

Exhibit H

Public Correspondence

**Public correspondence received
as of
December 26, 2013**

Roxann B Borisch

Subject: FW: Rulemaking: Permitless Take of Wolves (with Attachment)
Attachments: ODFW_Permitless_Wolf_Take_Rule_OregonWild_Cascadia_Dec_17_2013.pdf

From: Rob Klavins [<mailto:rk@oregonwild.org>]
Sent: Tuesday, December 17, 2013 2:55 PM
To: ODFW Commission; Roy Elicker
Cc: BROWNSCOMBE Brett * GOV; Russ Morgan; roblyn.brown@state.or.us; Nick Cady
Subject: Rulemaking: Permitless Take of Wolves (with Attachment)

Director Elicker, Chair Levy, and Members of the ODFW Commission,

Attached please find comments on behalf of Oregon Wild and Cascadia Wildlands regarding the pending rulemaking concerning permitless take of gray wolves.

We urge you to limit rulemaking to the codification of Temporary Rule OAR 635-110-0010(T) reflecting HB3452 and the recent settlement agreement between our organizations, the Department, and the Oregon Cattlemen's Association.

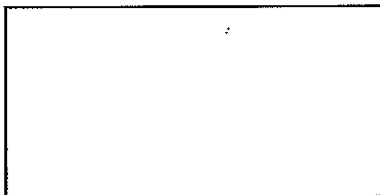
If the agency is to make any further changes to the caught-in-the-act rule provisions for Phase II, the rules should still require landowners to implement non-lethal preventative measures as recommended by the Department.

The mandated public review of the Wolf Conservation & Management Plan in 2015 provides a near-term and much more appropriate process to consider any further changes. Please feel free to contact us if we can provide any further information or perspective on the issues raised in the letter.

Sincerely,

Robert Klavins
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Roy Elicker, Director
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302
Roy.Elicker@state.or.us

Re: Wolf Rulemaking

December 17, 2013

Dear Mr. Elicker,

The announced agenda for the January 10, 2014 meeting of the Oregon Fish and Wildlife Commission indicates that the Department is proposing rulemaking concerning the permitless take of wolves by private individuals. On behalf of our organizations, tens of thousands of members and supporters, and the overwhelming majority of Oregonians who value native wildlife, we are writing to urge you to limit the rulemaking to the codification of Temporary Rule OAR 635-110-0010(T) reflecting HB3452.

Oregon's compromise wolf plan will undergo a mandated public review in 2015 that provides a near-term and much more appropriate process for considering any other changes to the plan. Further changes outside that process could undermine the public trust earned by the Department, cause a return to unnecessary conflict, and hinder wolf recovery.

The recovery of endangered wildlife is of great concern to all Oregonians. That is especially true of wolves – a native species just now beginning to retake their place on the Oregon landscape. Recent polling confirms the overwhelming majority of Oregonians continue to support strong protections for wolves. However for some, they continue to be a focal point of misunderstanding and fear.

We do not object to the codification of the agreed upon legislative language as embodied in Temporary Rule OAR 635-110-0010(T). However, we understand that the Department is proposing rule language that in Phase II – which could come as soon as 2015 - any livestock producer may shoot wolves believed to be chasing livestock without a permit under nearly any circumstance.

Currently, this authority can only be exercised if there are no attractants, the Department determines a situation of chronic depredation exists, and the producer is implementing non-lethal measures as determined by the Department. These terms were carefully crafted and agreed to during exhaustive negotiations between the Department, conservationists, and the livestock industry.

The development of the Oregon Wolf Plan was one of the most exhaustive public processes in state history and attempted to arrive at a consensus governing the recovery and management of wolves in Oregon. The plan came to embody a general compromise between conservation groups and the livestock industry: the Plan set extremely low recovery goals for wolves, and put into place minimal restrictions on when they may be killed. Ambiguity in the plan led to conflict that was largely resolved by a legal challenge and settlement between Cascadia Wildlands, Oregon Wild, the Oregon Cattlemen's Association, and the State.

We do not object to codification of the hard-won agreements embodied in HB3452 as they apply to Phase I of Oregon's wolf plan. However at this time, we strongly urge you to reconsider amending caught-in-the-act rules as they pertain to Phase II. Your proposed amendments, as we understand them, would allow anyone to kill an endangered wolf or wolves so long as it was later asserted the wolf was "chasing" livestock. Such a provision could make poaching laws unenforceable for one of the most sensitive species in the state. Similar proposals have been met with strong public opposition and rightfully rejected in recent years.

The Department has expressed that HB 3452 requires the Commission to not place any restrictions on the chasing caught-in-the-act authority in Phase II. To the contrary, the statute expressly contemplates that the commission would place reasonable restrictions upon the exercise of this authority in Phase II. This was the intention of all parties involved in drafting this bill.

Accordingly, if the Agency is going to make any changes to the caught-in-the-act rule provisions for Phase II, the rules should still require landowners to implement non-lethal preventative measures as recommended by the Department. The Department will have much more discretion over non-lethal requirements in Phase II, allowing for greater flexibility, the continuation of responsible husbandry, and the recovery of an endangered keystone species across the landscape.

We understand that controls on killing wolves may gradually relax as they recover in portions of their range. However, the new statutes and rules in Oregon were carefully crafted to promote responsible practices that would prevent conflict between the livestock industry and wildlife. The Department should work to maintain and promote these non-lethal practices across the landscape by requiring landowners attempting to exercise caught-in-the-act authority during Phase II to be implementing non-lethal measures.

Thank you for your consideration of our request. Please contact us if we can provide any further information on the issues raised above. In the spirit of the good faith that resulted in the Wolf Conservation Plan of 2005, its review in 2010, and the negotiations that led to the passage of HB3452, we stand ready to continue discussing the plan. The mandated public review of the Plan in 2015 provides a near-term and much more appropriate process to consider any further changes.

Sincerely,



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Cc: Governor Kitzhaber
Ron Anglin
Russ Morgan