 Section 5. Section **23-29-202** is enacted to read:

84 **23-29-202. Rulemaking.**

85 The division may make administrative rules in accordance with Title 63G, Chapter 3,

86 Utah Administrative Rulemaking Act, to manage the wolf in accordance with this chapter.