

1 OAH Docket No: 60-2002-30171

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4 In The Matter Of:

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6 The Proposed Amendment To And Repeal Of Rules

7 Governing Minnesota's List of Endangered, Threatened,

8 And Special Concerns Species In Minnesota Rules

9 Chapter 6134: Endangered And Threatened Species

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17 PUBLIC HEARING

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25 Taken February 7th, 2013 By Ann Marie Holland

1 APPEARANCES:

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3 AS THE HEARING OFFICER:

4 JAMES E. LaFAVE
Administrative Law Judge
5 OFFICE OF ADMINISTRATIVE HEARINGS
600 North Robert Street
6 PO Box 64620
St. Paul, Minnesota 55164
7 Phone: 651.361.7848
Fax: 651.361.7936
8 Email: James.Lafave@state.mn.us

9

10 MINNESOTA DEPARTMENT OF NATURAL RESOURCES
Box 25
11 500 Lafayette Road
St. Paul, Minnesota 55155
12 Phone: 651.259.5073
Fax: 651.296.1811
13 Email: richard.baker@state.mn.us

14 By: RICHARD J. BAKER, ESQ.
Minnesota Endangered Species Coordinator
15 Division of Ecological and Water Resources

16

17 MINNESOTA DEPARTMENT OF NATURAL RESOURCES
Box 25
18 500 Lafayette Road
St. Paul, Minnesota 55155
19 Phone: 651.259.5073

20

By: HANNA TEXLER
21 DNR Regional Plant Ecologist

22

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6) LouAnn Lanning 15) Karen Kaphingst
7) Debbie Peers 16) Tom Casey
8) Adam Kuenzel 17) Kathryn Walker
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10) Kate Haig 19) Ron Hunt
11) Jan Carpal 20) Diane Anderson
12) Katrina Schaeffer 21) Stephanie Digby
13) Pamela Nixon Mayer 22) Alan Ek
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1 THE ABOVE-MENTIONED PUBLIC HEARING was held on the
2 7th day of February, 2013, at The Best Western Plus
3 Kelly Inn, 2705 North Annapolis Lane, Plymouth,
4 Minnesota 55441, commencing at approximately 6:20 p.m.

5 HEARING OFFICER: Good evening.

6 Thank you all for coming. It is a little after 6:00,
7 so we will begin.

8 My name is Jim LaFave. I am an
9 Administrative Law Judge with the State Office of
10 Administrative Hearings. The office is independent of
11 the Minnesota Department of Natural Resources that is
12 proposing to adopt rules today and of any of the groups
13 that are participating in this hearing. The role of our
14 office is to provide hearings that are required by law
15 in a way that is fair for all of the participants.

16 Among the other directions from the
17 legislature (specifically in Minnesota Statutes 14.14
18 and 14.15), rule making hearings are to be conducted so
19 that members of the public are being treated fairly and
20 impartially. I am here as a part of a larger set of
21 regulatory controls to see to ensure this procedural
22 fairness.

23 It is a little after 6:00 p.m. on
24 February 7th, 2013 and we have convened at the Best
25 Western Plus Kelly Inn, 2705 North Annapolis Lane,
Plymouth, Minnesota 55441, for a public hearing in

1 the matter entitled, "In the Matter of the Proposed
2 Amendment to and Repeal of Rules Governing Minnesota's
3 List of Endangered, Threatened and Special Concern
4 Species, in Minnesota Rules Chapter 6134, OAH Docket
5 No. 60-2002-30171, and for those of you that might be
6 interested, it is Government Tracking No. 323.

7 There is a handout on the table in
8 the back entitled, "State of Minnesota, Office of
9 Administrative Hearings, Rule Hearing Procedures."
10 If you don't have a copy, please take a moment to pick
11 one up from the table. It describes the procedures set
12 up by the legislature for hearings like this. While
13 I will touch upon the highlights, more detailed
14 information is included in that handout.

15 This hearing is part of the process
16 by which agency rules are adopted under the Minnesota
17 Administrative Procedure Act. The purpose of this
18 hearing is to develop and receive information on three
19 key issues under the act; namely, whether the Department
20 of Natural Resources has: 1), the legal authority to
21 adopt the proposed rules; 2), whether the department has
22 fulfilled all of the relevant legal and procedural
23 requirements in order to promulgate rules; and 3,
24 whether the department has demonstrated that, among
25 the possible alternatives for rule making that were

1 available to the agency, the rules that the agency
2 has proposed are needed and reasonable.

3 While we are glad to give anyone who
4 will share comments today a little leeway in developing
5 the context for their presentations and arguments, I
6 will simply say that it would be most helpful to me, and
7 the best use of our time, if both agency panel members
8 and the members of the public could focus on the three
9 key issues that I will need to report on; namely, the
10 authority to adopt the proposed rules; whether the
11 department has fulfilled the procedural requirements;
12 and that the rules that the agency has proposed are
13 needed and reasonable.

14 The agenda for today's hearing will be:
15 I will complete my explanation of the hearing procedure
16 and then I will introduce the panel that is here from
17 the agency. Next, the agency will discuss the exhibits
18 that it wishes to include in the hearing record. I
19 have asked the agency representatives to summarize the
20 exhibits so that everyone will have an idea of what we
21 will be talking about. You may look at the exhibits
22 during the break, but please leave them on the table.

23 Back on the table, there are two copies
24 of what we will be discussing. And you will be free to
25 look at them during the break, but again, please leave

1 them at the table. After that, a representative from
2 the agency will make a brief oral presentation about the
3 rules and the reasons for it. Finally, most of the
4 public -- most of the hearing time has been allocated
5 for questions and statements from members of the public.

6 In order to make sure that we have an
7 accurate record of the number of people attending this
8 hearing, everyone is requested to sign the Hearing
9 Register located on the registration table. And if
10 you wish to speak or submit a written statement today,
11 you must sign the Register. If you wish to speak,
12 please place a check mark in the appropriate column on
13 the Hearing Register. When you are called to speak,
14 please come up and speak from the podium so that I can
15 hear you and ensure that your testimony is recorded.
16 When you begin speaking, please state and spell your
17 name. Then give your address and identify the group
18 or interest you represent, if any.

19 A rule hearing like this one is similar
20 to a legislative hearing or the meetings of a local
21 board. You will have the opportunity to talk and to
22 ask questions of other participants. It is not like a
23 court trial.

24 Any speaker may ask questions of the
25 agency panel and may also be questioned by the agency

1 panel, the Administrative Law Judge, or other persons
2 present at the hearing.

3 Because this is not like a court
4 hearing, you don't need to make the points you want to
5 make by asking questions. You can just state what your
6 own views are or go directly to the point. It is also
7 helpful that if you have specific points as to specific
8 sections of the rule, that you identify those sections.
9 The record we make today may be reviewed by others later
10 and we want to be sure that it is clear about the matter
11 that you are addressing and is likewise clear to them.

12 This hearing is being transcribed by a
13 Court Reporter and it is very important that we obtain
14 an accurate record of this hearing. Therefore, I will
15 ask all speakers to remember the following: It is
16 important that you speak clearly and slowly and loud
17 enough so that we can hear you. All statements must be
18 clearly spoken. For example, the Court Reporter cannot
19 record a nod of the head. Please spell all proper names
20 and technical terms the first time they are used. And
21 I would ask that only one person speak at a time.

22 I may interrupt a speaker from time
23 to time to ask for a spelling or to remind you of these
24 other points. I hope that you will not take offense.
25 I want to be sure that we have an accurate record of

1 what you are saying.

2 If you have a written copy of your
3 remarks, you can leave them here as an exhibit. If you
4 wish to leave them here as an exhibit, please do so.
5 That would also be very helpful. You can also submit
6 your comments in writing after the hearing. The
7 comments should be submitted to my office at the address
8 indicated on the back of the handout.

9 It is also helpful if folks submitting
10 comments to our office reference the Docket Number in
11 that matter. That Docket Number again is 60-2002-30171.

12 There will be five public hearings in
13 this matter. After the close of the last hearing on
14 February 7th, 2013 you will have twenty calendar days,
15 until Wednesday, February 27th, at 4:30 p.m., and then
16 there will be a five working day rebuttal period on all
17 previously submitted comments, which, again, will be
18 until the close of business on March 6, 2013.

19 That second period is not an
20 opportunity to submit additional comments or evidence.
21 As Minnesota Statute Section 14.15 states: "Additional
22 evidence may not be submitted during the five-day
23 rebuttal period. Additional evidence may not be
24 submitted after the close of the initial comment period.
25 Instead, it is an opportunity for you to review and to

1 respond to comments submitted by the agency or others
2 during the first comment period."

3 After the second deadline passes, I
4 will prepare a report and that report will contain my
5 decisions about whether or not the agency has met the
6 burdens that I discussed earlier; namely, whether the
7 agency has: Documented its statutory authority, whether
8 it has demonstrated that it has fulfilled all of the
9 necessary legal and procedural requirements, and
10 demonstrated the need for and reasonableness of each
11 portion of the proposed rules.

12 If you want to obtain a copy of my
13 report, please put your name and address on one of the
14 envelopes at the respective sign-in tables, and we will
15 see that you get notice of when my report is available
16 and you will be informed about how to obtain a copy of
17 the report.

18 The handout goes into other details
19 about the hearing process that occurs after my report
20 is issued. I am not going to discuss that part of the
21 process. You can read about it at your leisure.

22 Are there any other questions about the
23 hearing process? If not, we will continue with the
24 agency's presentation.

25 Here today with us from the DNR is

1 Rich Baker and Hanna Texler. Mr. Baker.

2 MR. BAKER: Thank you. My name is

3 Rich Baker, Endangered Species Coordinator for the

4 Department of Natural Resources (DNR), Division of

5 Ecological and Water Resources. The DNR is directed

6 by Subdivision 3 of the state's Endangered Species

7 Statute, and it is Minnesota Statute 84.0895, to adopt

8 rules to designate species of wild animals or plants as

9 Endangered, Threatened or of special concern according

10 to the definitions as provided in that statute. The

11 resulting list of Endangered, Threatened and Special

12 Concern Species was first created in 1984, amended in

13 1996, and has remained unchanged since. The list

14 draws attention to species that are at greatest risk

15 of extinction within the state and applies special

16 regulations to those species that are designated as

17 endangered or threatened. By alerting resource managers

18 and the public to species in jeopardy, resource use and

19 management activities can be reviewed and prioritized

20 to help preserve the diversity and abundance of

21 Minnesota's flora and fauna.

22 Because of the importance of this list in

23 influencing resource use and management activities in

24 Minnesota, the DNR seeks to ensure that the list

25 reflects the most current information regarding the

1 distribution, abundance and security of species within
2 the state. Development of the proposed amendments was
3 initiated in 2000 with the publication of a Request for
4 Comments in the State Register. Between 2000 and 2006,
5 DNR staff reviewed, evaluated and assimilated a vast
6 amount of data on the distribution and abundance of the
7 state's plant and animal species. This review resulted
8 in development of a set of draft amendments to the
9 status of 273 species. In early 2007 those draft
10 amendments were provided to the public for comment and
11 a second Request for Comments was published in the State
12 Register. Following the receipt of 423 comments, the
13 DNR carefully evaluated each comment received and made
14 many adjustments to the draft amendments.

15 Development of the proposed amendments
16 on which you are commenting today has relied upon the
17 DNR staff's professional judgment to evaluate whether or
18 not a species' status meets the statutory definitions
19 of "endangered," "threatened," or "of special concern."
20 Consideration has been limited to species that are known
21 to reproduce within the state at present, regardless
22 of where within the state the species occurs.

23 The proposed rule amendments identify
24 302 species of mammals, birds, reptiles, amphibians,
25 fish, mollusks, jumping spiders, butterflies, moths,

1 caddisflies, tiger beetles, leafhoppers, dragonflies,
2 vascular plants, lichens, mosses, liverworts and fungi,
3 for which a change in designation is proposed. The
4 proposed amendments include reclassification from one
5 designation to another, as well as the designation of
6 previously unlisted species and the removal of
7 previously listed species. Because species taxonomy is
8 a dynamic science that regularly applies new insights
9 into the relationships among species, the proposed rules
10 also update the scientific names of 64 species for which
11 there is no proposed change in status. The DNR has
12 sought to reflect the most recent and accurate science
13 regarding these relationships in the scientific names
14 used.

15 The DNR has prepared a Statement of
16 Need and Reasonableness that explains the basis for the
17 proposed change in status for each species. As the
18 judge pointed out, copies of the SONAR and proposed
19 rules are available for your review on the table at
20 the back of the hearing room. Also on that table is
21 a sheet on which you may place your name to request
22 that copies of either or both documents be emailed or
23 mailed to you. Alternatively, you can download both
24 copies from the DNR website.

25 The purpose of today's hearing is to

1 receive comments on the DNR's proposed rules and to
2 answer questions as we are able. We will do our best
3 to answer questions that are factual or clarifying
4 in nature. However, we may choose to respond to some
5 questions in our written response instead of responding
6 to them this evening.

7 To review the remaining rule making
8 process, the DNR is holding five hearings throughout
9 the state on these proposed rules. Following these
10 hearings, the public comment period will remain open
11 for 20 days, with the deadline for submission of new
12 information at 4:30 p.m. on Wednesday, February 27th.
13 That will be followed by a five-day rebuttal period,
14 during which the DNR and others can respond in writing
15 to comments and information submitted during the comment
16 period, but during which no new information may be
17 submitted. The rebuttal period will end at 4:30 p.m.
18 on Wednesday, March 6th. After the close of the
19 comment and rebuttal periods, the Administrative Law
20 Judge will have 30 days to complete the hearing report,
21 unless an extension is granted. Following the DNR's
22 receipt of the hearing report, the DNR and the
23 Governor's Office will determine how to proceed with
24 the proposed rules.

25 That concludes the DNR's opening

1 statement. Again, I would like to introduce the DNR
2 staff that is accompanying me here tonight to hear your
3 comments and answer your questions on the proposed
4 rules. And I am accompanied by Regional Plant Ecologist
5 Hanna Texler.

6 Thank you.

7 HEARING OFFICER: Thank you, Mr.
8 Baker.

9 MR. BAKER: (Handing.) Judge, I
10 would also like to review the exhibits that were
11 previously introduced into the hearing record.

12 HEARING OFFICER: Okay.

13 MR. BAKER: Exhibit 1 is the Request
14 for Comments as published in the State Register on
15 January 2nd, 2007 and the Request for Comments as
16 published in the State Register on January 18th, 2000.

17 Exhibit 2 is the proposed rules,
18 including the Revisor's approval, dated November 16th,
19 2012.

20 Exhibit 3 is the Statement of Need and
21 Reasonableness.

22 Exhibit 4 is a Certificate of mailing
23 the Statement of Need and Reasonableness to the state
24 Legislative Reference Library.

25 Exhibit 5 is the Notice of Hearing as

1 mailed, signed and dated November 27th, 2012, and as
2 published in the State Register on December 10th, 2012.

3 Exhibit 6 is the Certificate of Mailing
4 the Notice of Hearing to the Rule Making Mailing List
5 and Giving Additional Notice under the Additional Notice
6 Plan. Copies of the department's statewide news release
7 and the department's informational web page and the
8 Certificate of Accuracy of the Mailing List.

9 Exhibit 7 is a copy of the transmittal
10 letter showing the department consulted with the
11 Minnesota Management and Budget (MMB) and MMB's memo
12 dated September 4th, 2012 in response.

13 Exhibit 8 is the Office of
14 Administrative Hearings' approval of notice plan for
15 Notice of Hearing. It is signed and dated November
16 27th, 2012, and the Department of Natural Resources'
17 request for prior approval of notice plan, signed and
18 dated November 16th, 2012.

19 Exhibit 9 is a certificate showing
20 that the department sent the Notice of Hearing and the
21 Statement of Need and Reasonableness to legislators
22 as required by Minnesota Statutes Section 14.116.

23 Exhibit 10 is a copy of the
24 transmittal letter showing the department sent a copy
25 of the proposed rule changes to the Commissioner of

1 Agricultural in accordance with Minnesota Statutes
2 Section 14.111.

3 Exhibit 11 is this Opening Statement
4 by the Department of Natural Resources.

5 And Exhibit 12 will be all of the
6 written comments and submissions on the proposed rules
7 received by the agency during the comment period.

8 Thank you.

9 HEARING OFFICER: Thank you, Mr. Baker.

10 Now the rest of this hearing is for public comment.

11 But we will take a short break, just so everyone has a
12 chance to sign the hearing register and to pick up the
13 handout on the rules hearing procedure, and then I will
14 check the sign-in sheets and we will begin with public
15 comments.

16 We will just take a very brief break
17 to make sure that everyone has had a chance to sign in.

18 Thank you.

19 (Whereupon, a short recess was taken.)

20 HEARING OFFICER: Okay. I think
21 everyone has had a chance to sign in. We will now begin
22 with public comments and we will start with Laurie
23 Stammer. Thank you.

24 MS. STAMMER: My name is Laurie
25 Stammer, S-T-A-M-M-E-R. My address is 1509 Dale Avenue,

1 D-A-L-E, Buffalo, Minnesota 55313.

2 I am here today speaking against delisting
3 the wolves. I believe that it is not needed and it is
4 not reasonable. And I thank you, Your Honor, for
5 hearing me today.

6 I am concerned about the politics that led
7 up to the wolf hunt in 2012. I believe that the rushed
8 season was without scientific merit and was established
9 at the behest of a well-lobbied agricultural corporate
10 interest for the benefit of a few and against the wishes
11 of the majority of Minnesota. I expect the DNR to be
12 financially responsible and environmental stewards of
13 the state. The changes to the law and the resulting
14 hunting season in 2012 went to precious dollars that
15 went to reestablish the wolf population in Minnesota,
16 wasted the resource, the wolf itself, that we were
17 working to reestablish, and placed in jeopardy the
18 future of wolves in Minnesota. All of this are signs
19 that DNR, under its current leadership, appears to be
20 more concerned in pleasing the needs of special interest
21 groups than it is to responding to people across the
22 state for our tax dollars that is, in my opinion, not
23 responsible stewardship.

24 We know enough about wolves and the
25 management and agricultural needs and shared geography

1 to understand how to live in conjunction peacefully with
2 wolves. We also know that a species so recently
3 delisted needs to be studied for a period of time to
4 determine the stability of the possible population. Yet
5 none of these needs were put before satisfying the
6 desire of a few that to begin eliminating the population
7 of the species against from four state.

8 As a taxpayer, I expect better from a state
9 agency. It lacks all common sense to hunt the species
10 that you just spent money on reintroducing. I expect
11 the DNR and all of its functions to operate with
12 clarity, purpose, practice, and most importantly, with
13 complete transparency in all matters. As a person who
14 has spent a lifetime in enjoying our state's
15 environmental wonders from corner to corner in many
16 capacities, I believe that we are teetering on losing an
17 opportunity to create sustainable growth in the eco
18 tourism industry and the very areas that we have allowed
19 wolves to be killed. In fact, even those that feel they
20 are personally impacted, farmers and ranchers, fail to
21 see the opportunity of expansion of their own towns
22 because the wolf is present.

23 This is a time to think outside of the box
24 and not jump back in the old one caused by fear and
25 misunderstanding of an animal that they inherently do

1 not understand. The 2012 wolf season was a mistake. I
2 am requesting that this mistake not be repeated and that
3 the five-year study period that should have commenced
4 last year begins in 2013 without a hunt and with the
5 focus on the plan for peaceful co-existence of wolf and
6 man; something that worked for generations upon
7 generations for our first nations and something that we,
8 as modern caring Minnesotans, can accomplish today.

9 Thank you for your time.

10 HEARING OFFICER: Thank you very much.

11 MR. BAKER: Thank you.

12 (Clapping.) (Applause.)

13 HEARING OFFICER: Lee Martin Kaphingst.

14 MR. KAPHINGST: Kaphingst.

15 HEARING OFFICER: Thank you.

16 MR. KAPHINGST: Do you need the
17 spelling. Lee Martin K-A-P-H-I-N-G-S-T. And then 5109
18 Beacon Hill Road, Minnetonka.

19 Well, thank you for this opportunity, and I
20 basically want to address what I think should be the
21 philosophy of the DNR as they make these rule decisions.

22 As a gun owner and a hunter, I don't have a
23 problem with the people who are fishing or hunting as a
24 source of food. I do strongly oppose, however, to those
25 who are in favor of -- or I don't think we should have

1 recreational killing. I think that is wrong.

2 Especially with respect to trapping, to
3 think about an animal, its leg caught in a trap, its
4 legs probably crushed, it slowly freezes to death over a
5 long time. I think that's morally and ethically wrong.
6 And this is what I want to say. That recreational
7 killing I think is a mistake. Thank you for your time.

8 HEARING OFFICER: Thank you very much.

9 MR. BAKER: Thank you.

10 (Clapping.) (Applause.)

11 HEARING OFFICER: Bruce Olson.

12 MR. OLSON: Hi.

13 HEARING OFFICER: Good evening.

14 MR. OLSON: Your Honor. Bruce Olson.

15 I live at 132 North Cedar Lake Road, Minneapolis,
16 Minnesota.

17 My reason for being here is to request
18 that the gray wolf remain on the special concerns
19 species list or to have it upgraded to the threatened
20 species. The hasty political nature of the wolf hunt
21 and the closed door dealings behind -- between the
22 primary clients and secondary clients of the DNR taints
23 the public trust of our state government organizations.

24 The five-year moratorium should be
25 reinstated to have an accurate count of the wolves

1 using scientific means, not the old school track and
2 scat method.

3 The U.S. Supreme Court ruling Rush
4 Otter, et al., 2011, supreme court found that states
5 must manage wildlife for all of the people and
6 specifically may not privilege private interests over
7 public. The wolves are a vital part of our ecosystem
8 and need to be preserved for all and the future.

9 And I do have one question for the
10 representatives.

11 What was the approximate number of
12 wolves before the 2012 hunt in the state?

13 MR. BAKER: I will refer to the
14 Statement of Need and Reasonableness for the answer to
15 that question. I am not a wolf biologist, I am an
16 endangered species biologist. But the number that we
17 cite in here is -- let's see. The number that -- okay.
18 You know, we didn't cite a number in here.

19 (Applause.)

20 MR. BAKER: I believe that it is in
21 the order of 3,000 animals, was the last population
22 estimate.

23 MR. OLSON: Estimate? And what was
24 that estimate?

25 MR. BAKER: I don't know. I can

1 provide that information in writing in my comments.

2 MR. OLSON: I would just -- my last
3 thought is, being you are an endangered species
4 biologist, to not have any say into the procedure of the
5 wolf hunt coming off the endangered species list is
6 horrible.

7 Thank you, Your Honor.

8 HEARING OFFICER: Thank you, sir.

9 MR. BAKER: Thank you.

10 (Applause.)

11 HEARING OFFICER: Petra Brokken.

12 MS. BROKKEN: Good evening, Your Honor,
13 and members of the DNR. My name is Petra Brokken,
14 P-E-T-R-A, D -- I'm sorry, B-R-O-K-K-E-N. I live at
15 1031 Colby Street in St. Paul, 55116.

16 I am not a member of any group. I am
17 just here as a citizen.

18 I am here to respond to the section
19 about need and reasonableness. I do not see the need
20 for the wolf hunt and I do not see the reasonableness
21 either.

22 Recreational hunting does not seem
23 reasonable. I don't think that the DNR has shown that
24 it is reasonable nor necessary. It is not --
25 recreational hunting is not a good option for

1 controlling a wolf population.

2 I recently read a book by Temple Grandon,
3 and she talks about how a wolf pack is not how they
4 thought in years by, a large group of wolves that is
5 controlled by an alpha male and female, but it is a
6 family. It is a family, a mother and father wolf, with
7 the juveniles -- with the children who stay with the
8 mother and father.

9 Recreational hunting breaks up this family
10 unit and then the remaining parts of this family, you
11 admit, don't have a good way to hunt to feed themselves.
12 And that's when you get more predation on the easy
13 things, like a dog, a cat, livestock. You don't allow
14 this family unit that is very involved with one another
15 on exactly how to hunt the animals to stay together to
16 do it.

17 The other reason why recreational hunting
18 is not a good idea is because the recreational hunters
19 want to take the biggest and most beautiful animals.
20 They don't look, like the DNR could, on which capable
21 wolves or wolves' families would be the ones to remove,
22 the ones that may be coming too close to where people
23 are, or am I other number of other reasons that the DNR
24 would be capable of looking at in terms of how to limit
25 this.

1 The recreational hunters just kill what
2 they see and they want the beautiful wolves and they
3 break up the family packs, the family structure. That
4 doesn't make any sense.

5 I agree that there has been no showing that
6 taking away the five-year moratorium is in any way
7 reasonable. We don't know the numbers of wolves. We
8 don't know what this last hunt has done to these wolf
9 pack structures, to these different families. We don't
10 even know how many wolves are still left. If there were
11 3,000 wolves and 35 percent died to car crashes and, you
12 know, squabbles and things like that and then another
13 700 wolves were killed, what number are we left with?
14 Where are we with our wolf population? We have no idea.

15 I want to agree with the gentleman who
16 spoke about how immoral it is to have a leg trap. If we
17 have to kill wolves, it should be done by the DNR. If
18 there is any hunting season, which I disagree with, at
19 minimum it should only be gun hunting. To have a leg
20 trap for a sent tin being like this, who has a family
21 structure, who is basically a dog that is more
22 intelligent and to expose an animal like that to such
23 pain where they will gnaw off their own leg and then
24 have them sit there and wait to get shot or what, by a
25 hunter, I think is just grossly immoral and it disturbs

1 me that we, in Minnesota, have sunk so low as to allow
2 that.

3 My eight-year-old daughter is here, Graia,
4 and last year for her birthday she told me she didn't
5 want to have any presents. All of the money that was to
6 go to birthday presents she wanted to be given to a
7 group to save the wolves. She told me she didn't even
8 want the stuffed animal that could come with it because
9 that would take money away from trying to preserve the
10 wolves. She is here with me tonight because she wants
11 to be here because this is an important issue to her.

12 This summer we were looking at family
13 vacations and I noted that I saw we were talking about
14 going to the Voyagers National Park. You can rent
15 houseboats there. And on the website, what do you think
16 they talk about, they talk about how wonderful it is
17 that your family can listen to the howling of wolves.
18 And that's what we would like to do. We like to go hear
19 the wolves in Minnesota, hear a precious resource that
20 we have here in Minnesota that needs to be protected.
21 To think that we can go from having it as an endangered
22 species.

23 And I disagreed with the first woman who
24 talked that we have spent so much money and time and
25 energy trying to protect this species, but now we just

1 throw it over to the side, thrown through the window, we
2 are now going to kill them in any kind of way? It makes
3 no sense to spend that kind of taxpayer money. I also
4 think if you look at the statistics, more people in the
5 State of Minnesota want to protect the wolves than we
6 have that want it to hunt them, and we should go with
7 what most people want here.

8 I do think that there are ways to deal with
9 the issues that wolves present. There are ways to live
10 by wolf. In Temple Grandon's book, she talks also how
11 when people jog through the woods, as we now want to do,
12 that provokes a pray stimulus for these predators. I
13 think it would be a good idea to educate people and
14 spend our money and give money back to farmers who lose
15 their livestock and in educating people here.

16 So, Your Honor, I urge you to freeze this
17 wolf hunt and to allow there to be a five-year
18 moratorium so that we do not kill these wolves that we
19 have spent so much money to protect.

20 Thank you.

21 HEARING OFFICER: Thank you.

22 MR. BAKER: Thank you.

23 (Applause.)

24 HEARING OFFICER: Robert Humphreys.

25 I'm sorry. I butchered that last name.

1 MR. HUMPHREYS: The last, oldest native
2 name of Minnesota.

3 HEARING OFFICER: Off the record.

4 (Whereupon, an off-the-record
5 discussion was held.)

6 MR. HUMPHREYS: Humphreys,
7 H-U-M-P-H-R-E-Y-S.

8 First of all, this evening, I want to
9 commend the DNR for changing the status of the moose and
10 making it an animal of special concern. I congratulate
11 you on that.

12 (Applause.)

13 MR. HUMPHREYS: You say that the moose
14 population declined by a factor of three in the last
15 three -- it declined by one-third. Okay? And,
16 therefore, you recommend suspending the hunt of the
17 moose indefinitely. That is definitely the correct
18 decision. Not only do I agree with your decision to
19 move it to an animal of special concern, but I think you
20 should consider moving it to threatened status.

21 But now let's apply those same arguments to
22 the gray wolf.

23 Someone asked about the numbers earlier.
24 You seemed a little bit uncertain for them. I checked
25 your web pages. Okay? In 2012, 2013, as a result of

1 the hunt, 400 wolves were officially killed by hunting
2 and trapping. By your own numbers, another 298 in the
3 same year were killed officially due to what they call
4 wolf human conflict. That means by farmers, by
5 ranchers, and by the official representative hunters
6 representing the DNR. That leaves us with 711 wolves
7 that were officially killed in the past year.

8 Now, then there is the unofficial kills.
9 Okay? That is poaching, illegal poaching and illegal
10 hunting, accidents, getting hit by cars, and so on.
11 Your own numbers on your web pages put that at
12 approximately around 200 a year. Well, you add all of
13 that up and you come up with over 900 wolves that were
14 killed over a year out of an unknown population of size.
15 Well, the last estimate on the wolf population was done
16 in 2008, five years ago. And the numbers were put
17 between 22 through 135 and 3,500. That's how uncertain
18 the estimate was. Previous to that, the wolf population
19 had been well documented to be stable between 1998 and
20 2008. There had not been a significant decline or
21 increase.

22 So, the best guess estimate -- and I call
23 it a guesstimate -- that the DNR uses is about 3,000
24 wolves in Minnesota, which is a number that you gave us
25 earlier.

1 But there must be a large uncertainty
2 on that number. So, by just the official wolf kill,
3 about one-fourth were killed last year. Unofficially at
4 numbers probably closer to one-third, with the 900 or so
5 with the unofficial kills. So, therefore, approximately
6 one-third of the wolf population has been killed just
7 simply in this one year. So, by your own arguments with
8 respect to the moose, from which one-third of the
9 population have disappeared in the past year, then
10 perhaps we should apply to the wolf at least the minimum
11 status we are willing to grant the moose, which is not
12 now to be no longer any protection at all.

13 Now, according to your document, it is
14 being removed from special concern to no concern. It
15 should be at least a special concern animal. And I
16 would recommend until you have some numbers on the wolf
17 population in this state and the impact on the wolf
18 packs and their ability to survive, that you even
19 consider putting it back on the threatened status.

20 I recommend a scientific study of the wolf
21 population in Minnesota. No more hunting or trapping
22 until that study is complete. And I would also
23 suggest -- and this is my only personal opinion -- that
24 it not be conducted by the DNR.

25 (Applause.)

1 MR. HUMPHREYS: Instead, state money
2 should be used to hire a professional wildlife biologist
3 to do the study independent of the DNR. So, anyway, I
4 congratulate you on the moose and I hope you can move
5 forward on the wolf in the coming months.

6 Thank you.

7 HEARING OFFICER: Thank you very much.

8 MR. BAKER: Thank you.

9 HEARING OFFICER: Louann Lanning.

10 MS. LANNING: Hi. I am Louann,
11 L-O-U-A-N-N, Lanning, L-A-N-N-I-N-G. I live at 7318
12 West 22nd Street, No. 206, St. Louis Park.

13 So, thank you for holding the public
14 hearing. I come to this hearing as a concerned citizen.
15 Please keep the gray wolf as a designated species of
16 concern. The DNR estimated that there were 3,000 wolves
17 in Minnesota in 2007, 2008, but there is no real-time
18 baseline population data for 2011, 2012 when the
19 decision was made to change their species status and
20 hunt them, or in 2013 when their decision to change
21 their species status is being considered again.

22 A healthy wolf population promotes
23 biodiversity and a healthy wildlife population. They
24 are a keystone species and they help keep all else in
25 balance. We need to balance the needs of farmers,

1 ranchers hunters with the economic rule of tourism and
2 eco-tourism in our state. I agree with the person that
3 spoke about the missed opportunities that we are seeing
4 about eco-tourism in our state. Right now it is a
5 sustainable 500 million dollar industry in Minnesota
6 that supports 13,000 Minnesota jobs we can't afford to
7 lose the wolves, which may very well happen without
8 monitoring and protection in place. The Minnesota
9 legislature rushed to approve a wolf hunt without very
10 much baseline and data. Five-year period between
11 species designations until the law was stripped away by
12 the Minnesota legislature behind closed doors. 39
13 percent of surveyed hunters, including hunters, opposed
14 shooting and trapping wolves.

15 The 400 wolves in the hunt added to those
16 kill for deprivation as well as those that die from
17 disease and starvation could easily add up to 8,800
18 wolves, which Roberta talked about, which is at least
19 one of every four wolves of the wolves' population.
20 Killing of wolves, breaking up the pack population of
21 the wolves, which creates more problems for the wolves
22 and more wolves die of other cases and fewer pups are
23 born. All of this brings the wolf population to a
24 tipping point, and science tells us that this population
25 of 800 killing of wolves put in jeopardy which years and

1 years of doing restoring also species.

2 I definitely think the species should
3 remain a species with special concern status. I am
4 asking that you keep the wolves on the special concerns
5 list for biological and economic reasons or return them
6 to the threatened status.

7 We are on a run a real-time baseline for
8 the population now for 2013, 2014, and I like the idea a
9 lot for private study done. Separate from any groups,
10 including the DNR. Stop all hundreds until this is done
11 and decisions can be made with the current data and
12 reinstate the five-year waiting period for the wolf.
13 Eliminate all trapping and bating from future huntings.
14 These procedures are barbaric, cruel in humane, and
15 immoral. Determine what other options are available to
16 help farmers and ranchers besides killing wolves. Also
17 educate the public about why their fear of wolves is
18 unnecessary and not really real.

19 Thank you.

20 MR. BAKER: Thank you.

21 HEARING OFFICER: Thank you very much.

22 (Applause.)

23 HEARING OFFICER: Debbie Peers.

24 MS. PEERS: Debbie Peers. 132 north
25 Cedar Lake Road, Minneapolis.

1 Hi. First of all, I want to commend the
2 DNR for taking the right course of action in halting the
3 moose hunt indefinitely, with the population in
4 northeast Minnesota down 35 percent in one year and down
5 52 percent since 2010. This is what needed to be done.
6 This leads to the wolf population and the ramifications
7 of this years hundreds on their numbers and relating to
8 their status of endangerment. The last survey of the
9 wolf population was done in 2007, 2008, showed no change
10 from ten years previous, at approximately 3,000. The
11 population was stable without a hunt. Even with federal
12 protection, the Minnesota wolf population did not expand
13 in that ten years.

14 Prior to the hunt, no current baseline data
15 was determined. 413 wolves were killed by hunters and
16 trappers, another 298 by farmers and property owners,
17 totaling 711, or one quarter of the population.
18 Obtaining any kind of accurate count to assess the
19 damage done by the hunt will be almost impossible now.
20 The DNR's wolf management plan states that wolves and
21 annual mortality rate is 35 percent, from starvation,
22 disease, territorial disputes, and human-related causes,
23 such as car collisions and poaching.

24 So, that is approximately 1,000 per
25 year. Wolves are social animals, interdependent for

1 their survival. Killing random wolves from packs
2 decreases the entire packs chances for survival.
3 Destroying random members of packs will also affect the
4 reproduction of wolves this spring, as only alpha
5 females and males in a pack generally reproduce. With
6 licensed state restrictions on killing wolves by farmers
7 and ranchers and others already initiated, it would be
8 prudent to ask the DNR to revert to the five-year
9 moratorium that they originally established on hunting
10 and trapping on how this alone would affect the wolf
11 population, and the DNR must not ignore the 79 percent
12 of Minnesotans who were against the hunt when surveyed
13 online.

14 With all of these numbers adding up, 711
15 wolves known killed, 35 percent mortality rate or 1,000
16 wolves, unknown numbers dying from packs splintering due
17 to the hunt, lower birth rates. Now is not the time to
18 lower the status of wolves from special concern to none.
19 There simply are just too many unknowns. The numbers
20 here certainly still warrant reasonable and responsible
21 action on the DNR's part towards wolves, the same as I
22 just chose with moose as they just chose with moose.

23 Thank you.

24 MR. BAKER: Thank you.

25 (Applause.)

1 HEARING OFFICER: Adam Kuenzel.

2 MR. KUENZEL: Adam Kuenzel,

3 K-U-E-N-Z-E-L, 29 Barton Avenue, Southeast Minnesota

4 55414.

5 I am speaking in favor of keeping the gray

6 wolf as a species.

7 AUDIENCE MEMBER: Could you lift the

8 mic up a little bit, please.

9 MR. KUENZEL: Certainly. I am speaking

10 in keeping the gray wolf as a species of special

11 concern. There is -- because of the recent reports of a

12 greatly reduced moose population and being one of the

13 wolves main feed sources, it makes it that much more

14 difficult to maintain a healthy diverse wolf population.

15 That's all. Thank you.

16 HEARING OFFICER: Thank you very much.

17 MR. BAKER: Thank you.

18 MR. KUENZEL: Thank you.

19 (Applause.)

20 HEARING OFFICER: Todd Sheiting.

21 Thank you, sir.

22 MR. SHEITING: Thank you.

23 Thank you, people.

24 I am Todd Sheiting from Plymouth,

25 Minnesota, and I'm here specifically on the moose.

1 And what I have discovered with my research
2 in and my long beliefs is that there is a connection
3 with the common but similar to trichinosis. And I have
4 done some fishing through the Internet and through the
5 public library of Hennepin County for this research
6 help, and there is a lot -- there is just too much
7 information that isn't just exactly right. And it is
8 trichinosis that it is getting into our mammals and it
9 is just -- it needs more study and it is really
10 devastating our moose.

11 It is carried by cougars and eating it
12 is a danger. But as far as a public health
13 circumstances go, following also strict CDC rules of
14 cooking your own meat and your own wild game is going to
15 save your life in the long run. It may not -- you may
16 eat this and you may not have the devastating results,
17 final recalling and shortening of your life for ten to
18 15, 20 years. These little critters can live seven to
19 ten years in your body, get in your brain and really
20 cause a terrific amount of health expense. And there is
21 a whole bunch of neurological complications that can be
22 taken with these little critters that have been around
23 since Adam and Eve and it is -- it is a big research
24 program. PubMed and CDC on the Internet will give you
25 more information, but we need and we have got the money

1 to take forth. We have the agency, the university Of
2 Minnesota has the capacity, and I would more than
3 volunteer my time, but it takes somebody with a PhD in
4 microbiology, like a man I met this summer, like
5 Dr. Michael Sadousky, a microbiologist, an absolute
6 genius, to put forth and to select the people that
7 should be in charge of this and to sort through this.
8 And then it takes a whole lots of people with not just
9 students levels but at least Master's degrees to sort
10 this out.

11 Once you can see the light, you can start
12 seeing that it is a problem. I personally went and had
13 a blood test taken at -- because I'm susceptible. I am
14 a deer hunter and I smoked meat. But I came back
15 negative. It is just the fear of it that makes me shake
16 and it is the fear that it can arriving people and cost
17 them their lives ten or 20 years earlier. This little
18 trichinosis is, I quote, "smarter than the average
19 squirrel."

20 Thank you everyone.

21 HEARING OFFICER: Thank you, sir.

22 (Applause.)

23 HEARING OFFICER: (Indicating.)

24 MS. HAIG: Hi. I am Kate Haig,

25 6009 Rhode Island Avenue North, New Hope, Minnesota.

1 I'm here to talk today about the removal of
2 the gray wolf. I oppose the proposed removal of the
3 gray wolf from the special concern list to none at all.
4 So, in 2011, the Minnesota state legislature passed the
5 budget bill which authorized the DNR to open a wolf hunt
6 after a period of formal consideration. There was no
7 formal opportunity for the public because the DNR --

8 HEARING OFFICER: Could you please
9 speak into the mic.

10 MS. HAIG: I'm sorry. I will start
11 over.

12 In 2011, the Minnesota state legislature
13 passed a budget bill that authorized the Minnesota DNR
14 to open a wolf hunt following a period of public
15 comment. There was never a formal period of public
16 comments. Instead there was an online survey in which
17 of the 7,351 responses, 75 percent of Minnesotans
18 opposed the Minnesota wolf hunt.

19 There was also a surprising absence of
20 scientific considerations regarding the delicacy of the
21 ecosystem. I have not seen any formal scientific
22 evidence from the DNR that supports the opening of the
23 Minnesota wolf hunt. There was no consideration of the
24 impact of the death of an alpha male or female on a
25 pack, nor did they consider the fact that wolves mate

1 for life.

2 In my mind, I consider removing the wolves
3 or delisting the wolves is not an ethical or moral thing
4 to do, without a period of formal public comment in
5 which the Minnesota DNR takes into account what the
6 public has to say. And quite frankly, I am appalled
7 that when asked what the population of the wolves were
8 on such a serious topic, that you could not answer the
9 question.

10 (Applause.)

11 So, I, along with the majority of
12 Minnesotans, value wolves and I do not want them taken
13 off of this special concern species list.

14 Thanks.

15 HEARING OFFICER: Thank you.

16 MR. BAKER: Thank you.

17 (Applause.)

18 Jan -- and I'm having trouble reading
19 the last name. Carpal?

20 MS. CARPAL: Carpal.

21 HEARING OFFICER: Carpal.

22 MS. CARPAL: My name is Jan Carpal and

23 I am here as an individual and also as a member of an
24 organization called CARE.

25 My address is 2445 Boone Avenue South,

1 St. Louis Park, Minnesota 55426.

2 Obviously, I am here to protest the wolves
3 being taken off the species of concern. And I would
4 like to read you a quote. This was quoted in the
5 Minneapolis Star Tribune written by Ron Meador,
6 October 11th, 2012 in an e-mail sent by Dennis Simon,
7 chief of the wildlife management section to several
8 fellow DNR managers last April 23rd, 2012.

9 "However, after giving it considerable
10 thought over the weekend, I have come to the conclusion
11 that we owe it to our primary clients, hunters and
12 trappers, and to livestock producers as secondary
13 clients, to do what we can to establish a legitimate
14 harvest opportunity now that the wolf is under our
15 management authority. We can always work deliberately
16 toward establishing the wolf as a unique harvest species
17 through future legislation. I am supporting a limited
18 season, both hunting and trapping, this fall under
19 current authorities. This will require a reallocation
20 of wildlife resources to do it correctly, and I'm
21 prepared to do that."

22 So, I have a question for you folks from
23 the DNR.

24 Most of the folks here, as you can see,
25 are well educated. We are among the 40 percent of

1 six million Minnesotans who oppose the wolf hunt.

2 But even more clearly, you are not listening to us.

3 (Applause.)

4 I am not here -- we asked you not to
5 slaughter cranes. You thumbed your nose at us and you
6 went forward and you slaughtered cranes. We asked you
7 to stop the dove hunting. You thumbed your nose at us
8 again and you went forward and you slaughtered the
9 morning doves. We asked you not to shoot the research
10 bears and you went ahead and you allowed hunters to
11 slaughter research bears that are collared.

12 The Minnesota school children follow
13 online. I'm tired of it. I'm tired that my taxes go
14 to pay your salaries. I am tired that you are not
15 listening to us. You are not listening to the 80
16 percent, the 79 percent. We are a part of our taxes
17 supporting your organization. That's -- you are not
18 a state agency, by your own admission. Your primary
19 clients are hunters and trappers and livestock
20 producers. On the contrary, we are your primary
21 clients. You need to listen to us.

22 (Applause.)

23 And for the past 25 years, maybe it is
24 time for us to switch our taxes. Instead of coming to
25 hearings and begging you and requesting you, maybe it is

1 time to go to the legislator and say, "We are the 40 to
2 50 to 60 percent. We don't want our taxes going to an
3 agency that is not listening to us." Think about that.

4 HEARING OFFICER: Thank you.

5 MR. BAKER: Can I respond to that?

6 HEARING OFFICER: Yes.

7 MR. BAKER: With all due respect to the
8 audience and to the people with concerns about the wolf
9 tonight, I want to remind the public that Hannah and I
10 represent a portion of the DNR. We work for a division
11 called the Division of Ecological and Water Resources.
12 Hunting and fishing is handled by a separate division in
13 the DNR called the Division of Fisheries and Wildlife.
14 I have very little contact with that division.

15 (Audience: "Then why aren't they here?
16 Why aren't they here?")

17 HEARING OFFICER: Wait.

18 MR. BAKER: The hearing that you are
19 attending tonight is about the proposed changes to the
20 list of Endangered, Threatened and Special Concern
21 Species. That activity is managed by our division.
22 As I said, hunting and trapping is managed by a separate
23 division by the DNR. And I understand that from the
24 public's perspective, that we are one agency, and I
25 understand that the details about how we are organized

1 might not seem relative to you, but that is my way of
2 explaining that I do not participate in decisions
3 regarding hunting and trapping. I do not participate
4 in the decisions regarding the management of the wolf.
5 So I'm not prepared to answer detailed questions about
6 how the wolf is managed, but I'm here to listen to your
7 comments.

8 So, please continue.

9 MS. CARPAL: So, when do we get a
10 public hearing with the people that you are talking
11 about, since the right hand doesn't talk to the left
12 hand at the DNR? I mean, I'm tired, too. I have
13 written letters. I have made phone calls. I have got
14 endangered nothing back. I was waiting for a public
15 hearing before the hunt. Then that never happened and
16 then that bogus survey went online.

17 HEARING OFFICER: Ma'am, I appreciate
18 your frustration.

19 MS. CARPAL: This is just a waste of
20 our time. All of these wonderful, well educated
21 testimonies, it is just a waste of time.

22 HEARING OFFICER: The process is for
23 folks to come identify themselves and to give their
24 comments at the podium. And I will stay here all night
25 to listen to everyone. The purpose of this hearing

1 tonight is to discuss the DNR's changes to the list of
2 Endangered, Threatened and Special Concern Species.
3 My job to is to evaluate whether the department has
4 established the statutory authority for the actions they
5 are proposing to take, whether they are followed all of
6 the relevant legal rules and procedures and whether they
7 have demonstrated the needs and reasonableness for the
8 changes they are proposing. And the purpose of the
9 hearing is to take comments and hopefully develop
10 information that I can use to make that determination.

11 Does that help?

12 (Applause.)

13 HEARING OFFICER: Katrina Schaeffer?

14 How bad was that?

15 MS. SCHAEFFER: That's okay. In some

16 cultures it is Katrina and in here, it is Katherine.

17 Works.

18 HEARING OFFICER: Katherine, okay.

19 MS. SCHAEFFER: Katherine Schaeffer,

20 K-A-T-H-E-R-I-N-E S-C-H-A-F-F-E-R. 3225 Aldrich

21 Avenue South, Minneapolis 55408.

22 Okay. I am here as a member of the group
23 Howling for Wolves and am opposed to the hunting of
24 wolves in Minnesota. But more specifically, I am here
25 as an individual who is very vehemently opposed to the

1 trapping of wolves in Minnesota. I went to the DNR
2 website and looked up hunting and trapping regulations,
3 specifically Page 43, and the use of the steel jaw trap
4 by trappers in Minnesota.

5 I have been an opponent of steel jaw
6 trapping for decades. The steel jaw trap is outdated,
7 barbaric, and it is an instrument of torture. This trap
8 is an indiscriminate killer. It causes unintended death
9 or debilitating injury to any wild animal, such as
10 protected raptors. Workers at the Minnesota raptor
11 program can attest to this. Domesticated animals also
12 become unwitting targets.

13 My brother's dog was caught in a steel jaw
14 for over three days and found and rescued by a passerby.
15 The design of the trap does not cause instantaneous
16 death. Rather, the animal caught suffers excruciating
17 pain. Animals have been known to chew off their own leg
18 to escape from this horrific device. Given that we live
19 in the 21st century, we should be more enlightened than
20 others before us of the creatures than past history. We
21 need to ban the use of the steel jaw trap and
22 particularly in regard to the Minnesota wolf.

23 So, I am opposed to the hunting of the wolf
24 and I am hoping for a moratorium until you have an
25 understanding as to what the population is of the wolf

1 in Minnesota, but I am absolutely opposed to the use of
2 steel jaw trapping in Minnesota in regard to any animal,
3 but specifically the wolf.

4 A side bar, as I was sitting in the
5 audience, I looked at the Minneapolis Star Tribune and
6 there is an article on the moose, and ironically one of
7 the factors in the demise of the moose is the deer
8 population. A tick found on the deer causes brain worm.
9 The deer have invaded the moose habitat and I find it
10 interesting that the one animal that is a great predator
11 of the deer is slowly being diminished by the DNR in
12 allowing the wolf to be hunted. So, just a side bar
13 comment that I found rather ironic.

14 Thank you for listening. And while you may
15 not be part of hunting and trapping regulations, I am
16 sure you will convey to the appropriate personnel our
17 comments. Thank you.

18 HEARING OFFICER: Thank you.

19 MR. BAKER: Thank you.

20 (Applause.)

21 HEARING OFFICER: Pamela Nixon Mayer.

22 MS. NIXON MAYER: Good evening, Your

23 Honor.

24 HEARING OFFICER: Good evening.

25 MS. NIXON MAYER: My name is

1 Pamela Nixon Mayer, Edina, Minnesota. I support the
2 organization Howling For Wolves; however, my comments
3 are my own.

4 I gave Your Honor a copy of my
5 testimony with some of the periodicals that I expect to
6 use. I didn't expect to share this, but forgive my
7 highlights and other notes.

8 HEARING OFFICER: Thank you.

9 MS. NIXON MAYER: I worked in the
10 banking industry and transparency so to my clients and
11 as a state of Minnesota resident and constituent, I am
12 a client of our government, which includes the DNR,
13 in state legislature. I have not been provided the
14 accountability nor transparency that I have expected
15 from either organization regarding a July 2012 decision
16 to repeal the five-year moratorium on wolf hunting and
17 trapping signed into law in 2001.

18 The 2001 wolf management plan,
19 including moratorium provisions from when the wolf was
20 delisted from the endangered species act, which happened
21 in January 2012, the provisions called for full public
22 comment before any decisions were to be made by the DNR.
23 In addition, the decisions were to be made on sound
24 biological data, including comprehensive biological
25 surveys. As the per the government's Data Practices

1 Act, I would like to know how decisions were made. I'm
2 very concerned that special decisions not only played
3 into the DNR's decision making process, which used a
4 limited online survey, rather than calling for full
5 public comment, but also to the Minnesota state
6 legislature special session, allowing the hunt which was
7 obscurely placed in a 101 budget bill. As a
8 constituent, I have a right to know what transpired
9 behind closed doors and why the DNR violated its own
10 plan.

11 Two of the American Indian tribes, the
12 Ojibwa and Chippewa, enacted plans to stop hunts on
13 reservations in a decision these tribes accurately
14 stated that once the wolves were removed from the
15 endangered species argument, the wolves to the tribes.
16 However, the state did not discuss its decision making
17 with the tribes that just complained that the could he
18 management of authority of most of the wolf range was
19 disregarded or excluded entirely.

20 I am originally from the Iron Range, part
21 of the beauty of growing up in the Northwoods, was
22 coexisting with wildlife and four dollars which I
23 believe is now compromised by the hunt. I come from a
24 hunting family and I own guns myself. I will never deny
25 anyone the right to protect their family, livestock, or

1 pets from a wolf. However, no one in my family would
2 ever hunt a wolf for sport. There is no need for us to
3 hunt the wolf, as it is not a food staple.

4 Furthermore, baiting a trap and allowing an
5 animal to die cruelly goes against everything I was
6 taught growing up. A truly good hunter does not bait
7 and uses only the weapon necessary. This is testified
8 to. The fact there are almost 8,000 people that were
9 surveyed were against the hunt. Crosses many lines,
10 cultural and otherwise, I fear that if allowed to
11 continue, this hunt will not only, again, endanger the
12 wolf, it will start a dangerous precedent for the DNR
13 and for the Minnesota legislatures to go unchecked with
14 making plans for other Minnesota wildlife species. I
15 realize the hunt may be allowed in the future. All I am
16 asking for is compromise and disclosure. I humbly
17 request that the wolf hunt be stopped until such a time
18 that full public data can be made based on required
19 data.

20 Thank you.

21 HEARING OFFICER: Thank you very much.

22 MR. BAKER: Thank you.

23 (Applause.)

24 HEARING OFFICER: Off the record.

25 (HEARING Exhibit 32 marked

1 for identification.)

2 HEARING OFFICER: Elizabeth Summers.

3 MS. SUMMERS: Hello. Thank you for
4 holding this hearing. Thank you for holding this.

5 My name is Elizabeth Summers, 2924 Cedar
6 Knoll Court, Minnetonka, 55305.

7 Again, I want to thank you for holding this
8 hearing and giving everyone an opportunity to speak
9 about this important issue. I speak in favor of keeping
10 the wolves on the special concern list. And I want to
11 start out with a quote by Gandhi, which is, "The
12 greatness of a nation and its moral progress can be
13 judged by the way its animals are treated."

14 The woman who spoke about the trapping of
15 wolves I absolutely agree with and I think that it is
16 abuse and it is disrespectful and it is dishonorable for
17 us to even consider treating an animal that has been so
18 revered in our history for 100,000 years to be treated
19 like that and to be putting it through such torture. I
20 worked with abused animals and I know what they go
21 through. They have little soles, if you believe that,
22 and that has a profound effect on endangered how how
23 our culture is perceived if we believe that we can
24 torture animals that our dogs have descended from.

25 So, there is a little glitch in there that

1 disconnects from our own best friends. As I said,
2 wolves have been around for about 100,000 years and most
3 of us can agree that dog ban mans best friend or know
4 someone that believes that dogs is mans best friend and
5 it is hard to believe that they are a descendent of
6 ours. Wolves can be seen as our enemy. We need to
7 respect our dogs as our ancestors and to respect wolves
8 as a part of our history, a beautiful part of our
9 natural history. I am fascinated what happened about
10 the five-year waiting period after wolves have been
11 removed from endangered species list. And it is amazing
12 to think that one of our national treasures, the wolf,
13 can drop its status at lightening speed from endangered
14 species to threatened to special concern to none in just
15 over a year.

16 It lacks common sense, it lacks respect,
17 and I don't think there is anyone who truly thinks
18 logically about the situation who can say "yes, that's
19 okay." It is not logical for an animal to be able to
20 proceed create and to get its population back up to a
21 decent level before we can say, "Hey, we can go kill
22 them again." And I think it is absolutely a lack of
23 respect and absolutely a lack of our dogs' ancestors
24 really.

25 When I look into a wolf's eyes, I see a dog

1 because of the obvious similarities and knowing that
2 wolf versus a very acute level of perception that our
3 dogs have as well. And I think most people realize
4 that. I can't imagine that someone could look into a
5 wolf's eyes, kill it, and not feel some kind of
6 connection or sadness with our own dogs. It's a
7 personal issue but, I just can't imagine someone can
8 look into their eyes and not be thinking of killing
9 their dog. And I don't know how we could even think of
10 killing them now, when they were recently so close to
11 being extinct. I think it is as absolute disregard and
12 disrespect for the species. And if we are allowed to
13 kill them again, at higher levels, they are going to go
14 right back on the endangered species list. And as
15 someone else mentioned, we are going to be starting this
16 whole conversation over again and this will all have
17 seemed like a big waste of time.

18 I think in order, out of respect for our
19 wildlife and our natural history and our ancestors of
20 our best friends, the dogs, we need to take this into
21 more serious consideration and to just hold off from
22 taking them off the list completely or putting their
23 status to none.

24 HEARING OFFICER: Thank you. Thank you
25 very much.

1 MR. BAKER: Thank you.

2 (Applause.)

3 HEARING OFFICER: Marlene Summers.

4 MS. SUMMERS: I'm not speaking.

5 HEARING OFFICER: I'm sorry. Okay.

6 Collette Adkins Gaese.

7 MS. GAESE: Hello. My name is Collette

8 Adkins Gaese, A-D-K-I-N-S, space, G-A-E-S-E. I am an

9 attorney biologist with the center of biological

10 adversity.

11 (Applause.)

12 MS. GAESE: Our organization has fought

13 now against the wolf hunt and I am the lawyer that is

14 the representative of the organization Howling For

15 Wolves in that lawsuit. But today I am speaking about

16 the endangered threatened and special concern list.

17 I have comments on the moose, the lynx, the

18 wolves, bats, and the turtles. I am going to try to be

19 very brief because I'm submitting written comments by

20 e-mail. But first let me start with the wolf. I will

21 tell you that just personally, it has been amazing to

22 hear everyone speak out against the hunt. Sometimes you

23 feel like you are the only one that thinks it is

24 immoral.

25 The Statement of Need and Reasonableness

1 basis the removal of the wolf on the fact that it has
2 had a stable population for the last several decades.
3 That is no longer true. Because of the wolf hunt and
4 because as others have testified, the wolf population
5 has now been cut probably to about at least 25 percent
6 less than it was last year. That alone is reason enough
7 to find that the DNR's justification for removing it
8 from the list to be endangered adequate. That being
9 said, serious threats to the wolf remain, and I and my
10 organization are concerned about managing human
11 persecution, and we believe that a number of years of
12 data need to be gathered to see how wolf numbers shake
13 out under state management, now that there is wolf
14 hunting and other depredation control that hasn't
15 occurred under federal listing.

16 I will move on to the moose quickly. The
17 statement of need and reasonableness says that the
18 northeast population is not decreasing rapidly. That is
19 not true, based on recent data from the DNR. They have
20 shown that the population is probably about half of what
21 it was just a few years ago. I think the data in the
22 Statement of Need and Reasonableness does not reflect
23 this winter count for moose. So, while I applaud these
24 additional protections of moving it up to some concern,
25 it qualifies for endangered because of this rapid

1 decline.

2 As to the lynx, the current population is
3 probably less than 200 in the state. It is federally
4 listed. A federal listing create as presumption of
5 state protection assistance or threatened. Special
6 concern status is not enough.

7 HEARING OFFICER: Excuse me, I'm sorry.
8 My note taking is a little slow. Could you start over
9 with your links comments, please.

10 MS. GAESE: On the lynx, population is
11 less than 200 in Minnesota. They are federally listed
12 under the endangered species act. Having a federal
13 listing creates a presumption prima facie case of
14 endangered or threats. So, while we appreciate the
15 proposal to provide for special concern, that is not
16 enough. The Statement of Need and Reasonableness
17 documents the threats that links face, including climate
18 change, and those threats demonstrate that an increased
19 status as threatened and endangered is warranted.

20 I am just -- let me just briefly say I do
21 support increased protections for some species of bats
22 in Minnesota because of white nose syndrome. And I
23 oppose the decreased protection for the snapping turtle.
24 Also justification in the statement of need and
25 reasonableness is that there are now regulations on

1 commercial harvest, but yet commercial harvest does
2 continue in this state, and we do not believe that those
3 protections should be removed until the time that all
4 commercial harvest of snapping turtles has endangered in
5 this state.

6 And finally, I would just like to make the
7 point that state law requires that the endangered
8 species list be updated every three years. It is really
9 a travesty that we had to wait so long to provide the
10 DNR with these comments.

11 (Applause.)

12 Thank you.

13 HEARING OFFICER: Thank you very much.

14 MR. BAKER: Thank you.

15 (Applause.)

16 HEARING OFFICER: Thank you very much.

17 MR. BAKER: Thank you. (Applause.)

18 HEARING OFFICER: Maureen Hackett.

19 DR. HACKETT: Good evening, Your Honor.

20 My name is Maureen Hackett, and that is M-A-U-R-E-E-N
21 H-A-C-K-E-T-T. And I have already been on the record,
22 so I'm going to be brief tonight.

23 Of course I am in support of keeping
24 the wolf as a species of special concern. And I entered
25 a great deal of testimony in Rochester, when there were

1 many less people. But one of the things that I didn't
2 add to my testimony is the issue of as you decrease a
3 population of wolves, you actually decrease genetic
4 diversity. I did speak about that in relation to the
5 wolf being exposed or at risk of a catastrophic disease
6 outbreak. It is known in canid, in wild canid
7 populations that when they have a catastrophic disease
8 outbreak, that it can kill up to 80 percent of the
9 population. And that can happen very, very quickly;
10 within a year's time.

11 So as we, you know, try to count and
12 kill, the whole count and kill charade about the hunting
13 and drive the population down, we are increasing the
14 risk of decreasing genetic diversity, but also
15 hybridization with other animals, and then you won't
16 have a wolf, you will have a wolf hybrid, such as a wolf
17 coyote or a wolf dog. So, I didn't put that in my
18 testimony the last time.

19 Also, one thing that I just wanted to
20 add about the wolf is that we did have the five-year
21 wait when the wolf was petitioned to be delisted on
22 the Endangered Species -- from the Endangered Species
23 Act federally. That five-year wait was removed before
24 the wolf was delisted.

25 So, the State of Minnesota told the

1 federal government that we would wait five years and
2 then the State of Minnesota took away that five-year
3 wait out of law.

4 Tonight I brought two copies of a
5 documentary to supplement the testimony that I gave the
6 last time, which is on the list I noticed many, many
7 plant species. And I feel badly for the plant
8 specialists here because nobody has talked about them.
9 And many of these plant species are water based and some
10 of them I have maybe planted in my garden. But, you
11 know, we have undulates that we need to control that eat
12 these plants. We have ungulates, such as the deer, that
13 obviously keep our wetlands healthier. So, you know, by
14 having the wolf around, we decrease the ungulate
15 browsing that endangers our wetlands.

16 So, the wolf really does help maintain
17 the habitat for all, a lot of these species, and
18 certainly we can't pick and choose which exact ones,
19 but we know that fish and birds and plants do better
20 with wolves around. And so this documentary which shows
21 you just the beneficial effects on the wolf on
22 biodiversity.

23 HEARING OFFICER: Could you read the
24 name of the title into the record, please.

25 DR. HACKETT: I'm sorry. It's called

1 "Lords of Nature-Life in a Land of Great Predators."
2 And it is a publication of Greenfire Productions.
3 It is about one hour and eleven minutes are devoted
4 to Minnesota and how we are taking care of our wolves.

5 HEARING OFFICER: The videos will be
6 introduced as exhibits into the record. We are at
7 exhibit -- they will be received as Exhibit 33.

8 DR. HACKETT: Thank you. And so that's
9 about all I have to say about the wolf.

10 (HEARING Exhibit 33 marked
11 for identification.)

12 DR. HACKETT: Again, the plant
13 specialists, the wolf is good for the plants, too.

14 In terms of the moose, I think probably
15 you should think about it being threatened. To have
16 such a precipitous drop in population is clearly very
17 concerning. 52 percent since 2010 is very bad.

18 The bat, White Nose Syndrome is coming
19 our way. It is already in Ohio, I believe, or at least
20 in Kentucky, in some of these great caves. It is moving
21 further. I don't think we should -- I think we should
22 keep the bats. I agree that it is a species of special
23 concern.

24 And of course the lynx, with the
25 trapping that is going on with the wolf, the lynx is now

1 more likely to be trapped.

2 And then regarding the snapping
3 turtles, you know, people are persecuting turtles, too.
4 They will actually -- there is a study that shows people
5 will go out of their way to run over turtles. And it is
6 a very well done study showing that.

7 And then what I wanted to ask the
8 Department of Natural Resources was how was the decision
9 made to -- who made the decision to remove the wolf from
10 a species of special concern?

11 MR. BAKER: All of the decisions in
12 this rule, in this proposed rule, were the product of
13 work of different teams of DNR staff.

14 So, in the case of the wolf, we have
15 staff ecologists (phonetic), and then we worked with
16 other people who were familiar with the wolf and their
17 status in the state.

18 Ultimately, the decision to, all of the
19 decisions to change the status of a species in this rule
20 are the final decision of the Commissioner of the
21 Department of Natural Resources.

22 DR. HACKETT: Okay. Because I read in
23 the New Ulm Press that you told them that you had made
24 the decision. I was checking on that.

25 MR. BAKER: (Indicating.)

1 DR. HACKETT: Of course, I know that
2 the press can get things wrong.

3 MR. BAKER: I coordinate the process
4 but I do not make the final decision, no.

5 DR. HACKETT: Okay. And then the other
6 question is what happens resource wise when you remove
7 an animal or plant or species off of the list, what
8 resources does that animal not have or what does it gain
9 when it is put on the list, in terms of resources by
10 the department?

11 MR. BAKER: Well, Ms. Hackett, that's
12 an awfully complicated question. I would rather respond
13 to that in writing. There are many different
14 implications for delisting animals and species and I
15 really would prefer to respond to that in writing.

16 DR. HACKETT: Okay. Is it managed in
17 a different department when it is off the species of
18 special concern?

19 I mean does it just go to the hunters
20 and trappers, you know, department and away from the
21 (indicating).

22 MR. BAKER: Well, certainly a species
23 that is no longer endangered or threatened can be
24 hunted or trapped. There is no prohibition against
25 that in the law. And so a species can be considered

1 for hunting and trapping, any species can be considered
2 for hunting and trapping. That's the decision of the
3 department as a whole.

4 DR. HACKETT: No, I was just asking
5 specifically in terms of watchdogs, resources, resources
6 for research, resources for management.

7 What resources does an animal lose when
8 it is off the list?

9 So, if you can answer that in writing,
10 when it is no longer a species of special concern. I
11 think that that's really the important question here.
12 It is what are the risks to the wolf when it is not
13 on this list of special concern.

14 MR. BAKER: I understand. Thank you.

15 DR. HACKETT: So thank you. (Applause.)

16 HEARING OFFICER: Thank you. Tom
17 Sullivan.

18 MR. SULLIVAN: Good evening. My name
19 is Tom Sullivan. My address is 3467 Wilshire Place,
20 Northeast. I am here representing myself.

21 I object to the removal of the gray wolf as
22 a species of special concern. I think that this
23 designation change is not reasonable. There has been no
24 comprehensive population assessment of the gray wolf
25 since 2007, '08, and that assessment was documented in

1 the report titled "Distribution And Abundance Of Wolves,
2 2007, 2008, prepared by John Herb of the Minnesota DNR."
3 Wolves face numerous existential threats and have been
4 notoriously persecuted.

5 Loss of protection and licensed state law
6 allows for wolf destruction. In 2013 it was rushed
7 through without any public input. Now more than ever
8 wolves need to remain a species of special concern.
9 Wolves play a crucial role in maintaining our wild
10 ecosystems which support all wildlife populations.
11 Removing the wolves as a species of special concern is
12 contrary to our Northwoods Ecosystem, our economy, and
13 the cultural significance they have to Minnesotans.

14 Thank you.

15 HEARING OFFICER: Thank you.

16 (Applause.)

17 HEARING OFFICER: Marie Thurn.

18 MS. THURN: And I will save her some
19 time. (Handing name and address.)

20 MS. THURN: My name is Marie Thurn. My
21 address is 1522 Russell Avenue North, Glencoe,
22 Minnesota.

23 I am here again to speak about the wolves
24 and in general the animals that are going to be removed
25 from the list.

1 We need both animals, plant life, humans
2 for all of us to survive. And I hate to see when
3 animals are being removed and hunted and the meat not
4 being used, like in the case of the gray wolf. What the
5 animals -- like the eagles, they are very, very
6 important for us to have in nature. They brighten your
7 day. They keep things in balance.

8 I'm going to go back. A number of years
9 ago I testified at a state committee and I brought up
10 the fact about farming. I recently talked to another
11 lady and she said, "They do not want rendering trucks
12 coming onto their farms to pick up animals because there
13 are other diseased animals in these trucks." And yet
14 there are farmers also who do not want to tell their
15 neighbors that they are having problems, that they are
16 having animals die. They take them down into a lower
17 area and whatever comes by that's wild feeds on it and
18 there is just the bones left.

19 My question is, when you start getting
20 complaints from the farmers about the wolves attacking
21 their animals, is it because the animals were already
22 dead on the farm and they were hauled to a lower area?
23 Have we done any investigation to look at the complaints
24 we are getting about the wolves to verify whether
25 somebody got rid of some animals and said, "They came in

1 and attacked," or is it because the wolves, in fact, did
2 do this?

3 With all of our wildlife that we have going
4 on here in the State of Minnesota, I have been a very
5 strong supporter in what happens in nature. I go out
6 and I do the rescue calls and I get to see the different
7 situations. Animals being trapped, somebody who shot a
8 deer and didn't bother to track it and it had lead in
9 the butt. And a freshly turned female bald eagle died
10 down in Henderson, Minnesota; I made it into the raptor
11 center with the bird but there wasn't anything that the
12 raptor center could do. I brought in all kinds of
13 animals for almost 30 years. Making a difference so
14 that when you get up in the morning, you have a reason
15 to get up. You get up in a grumpy mood and you go out
16 your door and see a robin -- any animals -- squirrels,
17 bunnies, anything, you go out there and your mood
18 changes.

19 DNR has worked very hard, very, very hard.
20 I have been with DNR, worked with DNR since 1973 with
21 the officers and I think very high of them. I have very
22 high respect with the officers and they have made a
23 difference, but we also need to make people more
24 responsible in what they are doing with nature. You
25 want to be a hunter? That's fine. But then you track

1 what you hunt. If we get the wolves and the eagles back
2 up to a population and the other heard birds, like the
3 red tail hawks and everything, with the species that you
4 are now looking at removing, we have now made a miracle.
5 And we need to keep that miracle around because if
6 animals and plant life and humans before the benefit
7 from this, why do we have to destroy it?

8 Thank you for your time.

9 HEARING OFFICER: Thank you very much.

10 MR. BAKER: Thank you.

11 (Applause.)

12 HEARING OFFICER: Garrett Berg?

13 MR. BERG: Garrett, G-A-R-R-E-T-T,
14 B-E-R-G, 8400 Minnetonka Boulevard, St. Louis Park.

15 Thank you. I just want to make a short
16 public comment. I think everyone else covered
17 everything pretty well. I just want to say that while
18 managing the controlled killing of animals is one of
19 the jobs of the DNR, it should never be their primary
20 concern. The primary concern should always be the
21 preservation of our natural resources. And I just want
22 to say that as long as there is an explosive deer
23 population, there can be no reason to systematically
24 kill the wolf. The only good reason to kill deer that I
25 have heard of, other than you enjoy the process of

1 killing deer, is to control their population, which the
2 wolf achieves by existing.

3 Thank you very much.

4 HEARING OFFICER: Thank you, sir.

5 MR. BAKER: Thank you.

6 (Applause.)

7 HEARING OFFICER: Karen Kaphingst. I
8 apologize in advance.

9 MS. KAPHINGST: That's alright. It
10 happens all of the time.

11 (Handing.)

12 MS. KAPHINGST: Good evening. Thank you
13 for having these hearings. I appreciate the opportunity
14 to provide input.

15 My name is Karen Kaphingst. I live at
16 4401 Park Glenn Road, St. Louis Park, Minnesota. I am a
17 volunteer with the organization Howling for Wolves, but
18 my comments are my own. And I am here to voice my
19 opposition to the DNR's proposal to change the status of
20 the gray wolf from special concern to none.

21 I disagree fundamentally with the way
22 the Minnesota deck has managed the gray wolf population
23 since management was transferred from state -- from
24 federal level to the state of Minnesota. I do not
25 believe that the Minnesota DNR is being guided by

1 science in its wolf management population, but rather
2 it is catering to the desires of special interests,
3 particularly those that wish to shoot, trap, and snare
4 the gray wolf.

5 The public was completely shut out of the
6 processes of the DNR and legislature as they rushed to
7 authorize and plan the 2012 and '13 wolf inaugural
8 hunting season. This has been a source of great
9 frustration to the many Minnesotans, such as myself,
10 you have heard here this evening who believe that the
11 Minnesota wolf population has more cultural, economic,
12 scientific and ecological value to Minnesota alive than
13 dead. I am here to speak tonight because I believe that
14 changing the status of the gray wolf to no concern will
15 hasten its destruction and undue all of the careful
16 conservation work that we have done to pull this species
17 back from the threat of extinction. Persecutory
18 attitudes toward the gray wolf still exist and there are
19 those that can see the value of a pelt or a recovery
20 fee, but not of an ecological balance or wild beauty,
21 nor the cultural significance of the wolf.

22 Without protection and meaningful public
23 input in decision regarding the gray wolf, this species
24 is at great risk. In the inaugural hunting season, as
25 we heard earlier, an estimated 25 percent as estimated

1 of the Minnesota wolf population was killed and 24
2 figure does not include poaching or animals killed in
3 crashes or other modes of mortality. We have no data,
4 and I just can't see how the state agency can proceed
5 with another hunt or to change the status to no concern
6 without understanding the impact of this inaugural
7 season this we just had.

8 The DNR did not conduct a baseline
9 population survey prior to the inaugural hunt. We don't
10 know for sure how many wolves there were in January
11 2012. We don't know how many wolves in total were
12 killed in the 2012/2013 season. We don't know if there
13 is some biological or environmental factor leading to an
14 increased mortality of the wolf population as we now see
15 with the moose population, and we do not know the impact
16 that the hunt had on the wolf population. I am here
17 tonight to state that wolves should be put as special
18 concern or even, I think, it would be of ease to.

19 I am against trapping. I believe that's
20 outside the scope of your purview here, but I wanted to
21 go on the record and say it because I haven't had a
22 chance to say it otherwise for the DNR. I propose a
23 five-year moratorium on the wolf hunting and trapping
24 and that for science to take precedence as the DNR moves
25 forward in its management of the species. I am also

1 asking to stop all plans for the 2013/2014 recreational
2 hunting and trapping of wolves. I see that the dates
3 are already listed on the DNR website.

4 Finally, I want to express my extreme
5 distress of trapping of wolves. It is cruel, immoral,
6 inhumane, and does not reflect the moral value of the
7 people in our state. We should protect our wildlife and
8 our unique spaces and our beautiful mortgage woods
9 wildlife in our Northwoods.

10 Finally, I don't believe the DNR has stated
11 need and reasonableness of changing the wolf status from
12 special concern to none.

13 And finally, I have a couple of questions I
14 have not been able to find answers to regarding this.
15 And you might not have the answer, but I will put them
16 out there. One is regarding snaring and trapping. Is
17 it true that hunters may lay unlimited numbers of snares
18 and traps?

19 MR. BAKER: I know nothing about
20 snaring and trapping.

21 MS. KAPHINGST: Okay. Who can provide
22 that information?

23 MR. BAKER: Well, we have, as I said,
24 our division of fisheries and wildlife manages hunting
25 and trapping, and I think that the best thing to do

1 would be to call the DNR and ask to speak to someone in
2 that division.

3 MS. KAPHINGST: Okay.

4 I will direct my other questions to that
5 body as well. I think they are outside the scope of
6 this. Thank you very much.

7 MR. BAKER: Thank you.

8 HEARING OFFICER: Thank you.

9 (Applause.)

10 HEARING OFFICER: It is Tom -- and I'm
11 sorry, I can't read your last name.

12 MR. CASEY: Probably Casey.

13 HEARING OFFICER: Okay, Casey.

14 MR. CASEY: Thank you. My name is
15 Tom Casey. That's C-A-S-E-Y. I apologize for my bad
16 handwriting. And my address is 2854 Cambridge Lane,
17 Mound, Minnesota.

18 I echo the comments about the concern of
19 the wolf, and it is going the opposite direction. I
20 think that those of you providing comments to the
21 record ought to be arguing that it deserves the
22 protection to stop hunting and that what Mr. Baker
23 alludes to only would be the status of endangered
24 threatened or special concern does not to stop the
25 status of the hunting or trapping of wolves.

1 Is that correct, Mr. Baker?

2 MR. BAKER: That's correct.

3 MR. CASEY: So, make your arguments to
4 the threatening status of that. And I'm not going to do
5 that tonight. I am an attorney representing myself
6 tonight, and I'm only going to talk about the moose.

7 As we saw in the paper, I was shocked to
8 see the new numbers on the moose decline. It was just
9 so stunning to see where this moose population was
10 going. I know that with respect to Mr. Baker and the
11 others in the DNR have the best interests in mind, is
12 that you are relying on numbers in 2012 and that these
13 are new numbers. And that, therefore, I suggest that
14 your recommendation to elevate it, a good faith effort
15 to elevate it to a special concern is not enough. That
16 based on the new data, that this needs to get up to
17 endangered. And here is why the defer in addition of
18 endangered is threatened by extinction overall or
19 significant portion of its rank. Threatened with
20 extinction.

21 And the range is defined -- as you say in
22 your SONAR, the range is defined as the geographical
23 distribution of the moose in this state. The Star
24 Tribune quoted today on the front page that state
25 wildlife officials say that at the current rate of

1 decline, the moose could be gone from Minnesota in a
2 matter of years. A matter of years, folks. That's
3 unacceptable. And we need to elevate the protection to
4 endangered so that it stops the hunting and ensures that
5 it stops.

6 Let me give you a bit of my mistrust as was
7 alluded to a few speakers ago. The DNR -- I have the
8 memo and I would like to introduce it as an exhibit.
9 I'm not sure what number that is now.

10 HEARING OFFICER: Are we at 34.

11 MR. CASEY: 34.

12 HEARING OFFICER: We receive it as
13 Exhibit 34.

14 (HEARING Exhibit 34 marked
15 for identification.)

16 MR. CASEY: Thank you.

17 MR. CASEY: Thank you. This is a memo from
18 Dennis Simon to other DNR officials. It is dated April
19 23rd, 2012. I'm only going to quote part of it. To
20 repeat, it says here, "Their primary clients are hunters
21 and trappers and livestock producers are the secondary
22 clients." That is absolutely appalling for somebody in
23 that office to say that.

24 The DNR tonight -- I am not directing this
25 towards you because I know you don't have a part of

1 that, so this is not a personal attack on you, but
2 please, the citizens are outraged about the attitude
3 about how our natural resources and wildlife are
4 considered and who their constituents are. They are
5 everybody. And as we know, the very minority of people
6 hunt and even a less minority of people trap. So, with
7 that in mind, with the attitude of the hunting and the
8 DNR, we can't afford not to have endangered status to
9 stop the hunting. Rather than rely on the easily
10 changeable opinions of the top official of the DNR, as
11 evidenced today, they said they are going to stop the
12 moose hunt. Where is the guarantees? There is no
13 guarantees unless it is elevated to endangered status
14 and that is codified in the rules.

15 I really appreciate your time. And I would
16 also like to say that I will be providing comments in
17 the record that raise this argument out more carefully.
18 Thank you very much.

19 HEARING OFFICER: Thank you.

20 MR. BAKER: Thank you.

21 (Applause.)

22 HEARING OFFICER: Katherine Walker.

23 MS. WALKER: Good evening. I am
24 Kathryn Walker, K-A-T-H-R-Y-N, Walker. I live at 3736
25 Abbott, A-B-B-O-T-T, Avenue South, and that's

1 Minneapolis.

2 I appreciate the opportunity to peak to you
3 tonight. I also want to say that I do appreciate the
4 efforts of the DNR to help the wildlife resources of
5 this state.

6 Having said that, however, I believe that
7 the delisting of the wolf entirely is an ill-founded and
8 unreasonable decision. It is simply summed up as being
9 too much too soon. The last ten years the wolf
10 populations have stabilized and the last ten years the
11 wolf range has stabilized. The last ten years the wolf
12 population has been stable. Nonetheless, the wolf was
13 removed from the endangered species act and within one
14 year a wolf hunt was messaged. That wolf hunt called 25
15 percent from the killed of the wolf population from the
16 state.

17 I will not repeat all of the statistics
18 that were heard here, but we know that a significant
19 number of wolves are being killed from other sources as
20 well. This was done; the wolf hunt was started without
21 the mandatory five-year period, and I think what much
22 of what you heard here is the frustration of the public
23 that that was done without any public comment. Now,
24 despite the fact that we have just started the wolf
25 hunt, despite the fact that the wolf was just delisted

1 from the endangered species act, we are now going to say
2 that the wolf has no special concern in this state at
3 all. Again, I submit that this is too much, it is too
4 soon. It is illogical and it is unreasonable.

5 Like many here, I am also concerned about
6 the introduction of the wolf hunt. The way it was done,
7 unfortunately, tarnishes the reputation of the DNR. It
8 smacks of bathroom politics and panders to special
9 interest groups, and I think you heard a lot from people
10 here on that.

11 I understand that this group panel here is
12 not in that group here tonight. So, I ask again that
13 the wolf stay at the special concern status. But, you
14 know, there has been a lot of concern about the way this
15 was done. It has tarnished the DNR and the reputation
16 that it has. I also understand that you are not the
17 right person from the DNR to direct these comments to.
18 You must realize, however, that this is frustrating for
19 a public that has had no opportunity to comments
20 publicly. This is the first time anybody who has
21 opposed this has had the opportunity to talk. And so,
22 while I appreciate that, I guess the question that I
23 have for you, if I may, is, who heads up the division of
24 fisheries and wildlife at the DNR?

25 MR. BAKER: Ed Boggess is the director

1 of the fisheries and wildlife at the DNR.

2 B-O-G-G-E-S-S.

3 MS. WALKER: How do you spell his last
4 name? And is he somebody that you can access by getting
5 on a DNR website?

6 MR. BAKER: His e-mail address would
7 be ed.boguess@DNR.state.mn.gov -- oh, no DNR. It's
8 @state.mn.us.

9 MS. WALKER: @state.mn?

10 HEARING OFFICER: ".us."

11 MS. WALKER: ".us." Alright. I thought
12 you also mentioned somebody who headed up the hunting
13 part of it.

14 Is this Ed?

15 MR. BAKER: Well, the division of
16 fisheries and wildlife has two sections. The fisheries
17 section at the wildlife section and the chief of the
18 wildlife section is Telander, T-E-L-A-N-D-E-R, Paul
19 Telander. So, Paul's address would be the same as Ed's.
20 Paul Telander, T-E-L-A-N-D-E-R.

21 MS. WALKER: Do you office close to
22 him?

23 MR. BAKER: Oh, yeah.

24 MS. WALKER: So, will you be relaying
25 the comments here to Mr. Telander?

1 MR. BAKER: Oh, sure.

2 MS. WALKER: And how will you do that?
3 Will you do it via writing? Is there a way for the
4 public to follow up and make sure that these comments
5 are being communicated to the appropriate people at the
6 DNR?

7 MR. BAKER: Well, understand that this
8 process is a specific rule-making process about
9 endangered threatened special concern species, as I have
10 explained. They are not part of this process. But as a
11 courtesy to them, I will be bringing their attention to
12 the comments that we have received that are relevant to
13 them.

14 MS. WALKER: That would be appreciated.
15 Because, again, this is the first time that the public
16 has had an opportunity to say anything. And I think a
17 lot of people here would like to make sure that those
18 comments do get to the right people at the DNR.

19 MR. BAKER: Sure.

20 MS. WALKER: The other question that I
21 had is, it sounds like there are many different
22 considerations has gone into the decision to delist and
23 also how state resources are deployed from the
24 difference between a special concern species to none.
25 And you said that you would defer your answer in writing

1 because it was a detailed response that was necessary.
2 How do people follow up on that? How do we see what you
3 submitted?

4 MR. BAKER: Well, all of the comments
5 that we received during this rule-making process are
6 posted at the website of the office of administrative
7 hearings that the judge is affiliated with. In fact,
8 there are several hundred pages of comments already on
9 that website. So, both the transcripts that the Court
10 Reporter is producing of these hearings, the written
11 comments that we receive, all of that will be going to
12 that website, as well as the DNR comments that we will
13 produce in response to all of the comments that we have
14 received at the hearings and in writing.

15 MS. WALKER: So, what is that website,
16 Your Honor?

17 HEARING OFFICER: If you Google OAH
18 Minnesota, that will get you to the office of
19 administrative hearing website. And there is a link to
20 rule-making comments. And this would be, obviously, the
21 endangered species list. And there will be a link to
22 the comments and then there will be also a link to the
23 rebuttal comments when they get posted.

24 MS. WALKER: Thank you.

25 And then the other question that I had was

1 also directed to the DNR. And I understand that
2 obviously this is a success story for an animal to be
3 removed from the endangered list. It means that their
4 population has rebounded and that the DNR feels
5 comfortable removing them from that list. And I also
6 see that a significant amount of work and analysis was
7 done. Obviously this conversation here is focused on
8 the wolf, but there are many species that are in the
9 list. And I was wondering when the last time that this
10 amount of work has been done and there has been the
11 opportunity for rule making and comments?

12 MR. BAKER: Well, as I mentioned in my
13 opening statement, the last time that we updated the
14 status list of endangered threatened and special concern
15 species was in 1996. At that time -- there are a
16 variety of ways that we can conduct rule making. And we
17 chose to do what was called a dual track, which left
18 open the option of holding hearings if 25 petitions were
19 received for hearings. We never received 25 petitions
20 for hearings, so we did not hold hearings in 1996.

21 MS. WALKER: So, it has been -- if I
22 can count it right, it has been 17 years since the last
23 one was done?

24 MR. BAKER: Right.

25 MS. WALKER: And I guess the question

1 that I have for you is, given the changes that have
2 occurred with the wolf and the introduction of the wolf
3 hunt, and if you remove them from special concern to
4 none at this time, when will the follow-up be done to
5 make sure that the population isn't struggling and that
6 they need to have their status upgraded to either
7 special concern or threatened or even again endangered
8 here in Minnesota?

9 MR. BAKER: And that's a fair question
10 and I can't guaranty when we will next revise the list.
11 It is a big undertaking, as you can see. I don't think
12 that we will need another 17 years to do it again. I
13 suspect it will be more like three to five years that we
14 will undertake rule making again. We have instituted
15 some new processes that will help us speed that up, so
16 I'm hoping that it will happen more quickly next time.

17 MS. WALKER: Thank you, Your Honor. I
18 would submit with that kind of delay in between looking
19 at two, especially with the introduction of the wolf
20 hunt at this time and not knowing the recalls of that,
21 to wait three to five years to hear it, to hear the
22 results, is simply a long period of time. We don't know
23 when that is going to happen and I think it makes it
24 even more unreasonable to remove them from the special
25 concern status because we won't be able to follow up and

1 know what the impact of that is for simply too long.

2 (Applause.)

3 HEARING OFFICER: Thank you very much.

4 MR. BAKER: Thank you.

5 HEARING OFFICER: We have been going

6 for about two hours and 15 minutes, so I think it is

7 time for about a ten-minute break. Again, thank you all

8 for showing up tonight and we will reconvene in ten

9 minutes.

10 (Off the record.)

11 HEARING OFFICER: Okay. Thank you all

12 for sticking around. We will resume with some public

13 comments. Let's start with Susan Oswood. (Applause.)

14 The popular Susan Oswood.

15 MS. OSWOOD: I won't be so popular when

16 I repeat everything that has been said 500 times

17 already.

18 I am Susan Oswood, O-S-W-O-O-D, at

19 949 27th Avenue Northeast, in Minneapolis 55418.

20 In 1971, the state legislator passed

21 Minnesota's endangered and threatened species law.

22 The law directed the DNR to identify those species that

23 are at greatest risk of disappearing from the state so

24 that actions can be taken to help preserve the diversity

25 of Minnesota. That's from the Minnesota's DNR website.

1 You all know that that's why we are all here. I just
2 wanted to say that when the DNR instituted the wolf hunt
3 in 2012, in my opinion they violated their mandate to
4 protect that particular species, which was a species of
5 special concern by their own definition.

6 I won't bother to read the e-mail again
7 from Dennis Simon that describes his constituents as
8 primarily hunters and trappers, and secondarily farmers,
9 but I do want to point out that wolves are not home
10 decor nor are they vermin. They are a vital part of
11 Minnesota's ecology. And what is interesting to me is
12 that tax payers are right now paying to build tiny cages
13 around bird spacklings along Minnesota's Northshore of
14 Lake Superior because that forest was destroyed by a
15 deer herd that is pushing a million individual animals
16 right now.

17 We have at the same time chosen to hunt and
18 kill roughly a quarter of the predators that might, had
19 they been left understand disturbed, play an important
20 role in restoring the ecological balance to our
21 faltering system by preying on those overpopulated deer.
22 Maybe we wouldn't be spending money to plant tiny birch
23 trees and cages with chicken cage them in with chicken
24 wire. And my fear of the protections not being in place
25 for the wolf is that the Minnesota wolf will eventually

1 succumb to pressure from enthusiastic trophy hunters and
2 poachers whose numbers we can't really determine, but
3 who I bet you anything are emboldened by the removal of
4 federal protection for the wolf. The federal penalties
5 are less stiff enforcement, which the DNR knows is next
6 to impossible. And I think it is really important that
7 not only they -- if they can be maintained, if they can
8 be -- I'm sorry. If they can't be upgraded to
9 threatened status, they should be at least maintained as
10 a species of special concern.

11 Thank you.

12 HEARING OFFICER: Thank you very much.

13 MR. BAKER: Thank you.

14 (Applause.)

15 HEARING OFFICER: Ron Hunt.

16 MR. HUNT: Thank you. I am not here
17 about the wolf.

18 My name is Ron Hunt, and I am from Ramsey,
19 Minnesota, and that's my address and that (indicating).
20 [17455 Northern Boulevard, Ramsey, Minnesota].

21 I have been in litigation for 12 years with
22 the DNR as part of it. I am not here -- and I worked
23 with the DNR for that period of time, and before that I
24 didn't know much about the DNR. I just examined them to
25 be a great agency. And for the most part, that's true.

1 I know a lot of them that have just been outstanding
2 members to work with and I have been encouraged to work
3 with them. Honest integrity and everything else goes
4 along with it. Just a sliver of the few people in the
5 DNR that I have been very disappointed in. And I just
6 want to read that.

7 We had to do an EAW. This is the part of
8 the endangered plant, and it is an aquatic plant is
9 particularly what I am talking about. And we did our
10 due diligence and our EAW process, which cost us
11 probably close to \$300,000 in the whole process, which
12 was supposed to be a 3- to \$8,000 process, but we spent
13 a lot of money in litigation. We have been to the
14 Appellate Court and Supreme Court and we don't have the
15 decision back from the Supreme Court yet, so we have
16 been serious about it. A lot of it has been my own
17 money, and I've been serious about it because I didn't
18 want to spend a lot of extra money.

19 So, I went to do my EAW and to the DNR up
20 there, and I said what do I need to do and what do I
21 need to do to find the plant classification, the
22 endangered species or what it was. "Go to heritage
23 group and they will tell you what it is."

24 Well, there was nothing on our lake,
25 nothing here near our lake. About a mile away there was

1 one plant and about the only thing that was listed as
2 endangered protected species. So, I thought that was
3 pretty good, so I sent that in to the DNR. But then I
4 got a comment letter. If you know the EAW process, you
5 know that you get a comment letter back from the various
6 departs; you know, DNR, PCA and so on. And I did get
7 an -- he rated a plant as "usual native aquatic plant
8 requests," an unusual native aquatic plant. One of the
9 letters sent by one of the professors against this
10 called it an unusual rare plant that has a
11 classification that you know has specific meaning.

12 One of the times we went to court, the
13 reason that the judge or the jury -- not the jury but
14 the judges said, "Well, that must be a rare plant
15 because he drew the association between that comment."
16 So, my first beef is I don't know where he picked up
17 this in the EAW process, where he picked up this
18 classification.

19 So, is there a classification called
20 unusual native plans?

21 HEARING OFFICER: No.

22 MR. HUNT: Okay. I didn't think so.

23 Anyway, but the communication process meant that the
24 judges picked up as if it was a rare plant because of
25 an association, a word "association." It wasn't

1 endangered, it wasn't protected, and so on. And so I
2 felt deceived. And I felt deceived honestly because
3 that's one of the reasons why we lost the first round
4 of the first court appearance and then one in the
5 appellate court because they did kick it up. But we
6 had to go to Appellate Court to win, but that cost a
7 lot of money, which you guys are aware of.

8 And I asked people in the DNR to correct
9 that. Then they didn't and I wish they would have.
10 When they find somebody, a person who is a rogue DNR
11 person -- I call them a rogue DNR person because in my
12 experience, most of them have been really good -- is
13 that they will take a stand. I think that's integrity.
14 That's the second point.

15 So, integrity in the process has to be
16 there. The first one is communication in the word
17 choice and the second one is communication that somebody
18 won't misrepresent what they mean by it. So, in this
19 13-page EAW letter, you know, he called mare's tail is a
20 plant that is an unusual native aquatic plant and it
21 talks about how sensitive it was and so on.

22 If you go to Bald Lake, go to the public
23 access, you are going to find it all over. And he said
24 that there is only one plant in the area, one area that
25 has that plant in our lake, which is not true, because

1 we went out and found several. And particularly I found
2 two others besides that. We found -- other people found
3 others. So, that was a false statement. It wasn't rare
4 in that lake. It is not rare.

5 And then the DNR website, which I did ask
6 this person about, I said, "You said it was rare or
7 unusual," and the website calls it -- the DNR website
8 calls it common or nuisance. It has two different
9 classifications. "Sometimes nuisance," I believe it
10 said. And I find that hard to believe, why the
11 communication process can't be so narrow that if there
12 isn't a classification by the DNR that is legitimate,
13 like rare or endangered or protected, why somebody could
14 use that to mis-communicate to the court system.
15 Because once it is in the record, you can't get it out.
16 It repeats itself over and over again. That's the
17 second thing.

18 And then mare's tail, I don't find it on
19 this list, you know. And we know that they ordered to
20 kill that plant, that weed. I am a farmer, so a weed is
21 a weed. So sorry about that. But how can they have it
22 even try to put that on an endangered species? Because
23 it is definitely not. I mean, there is lakes where you
24 can't even walk because of it. And if that's true, then
25 why wouldn't the DNR be realistic about their word

1 choice. And that was really disappointing to me. Okay?

2 And then in your brochure, you have a point
3 here that says that these changes -- "the proposed
4 project cannot avoid a protected species, then the state
5 will consider attaching permits," which they have for
6 this particular plant many times. So, they may not
7 directly, but they do that. So, it was just one thing
8 if it was just you one thing. I mean, I could go on and
9 on in this process about how the DNR participated in
10 that process.

11 Too, with the lack of integrity with the
12 whole process, because I know many DNR people had come
13 up to me after this and said that they were disappointed
14 in the DNR's position and the way that the DNR was
15 bullied by and accepted that. I use that word not
16 loosely, but bullied by some people just to get their
17 way. I think they responded to some public people in
18 the wrong way. Okay?

19 Thank you.

20 HEARING OFFICER: Thank you.

21 MR. BAKER: Thank you.

22 (Applause.)

23 HEARING OFFICER: Katherine Walker.

24 MS. WALKER: That's me.

25 I did already.

1 HEARING OFFICER: You got on there a
2 couple of times.

3 Diane Anderson.

4 MS. ANDERSON: Diane Anderson, 4738
5 Bryant Avenue, Minneapolis.

6 I come here as a private citizen in my own
7 rights. I have considered myself an environmentalist
8 from the time that I was in an environmental group when
9 I was in high school. And I don't -- I don't know if I
10 even want to get into when this was, but I can tell you
11 that I participated in the first earth day, and it was
12 at that time that I first learned about the situation on
13 Aisle Royale. And there is actually a biological study
14 that has been done on Aisle Royal.

15 Due to Lake Superior freezing, there was a
16 pack of wolves and a group of moose who went over to
17 Aisle Royal, and it was suspected that the wolves would
18 be shortly -- in short-term deteriorating the population
19 of the moose there. What the biologists who lived there
20 have found is that indeed what has happened is that the
21 wolves have gotten the moose who have been old or sick
22 or injured, and in fact the moose population has thrived
23 on Aisle Royal. And, in fact, the wolf population has
24 declined on Aisle Royal. And I think that's a really
25 significant study to take into consideration.

1 And I have kind of followed this over the
2 years.

3 I consider the wolf population in Minnesota
4 and in northern Wisconsin to be --

5 (Inaudible comment from audience.)

6 MS. ANDERSON: What is that?

7 (Inaudible comment from audience.)

8 AUDIENCE MEMBER: There has been
9 someone that has been shouting obscene comments while
10 people have spoken. So, I want you to pay attention so
11 that people don't have hurt feelings over what things
12 are being said.

13 HEARING OFFICER: Thank you. I would
14 state that the audience be respectful of the speakers.

15 MS. ANDERSON: What have I said wrong?

16 HEARING OFFICER: Please continue,
17 ma'am.

18 MS. ANDERSON: I have heard some
19 things tonight that actually have disturbed me. I find
20 it disturbing that these people from the divisions of
21 fisheries and wildlife are not here to hear these
22 comments and have not been at any hearings that the
23 people have had to speak their opinions of for the
24 people to speak their opinions off and instead the wolf
25 hunt has been like pushed through without a lot of

1 serious considerations of the feelings and the interests
2 of the large population of Minnesota.

3 Like I was saying, I believe that the wolf
4 population in northern Minnesota and Wisconsin are a
5 unique treasure. You don't find this kind of a
6 population in hardly any other place in the United
7 States. And it is something that I feel like we have to
8 respect and preserve. And for them to be considered to
9 be no threat, that just seems like it opens up wide all
10 of these guys who want to trophy hunt.

11 For the farmers and ranchers up there, I
12 have seen a documentary of a kind of working dog that
13 has been used to protect livestock from wolves. I wish
14 I -- you know, I wish I had more information on that to
15 give you and what kind of dog it is, but this is a
16 working dog. It is not necessarily a family pet kind of
17 a dog, but it is a working breed of dog that has been
18 successfully used to protect livestock. I have seen a
19 documentary on this, so I take that as fact.

20 It is disturbing to me that there will not
21 be a study if the decline for three to five years, when
22 it has been determined that the decline just in the hunt
23 this year was somewhere between 25 and 30 percent. And
24 one thing that was also disturbing to me was when I read
25 in the paper that the -- what do you call it? The

1 quotes exceeded -- that the actual hunt exceeded what
2 the quota was set to be. And the attitude of the DNR,
3 the attitude of the DNR was, "Well, that's okay." Well,
4 I do not find that okay.

5 I also am disturbed to see that the bald
6 eagle is being reduced from special concern to no
7 concern. And in -- it makes me tempted to say, with all
8 due respect, "Are you nuts?" The bald eagle is a
9 national treasurer. And anyone who has seen -- anyone
10 who has been in an area where they have seen bald eagles
11 in larger populations can tell you what kind of a
12 difference that makes.

13 What I know is that the mission NBA people
14 of more than Minnesota consider the wolf to be brothers
15 and sisters and the eagle to be wolves sacred, and I
16 consider that to be a lesson to the DNR when it comes to
17 stewardship of natural resources as opposed to -- I
18 don't know, I almost want to say sales of natural
19 resources.

20 And I guess that's all I really have to
21 say. If somebody has a problem with what I'm saying --
22 well, you know, whatever.

23 HEARING OFFICER: Thank you.

24 (Applause.)

25 HEARING OFFICER: Stephanie Digby.

1 MS. DIGBY: Thank you. My name is
2 Stephanie, S-T-E-P-H-A-N-I-E, Digby, D, as in David,
3 I-G, as in girl, B, as in boy, Y. I live at 1682 Taylor
4 Avenue, St. Paul, 55104.

5 As I said, my name is Stephanie Digby. I
6 am Dr. Stephanie Digby. I have a doctorate in genetics.
7 And this makes my question why the DNR chose not to
8 consider that the damage to the genetic pool when they
9 allowed 25 percent, give or take, of the gene pool to be
10 killed in 2012. And now I just discover they are going
11 pour it again in 2013. It doesn't matter whether the
12 killing was by trapping, shooting, bathing, which was to
13 make sure wolves were able to be shot or trapped. Now
14 the DNR is proposing open season on the wolves.

15 I have to ask our legislators, who
16 unfortunately aren't here, and the DNR and the people
17 who aren't here in the DNR that should be, why are they
18 proposing open season on the wolves? Is their aim the
19 total extinction of the wolf in Minnesota? I can see no
20 other reason.

21 Previously there was a five-year waiting
22 period, which was ignored, which had to have been
23 illegal, before an animal was removed from the
24 endangered species list. A stable small population of
25 roughly 3,000 wolves was hardly sufficient to allow the

1 massacre that happened in 2012. And as you have heard,
2 and I'm going to repeat, wolves have positively to keep
3 our ever growing deer population under control.
4 Reducing the deer population helps keep the disease
5 cycle to which the deer are susceptible under control.
6 Otherwise, the normal disease cycle happens as it
7 happens to all out of control species. Deer are out of
8 control. There are other species that are out of
9 control.

10 Before another wolf is killed for
11 entertainment or for their fur, we must have another
12 study of the population wolf population and stair their
13 stability. Until then, the wolf hunting must be banned.
14 If not, then Minnesota has famed to preserve their
15 wildlife. Will the DNR use their own data on the
16 percentage it kills to hold up the hunt, even though it
17 seems to be that they are going to ignore their own
18 data, or are they going to be persuaded by the politics
19 of the pro-gun lobby? Oh, and I do second the idea of
20 an outside evaluation of the wolves. I am not
21 comfortable with the ethics of the DNR in this
22 situation.

23 Thank you.

24 (Applause.)

25 HEARING OFFICER: Thank you.

1 MR. BAKER: Thank you.

2 HEARING OFFICER: Garrett Berg.

3 Stephanie Eks.

4 (Reviewing.)

5 We have got some repeats here.

6 Alan Ek?

7 MR. EK: A-L-A-N, and the last name is

8 just two letters, E-K.

9 HEARING OFFICER: Thank you.

10 MR. EK: And I am a professor and head
11 of the University of Minnesota's Department of Forest
12 Resources.

13 I am pleased to be here and the opportunity
14 to speak, and I do intend to send some more comments in
15 the next week.

16 The consideration of species listings as
17 proposed in the SONAR is important yet troublesome in
18 several respects. And I bring these troubling points to
19 your attention to urge greater attention to detail in
20 terms of the data, the process, and ultimately the
21 proposed listing.

22 As a preface to my comments, I just say
23 my area of study or expertise is forest resources,
24 their inventory -- their associated data analysis,
25 economic and ecological considerations over time,

1 and particularly over the last several hundred years,
2 mostly the last hundred or so. And I have attached
3 some description of that background.

4 For comments, I really have four.

5 Changes in the listings for a number of
6 sporous species, sporous based species; for example,
7 the northern Goshawk suggests and are rationalized on
8 the basis of a diminishing area of older forest as a
9 cause for concern. However, if you examine the repeated
10 state wide forest inventories conducted roughly within
11 recent years, 5,000 field survey plots -- and these
12 surveys go back to 1936, '53, '62, '77, 2003, and
13 2011 -- those surveys do not support the suggested loss
14 of a tour forest and large Aspen trees in the state and
15 the loss of low land forest as suggested with the
16 Goshawk.

17 In fact, we are steadily accumulating
18 older forest in every forest type across Minnesota.
19 Additionally, some analyses that I have conducted in
20 the last several months suggested that we have two to
21 four more times more old large Aspen trees. Let's say
22 older is 19 inches or larger. We have two to four times
23 more of those large Aspen trees in every part of the
24 state that we had compared to 1977. And why is that?
25 The forests have been steadily growing since the

1 extensive harvesting and land clearing of the period,
2 say, 1880 to 1920.

3 This accumulation was projected by the
4 generic environmental impact statement on timber forest
5 management, harvesting and forest management from the
6 early 1990s. And this project accumulation is also
7 projected to go on for decades. Why is that for the
8 last 50 years and the natural mortality has been
9 consistently less than the growth of those forests back?

10 And I have attached a research note
11 completed recently by one of my colleagues describing
12 the synthesis of survey data that points out the reality
13 that we are really accumulating older forests in
14 Minnesota rather than losing. It is pretty hard for
15 people to see that we are used to seeing the big things
16 fall over and we are not used to seeing the little ones
17 come up. But that's the reality of forests in Minnesota
18 today and for the forests for decades. So, the
19 suggested loss or concern for the Goshawk because of
20 this loss of older forest just doesn't quite cut it.

21 Second, as a comment, I note that the DNR
22 listings to date have accumulated a large in your number
23 of species in the various categories, threatened
24 endangered and special concern. But the categories are
25 highly suggestive and the documentation that we have so

1 far is, what should I say, insufficient to justify many
2 of them, it would seem. Do we have some documentation
3 based on these categorizations of more and more species,
4 that we are actually losing these species? Think along
5 with this suggestion of changing classifications or new
6 classifications, whatever. We should have some
7 understanding with, that given the three or four decades
8 that these kinds of updates have been conducted over,
9 that we are, in fact, losing at certain rates some
10 certain categories. We really don't have that yet.

11 In fact, as a third comment, there is
12 really pretty scant data, pretty scant analysis and
13 associated procedure presented for the various listings
14 and changes. It is not always clear just how the list
15 was arrived at, perhaps other than one or more experts
16 reviewed whatever information was available. Surely
17 there was surveys conducted for most of the listings.
18 They barely describe, if at all. In an age where the
19 scientific journals are increasingly requiring that the
20 data analysis cease and the models that we base these
21 determinations on be made available, together with the
22 publication of the journal articles, surely the DNR can
23 make more of that information available so that others
24 outside may judge the ad's questions and/or the
25 agreement with those findings.

1 It is as a fourth comment I just say, it is
2 easy to understand why the experts on the various
3 individual plant or animal species may miss these
4 changes in habitat species when their focus is on the
5 individual species. And we have become very specialized
6 in our science so that one scientist may know great
7 detail about the physiology of one particular plant or
8 animal but, in fact, as we specialize very your few are
9 learning very much about the habitat associated with
10 them, especially over large areas.

11 Additionally, we have had a Saturday that
12 has been bombarded with a save the tree effort for
13 decades. In some respects it has been effective, but
14 while we are losing forest area and older trees in a
15 number of parts in the world, that is not the case in
16 Minnesota.

17 Given these comments, I would urge the DNR
18 to revisit the rational for any list of species that
19 appears on that list for any based on older forest
20 conditions, through various extensive surveys conducted
21 repeatedly for nearly a century. Clearly the
22 examination needs more input in terms of forest habitat
23 information. And speaking for my part of the university
24 and my part, there would be very many faculty that would
25 be interested in assisting with more information about

1 this information of habitat and habitat change.

2 Thank you.

3 HEARING OFFICER: Other than the
4 Goshawk, what species did you recognize that would be or
5 were based on old growth forests?

6 MR. EK: Oh, the other one that comes
7 to mind is the Boreal owl. But I believe if we look at
8 plant species together with those, we probably see at
9 least one more bird species and five or six plant
10 species.

11 HEARING OFFICER: Thank you.

12 MR. BAKER: Thank you.

13 MR. EK: Yes.

14 (Applause.)

15 HEARING OFFICER: Christy Bailly.

16 MS. BAILLY: Hi. Thank you. My
17 name is Christy, C-H-R-I-S-T-Y, Bailly, B, as in Bob,
18 A-I-L-L-Y, and I live at 4625 Abbott Avenue South in
19 Minneapolis 55410.

20 I am here representing myself but I'm
21 also a member of Howling for Wolves. And of course
22 I want to speak to the issue of the wolf.

23 I definitely am opposed to taking a
24 wolf from the area of special concern to none. And I do
25 have a question about that. And I honestly don't know

1 the answer for the DNR. And I'm sorry, I don't remember
2 your name.

3 MR. BAKER: Rich Baker.

4 MS. BAILLY: Rich? Thank you. So
5 when the wolf was delisted in January of 2012, did it
6 automatically go to special concern in the state of
7 Minnesota?

8 MR. BAKER: Bear in mind that there is
9 a Federal Endangered Species List.

10 MS. BAILLY: Okay.

11 MR. BAKER: And what we are talking
12 today about is the State Endangered Species List. So,
13 the delisting that you referred to that occurred in
14 2011 was the delisting of the wolf from the Federal
15 Endangered Species List. It had been threatened in
16 Minnesota for many years and was removed from that
17 threatened status.

18 The federal list has no special concern
19 status, so it was simply removed from the threatened
20 status.

21 On the state list, the wolf was
22 threatened until 1996. It was moved from threatened to
23 special concern status in 1996. And so it has remained
24 in special concern status since then.

25 MS. BAILLY: Okay. Thank you. That

1 clarifies that issue. So I'm opposed to it for many
2 reasons. I am going to put in a written document as
3 well, but I understand that the DNR needs to demonstrate
4 the need for reasonableness of each portion of the
5 proposed rule. I don't believe that the DNR has shown
6 that reasonableness of the rule and also taken that
7 procedural requirements of law. I understand that you
8 are having like five or six hearings over this issue
9 now, but going back to the hunt, which did take away
10 between a quarter and a third of our population of
11 wolves, there was no public hearings, as I believe the
12 DNR process would require. And I think that you used
13 an emergency expedited rule process to eliminate the
14 need for a public comment period.

15 And also a lot of people have spoken
16 very eloquently about many of the issues, but the wolf
17 round table that was put together included DNR, tribal
18 DNR, Sierra Club, Humane Society, biologists, many
19 experts put together that plan, when the wolf was
20 delisted, to ensure that there was this five-year
21 moratorium on the wolf hunt so that it could be studied
22 and that we would understand the impact of delisting.

23 With just farmers and property owners
24 being able to on site shoot a wolf that they felt
25 threatened by. So because of that, we didn't know what

1 the impact of that would be. That's why one of the
2 reasons they agreed on the five-year moratorium was,
3 as we heard, was removed in a special session in July of
4 2011, without anybody really knowing about it, until
5 last year, in about March, when we all started hearing,
6 "Wolf hunt," and "wolf hunt," and we all thought, "How
7 could that happen?"

8 So, in my mind, there is a nexus
9 between the wolf hunt taking away approximately a third
10 of the wolf population, which had remained stable, and
11 that opens up in my mind, and for those of us that love
12 the environment, much more danger to that smaller
13 population.

14 I am also concerned that the bald eagle
15 is on your list to go from special concern to none.
16 Because I believe that another speaker asked you if
17 something goes from special concern to none, does that
18 mean hunting could be opened up? And you said yes.
19 Am I right on that?

20 She didn't specifically ask about the
21 bald eagle but she asked if it goes from special
22 concern.

23 MR. BAKER: Well, specifically
24 regarding the bald eagle, the bald eagle is protected
25 under federal law.

1 MS. BAILLY: Okay.

2 MR. BAKER: The Migratory Bird Treaty
3 Act and the Federal Bald and Golden Eagle Act. And
4 under those laws there could not be any hunting of birds
5 designated under those laws without federal action,
6 which is way outside of my responsibility, but that much
7 I know.

8 MS. BAILLY: Okay. Well, that's
9 excellent. So then why do we need to move it from
10 special concern to none in Minnesota then?

11 MR. BAKER: The 302 changes that we are
12 proposing all reflect an evaluation of the status of the
13 species.

14 MS. BAILLY: Okay.

15 MR. BAKER: In terms of the definitions
16 of those terms; endangered, threatened, special concern
17 and none under the law.

18 So we looked at the status of the bald
19 eagle in the State of Minnesota and we concluded that it
20 no longer needed the status of special concern. We have
21 a lot of information on our website about the recovery
22 of the bald eagle. It is a great success story as far
23 as the endangered species laws are concerned and we
24 believe that it no longer needs special concern status.

25 MS. BAILLY: Okay. Thank you for

1 clarifying that. I am also concerned about the
2 water-hyssop. Water-hyssop?

3 MR. BAKER: Water-hyssop.

4 MS. BAILLY: The water-hyssop. I am
5 glad that you are going from none to special concern.
6 I believe that many of our native plants in the waters
7 of northern Minnesota and southern Minnesota have been
8 at risk due to property owners not adhering to the rules
9 of the DNR, pulling out plants, raking, and doing a lot
10 of other things with their boats and their propellers,
11 and going back and forth, and so I'm glad that you are
12 looking at some of those plants. So I agree with that.

13 I am also concerned about the moose,
14 so I want to make a comment on that. And I agree with
15 previous speakers, that this should be elevated to not
16 only special concern, but possibly up to endangered.
17 I'm very concerned with what is happening to the moose
18 population.

19 But, of course, getting back to the
20 wolf, which is really why I came, I am concerned that
21 the fact that if we have it as none, no area of concern,
22 and we have lost all of these wolves, that many people
23 in this state unfortunately don't have the same love for
24 the wolf that many of us do, and I think, well, I know
25 because I have other DNR friends and I have talked to

1 many people in northern Minnesota who have land and I
2 know that there is much more poaching going on than the
3 DNR knows of, and I'm sure you are aware of that as
4 well. And with the trapping that's been going on, if
5 you read the outdoor news or look at the DNR wildlife
6 reports that are put in all of the local newspapers in
7 northern Minnesota, you will see incidental catches of
8 wolves going on to this day, even though the trapping
9 season is over. About every week there is about one or
10 two incidental catches of wolves, which is not a crime.
11 They don't have to pay a fine. They are not considered
12 poachers, as long as they report it. So I am very
13 concerned that this is much more prevalent than the
14 DNR's aware of. And then also the resource issues that
15 you talked about previously and other speakers have
16 mentioned, that if it goes from special concern to none,
17 there may not be as many resources, you know, dedicated
18 to protecting the remaining population.

19 So, I will put the rest of my comments
20 in written form and I thank you for your time.

21 (Applause.)

22 MR. BAKER: Thank you.

23 HEARING OFFICER: Thank you very much.

24 Denise Madonma. Oh, Jason Husveth.

25 MR. HUSVETH: Good evening, Your Honor.

1 Thank you for holding this hearing. I am Jason Husveth.
2 That is J-A-S-O-N, and the last name is H-U-S-V-E-T-H,
3 V, as in Victor, E-T-H. My address is 17085 Olinda
4 Trail North, Marine on St. Croix, Minnesota.

5 And I wasn't planning on commenting
6 tonight and I was very much intrigued to attend this
7 hearing and listen, but I figured since I drove all of
8 the way over here and listened, that I might add my
9 comments that may not have been touched on.

10 HEARING OFFICER: You have paid your
11 dues?

12 MR. HUSVETH: Yes.

13 HEARING OFFICER: Okay.

14 MR. HUSVETH: So a little bit of
15 background.

16 I am a professional ecologist and
17 botanist professionally employed with my own business.
18 I regularly conduct surveys throughout the state on
19 species listed on the current list and proposed list,
20 primarily vascular plant species, and I have done so
21 for the past 15 years.

22 I have followed the status of the list,
23 the current list, and the proposed list and the proposed
24 rule revision process over the past 12 or more years,
25 since about 2000. And I have followed that very closely

1 and participated.

2 I was one of the 141 commentators
3 or commenters on the reasonableness and need of the
4 proposed status changes back in 2007, I believe, when
5 the proposed list was going to be made public. And many
6 of the vascular plant species included on that list,
7 I had comments to make based on my field observations
8 and my research and my work.

9 I have contributed many new records,
10 in fact, of very rare species that were used by the DNR
11 scientists to propose these revisions in the first
12 place, so I am very happy to have been a part of that
13 process. And I have some impromptu notes here, so.

14 So, with regard to the proposed changes
15 regarding vascular plant species, and I'm limiting it to
16 that because that's my primary focus, I am very pleased
17 with the process and to be included. And I have
18 reviewed the SONAR, I printed it out and reviewed it and
19 read it over the last few years. And while, you know,
20 not every species may be perfect, the proposals, I felt
21 that it was very well done and very thoroughly done with
22 regard to vascular plants, based on the best and most --
23 the best and most current scientific data available.

24 So, I want to just read from the SONAR
25 a few sentences. And it has to do with the history of

1 Minnesota's list of Endangered, Threatened and Special
2 Concern species. It is the third paragraph down in
3 that section. The first sentence, "The 1981 amendment
4 also added the requirement that the Commissioner shall
5 reevaluate the designated species list every three years
6 after it is first adopted and make appropriate changes."
7 And then it also says at the end of that paragraph,
8 "The current process of revising Minnesota's list of
9 Endangered, Threatened and Special Concern Species began
10 in 1999."

11 So, while this has been a comment
12 already in this hearing here, I want to reiterate or
13 underscore that I think it is important that that be
14 what we strive for as a state. That we try to revise
15 these lists and the rules every three to five years as
16 mentioned in the SONAR, and also by Rich Baker tonight,
17 and not every 17 years. I want to make that -- put that
18 on the record.

19 I do want to state, though, that many
20 states adjacent to us in fact don't have a list. They
21 don't update. They don't have any rules. They don't
22 have any kind of enforcement. They don't have any kind
23 of protection. Or if they do have lists, it is just the
24 list of what is rare in the state, but there is no
25 protection. So I want to just state that in my

1 experience I feel that the State of Minnesota is pretty
2 far ahead of the game as far as understanding,
3 inventorying, updating and protecting and passing
4 legislation to protect its most rare species.

5 With all due respect, and I tend to
6 agree with the comments about the wolves tonight, and
7 I won't get into that, but I think that needs to be
8 addressed.

9 So, in closing, I want to say if the
10 public in Minnesota, whether it has to do with wolves or
11 rare plants or rare orchids, or things that I spend all
12 of my time looking at, if we all believe that regular
13 maintenance and updates to this list and to the rules
14 are important, then we need -- we need to support,
15 publicly support and be vocally supportive about it to
16 the legislature and to the governor about regularly
17 dedicating funding to our DNR staff that are in charge
18 of maintaining this list and updating this list
19 regularly and seeing that the legislature rules on
20 or what have you, decides on whether to adopt a new
21 list or not based on the science on a regular basis.

22 And I think that that is a part that
23 has been maybe missing from the public. That we need
24 public support to essentially hold the DNR's feet to
25 the fire or to hold the Commissioner's feet to the fire,

1 or maybe the legislature's, to say that that list needs
2 to be updated. And to expect the DNR to do that, they
3 need dedicated and reliable funding and staff to do
4 that, because that hasn't been the case.

5 And that's the end of my comments.

6 HEARING OFFICER: Thank you, sir.

7 MR. BAKER: Thank you.

8 MR. HUSVETH: Thank you.

9 HEARING OFFICER: Mr. Casey. Tom Casey
10 spoke already; is that correct?

11 AUDIENCE MEMBER: That's correct.

12 HEARING OFFICER: Thank you. I think we
13 got a couple of these names down multiple times.

14 Larry Kennel (phonetic). I'm sorry, I
15 am having trouble with that.

16 MR. KENABECK: Larry Kenabeck
17 (phonetic).

18 HEARING OFFICER: Okay. I will go with
19 that.

20 AUDIENCE MEMBER: He left. He got
21 sleepy.

22 HEARING OFFICER: Dick Brown.

23 MR. BROWN: Oh, that's me. Thank you,
24 Your Honor.

25 My name is Richard B. Brown. You don't

1 need that spelled, do you?

2 Okay. I didn't come here tonight to
3 say anything, but I picked up on a few things. One of
4 the things that I picked up on is, you have got the
5 best of the DNR here, the ecological species and the
6 environmental -- I mean endangered species, in my
7 opinion, is some of the best parts of the DNR. I know
8 Hannah Donavich has helped me several times in several
9 cases over the years, and I did a little bit with Rich
10 Baker on snapping turtles up in St. Cloud.

11 I am in favor of the folks that are here
12 that are opposed to deer -- I mean wolf hunting and
13 trapping. I think it is a different story when it comes
14 to deprivation. I think the way it was before should
15 have been satisfactory. I know that deer -- I mean,
16 wolves eats deer and deer eat white pine on Norway pine
17 when they are just above the snow line. And as a person
18 who would like to see more white and Norway pine come to
19 life in the State of Minnesota, I think we got to get
20 rid of a lot of the deer. The deer habitually, in the
21 old days, were not in Northeastern Minnesota very much.
22 It was more moose and caribou, as far as I know.
23 Caribou is gone. I guess that's on account of the deer
24 disease. I guess that's probably a major portion of the
25 problem with the moose, too, as far as I know.

1 Up in Itasca Park, Clover Rovix I think is
2 the head of the park, or he was at least eight or ten
3 years ago, and Ben Toma was one of the naturalists up
4 there, and these fellows took us around, a group of us
5 around, and they showed us where they put fences nearby
6 some big old Norway pines and white pines to keep the
7 deer out. The fences were six or eight feet high or so,
8 and the younger pines were coming up all over the place
9 either this high or six feet high (indicating). And it
10 proves that deer are the main depredation as to why. It
11 isn't only the pines but there are other species in the
12 north. I think there are certain species of dogwoods
13 and other sorts that are browsed off pretty heavily by
14 deer. So, anyhow, I think we need more hunting of deer
15 and we ought to let the wolves have their access to
16 them.

17 The thing that took my eye the most here
18 was the Canada lynx. About ten years ago myself and
19 other members of the Isaac Walton League wrote
20 resolutions to preserve the Canada lynx, and at that
21 time the DNR told us there were no local residents --
22 residents of lynx in Minnesota. And a year later, we
23 saw in the conservation volume ear where there was a
24 whole bunch of them. So, the DNR was mistaken at that
25 particular time. And I personally think it should be on

1 the endangered species list. I don't think they have
2 recovered very much. Somebody says there is 200 of
3 them. Maybe they are recovering pretty good where they
4 said there were none ten years ago.

5 The other thing I wanted to mention was
6 that I talked to Miss Donavich earlier this evening
7 about extended rotation forestry and she satisfied me
8 that perhaps cutting back on extended rotation forestry
9 wasn't a bad idea. However, back in the 1980s and the
10 early '90s, I worked with the Sierra Club and with Isaac
11 Walt Endangered League and with the Audubon Society and
12 we tried to get a larger percentage of our forest in old
13 growth, which is well beyond extended rotation.

14 Extended rotation takes you like in
15 population from four to six years, and in pine I think
16 it takes you from 60 to 80, or something like that. But
17 old growth are trees from 100 to 200 in the pine and
18 oak. And there is a very small percentage of our old
19 forest that are old growth that I know of. And I think
20 that we should pay more attention to get a larger
21 percentage of old growth. It is not only good for
22 scenery to look at but it is good for certain species
23 that need old growth.

24 And I guess that's all I got to say.

25 HEARING OFFICER: Thank you very much.

1 MR. BAKER: Thank you.

2 (Applause.)

3 HEARING OFFICER: Mike Web. Mike Web?

4 Lisa Gressen.

5 MS. GRESSEN: Hi. It is Gressen,
6 G-R-E-S-S-E-N. 1501 Dieter, D-I-E-T-E-R, St. Paul,
7 Minnesota 55106.

8 Your Honor, thank you for taking the time
9 to listen to us tonight. It has been a long night.

10 I ask you to please do not remove the wolf
11 from the special concern status. The State of Minnesota
12 hurried to have a wolf hunt. When has Minnesota ever
13 carried out a hunt where they did not have a reasonable
14 population count? We know every year of the approximate
15 amount of year prior to a deer hunt. When the wolf was
16 hunted in 2012, there was no baseline population count
17 done. The last count in 2007 and '08 told us that the
18 wolf population was stable over the last several years.
19 If it is stable, then why was there an urgent rush to
20 hunt the wolf.

21 When the wolf was taken off the endangered
22 species list, that was the time to do very thorough
23 scientific research. I feel as though tax paying
24 Minnesotans are on a need-to-know basis and the DNR does
25 not always feel the need to keep the public informed.

1 Wolves are too important to our state and to our
2 environmental.

3 Thank you for your time.

4 HEARING OFFICER: Thank you very much.

5 MR. BAKER: Thank you.

6 MS. GRESSEN: Yep.

7 (Applause.)

8 HEARING OFFICER: Jennifer Schally.

9 MS. SCHALLY: Hi. Thank you, Your
10 Honor.

11 HEARING OFFICER: Good evening.

12 MS. SCHALLY: My brother is a judge in
13 Alaska, so I know.

14 My last name is S-C-H-A-L-L-Y. The first
15 name is Jennifer. I am at 1104 Creek Side Circle,
16 Stillwater, Minnesota 55082.

17 And the traffic coming over here was awful.
18 6:00 to come from that side to this side is about
19 impossible.

20 HEARING OFFICER: It will be better on
21 the return.

22 MS. SCHALLY: Right. Exactly.

23 I wanted to talk about something that
24 nobody else has talked about.

25 The Ixodes Scapularis, do you know what

1 that is?

2 HEARING OFFICER: Please spell that for

3 me.

4 MS. SCHALLY: It is I-X-O-D-E-S,

5 S-C-A-P-U-L-A-R-I-S.

6 HEARING OFFICER: I'm sorry, the last

7 part again, please. S-C-A.

8 MS. SCHALLY: S-C-A-P-U-L-A-R-I-S.

9 L-A-R-I-S.

10 MR. BAKER: Does it have a common name?

11 MS. SCHALLY: Ixodes scalpularis.

12 MR. BAKER: Does it have a common name?

13 MS. SCHALLY: No. The common name is

14 the black legged deer tick. And that's not what I want

15 to be put on the special concern list, but I -- I have

16 diagnosed CDC Lyme disease and so I have a lot of

17 anxiety being up here. It causes a lot of agitation in

18 people.

19 And there is a really good website by a

20 veterinarian Dr. Michael W. Fox, which I can submit this

21 stuff to you in writing later on, but he talks about how

22 about how there is basically no pros to getting to

23 reduce being the world population and they are basically

24 all cons, scientifically speaking. Because the deer are

25 carrying the ticks, so the wolves are not taking out the

1 deer. And worse than that are the mice, that rouse, the
2 bulbs, all of the rodent population, they are actually
3 the ones that carry the Lyme disease, the berlia dorfi
4 (phonetic) bacterium, they actually have it in them, the
5 rodent. So, the deer ticks are on the rodent and the
6 deer ticks are on the deer and the wolves eat the
7 rodents and the deer. So, why would you get rid of the
8 wolves?

9 Also, when you remove the wolves from the
10 ecological chain, the coyotes move in on the wolves.
11 The coyotes eat the fox and the fox eat the rodents.
12 They are the number one predators of the rodents. So,
13 there have been studies -- there have been many, many
14 studies done about taking out the wolf. It is just
15 catastrophic to Lyme disease becoming endemic in the
16 states in which it is endemic, which is Minnesota and
17 Wisconsin.

18 And I had the misfortune of growing up in
19 the country, so I have Lyme Disease. I also have human
20 granulitic and ulosis, which is an aplosis, which is
21 basically not curable. I actually came back from
22 Washington, D.C. to see a Lyme doctor. It cost as
23 foreign to have Lyme Disease and it is very stressful,
24 and a lot of people don't have a clue of what is going
25 on or what it is or anything. And the wolf really is

1 totally involved in this whole thing. And trappers and
2 hunters, you are also in grave danger of getting this
3 because unless there is well snow cover on the ground,
4 you can get a tick. And you know, people just don't
5 have any clue of what is going on with Lyme disease at
6 all.

7 I also wanted to just mention that -- well,
8 also I wanted to mention that e-mail from the one DNR
9 person to the other people about how, you know, we owe
10 it to our primary clients, which are hunters and
11 trappers and secondarily livestock producers, you know,
12 to get this wolf hunt going. And I looked up your
13 mission statement and I carefully read it over and over
14 and over, and it does not say anything about them being
15 your primary clients. So, I don't really understand
16 that.

17 And I don't know if your agency is being
18 starved of tax dollars. I wish that they would give you
19 enough tax dollars and I wish that they would also give
20 you legacy amount of funds and critical habitat license
21 plate funds. I know that I'm paying for that and I
22 don't know if you are getting that because it seems here
23 that you have almost become a captured agency, you know,
24 like you are working commercially, like a Cabella's
25 store towards hunters. And I thought that as a hiker,

1 as a camper and as a person that was always out in state
2 parks, that you were working for me, but I don't know.
3 I have Lyme disease and had I known what it really was,
4 I know I would have taken measures. So, I kind of feel
5 a little bit betrayed by the DNR and the Minnesota
6 Department of Health.

7 So, it is not in your mission statement to
8 be just working for hunters and trappers.

9 And I don't know what else I was going to
10 say. Yeah. I mean, you know, I took that survey, you
11 know, where the 79 percent of us, it was about 8,000
12 surveyed and respondents and you can't get 79 percent of
13 people in this country to agree on anything. And so
14 for, you know, 79 percent of Minnesotans that took that
15 Sauer survey to state that they don't want this wolf
16 hunt to go on without a five-year moratorium, I mean
17 that is really a definitive number, that 79 percent.

18 I don't know really, too, why there was
19 this expedited emergency rule on this. So, what was the
20 justification that made an emergency to make it
21 necessary to expedite it? I don't know. It just seems
22 like it doesn't make any sense. And, you know, there is
23 five-and-a-half million people in Minnesota and there
24 were only 3,000 wolves. You know, that just doesn't
25 seem reasonable to me. And now you have taken out one

1 in four of the wolves. And Minnesota, also, you know,
2 we are the only state besides Alaska that has our
3 original wolf population. In the whole country.

4 There is, you know, 50 states. We are the
5 only state besides Alaska that has our original wolves.
6 Wisconsin wolves went extinct in 1957 because they had a
7 bounty on their head and the wolves that are now in
8 Wisconsin came across from Minnesota and of course they
9 are now hunting them, along with all of the Yellowstone
10 wolves. They have killed 1,000 wolves in Yellowstone or
11 in the Rocky Mountains. So, you know, I guess I don't
12 find any of this reasonable, and I think that the DNR
13 needs to work for the people of Minnesota. And if you
14 are not getting your agency funding by taxes, then we
15 need to call our legislatures to have them funds so that
16 they are not a captured agency required to do work for
17 hunters, like trophy hunters from out of state.

18 Like, I don't know if Ted Nugent hunts
19 here, but I know he hunts in Alaska where my brother is.
20 But I'm a fifth generation Minnesotan and I would hope
21 that you work for me and not people from the south. So,
22 if you took a plane up to Alaska this last summer, a
23 whole plane load of people that was hunters going up
24 there to trophy hunt. You know, I don't want our state
25 to turn into that. And I don't want our wolf pelts to

1 be sold to the Chinese. I've heard rumors that some
2 people are selling their pelts to the Chinese. It just
3 seems real unethical. They are our wolves.

4 I'm sorry I am disorganized, but --

5 HEARING OFFICER: Thank you very much.

6 MR. BAKER: Thank you.

7 MS. SCHALLY: So, thank you.

8 HEARING OFFICER: Is there anyone else
9 who would like to speak tonight?

10 MR. HEINLE: (Indicating.)

11 HEARING OFFICER: Sir.

12 MR. HEINLE: Hi there. Thank you.

13 HEARING OFFICER: Thank you.

14 MR. HEINLE: My name is Tony Heinle.

15 HEARING OFFICER: Can you spell that for
16 me.

17 MR. HEINLE: H-E-I-N-L-E.

18 HEARING OFFICER: Thank you.

19 MR. HEINLE: Okay.

20 You know, I got a couple scenarios, you
21 know, about everybody is against the wolf hunt and this
22 and that, you know. I got one scenario that comes to
23 mind.

24 I live in Perham, Minnesota, which is mid
25 state. And a guy called the DNR up and says he got a

1 wolf coming in his yard. He has got a four-year old boy
2 and, you know, a dog, and whatever. And he says, "Can
3 you please come take care of this wolf for me?" He was
4 scared to death. You know. He has got a four-year old
5 boy out here. And he said, "Well, if you don't do this,
6 I am going to shoot the wolf and hang it in my tree and
7 you come get it."

8 So, the wolf finally came in and attacked
9 his dog. Spent a couple of thousand dollars on his dog,
10 because also wolf came in and the kid was in the yard.
11 I don't know if -- so, he shoots the wolf and the DNR
12 comes in. That's central Minnesota.

13 The other one I have, a buddy of mine has a
14 food brought back out in his backyard. He was food
15 hunting. Shot the doe and the doe ran off to the swamp.
16 He was going to go track it. He went back to his house,
17 which was 100 yards away. He has his waders because he
18 has to go through the swamp to get it. By the time he
19 got his waders on, he went back and there was a pack of
20 wolves howling around his deer. That's the concern I
21 have.

22 Everybody is against the wolf hunt and this
23 and that, and I can't see it. I built power lines and I
24 was up -- 13 years ago in Grand Marais building, a power
25 line. And I was up there and the only thing I seen up

1 there was moose tracks and moose tracks covering them,
2 the moose trail. That's all I seen. No other tracks.
3 No bird, not anything else besides moose tracks covering
4 the moose trails. And that was 13 miles off the Gun
5 Flint Trail. And I have a hard time believing that, you
6 know, everybody is against this moose hunt, this elk --
7 this wolf hunt. I'm sorry. I am not a public speaker.
8 And I have a hard time believing that they think the
9 moose population is going down because of other things.

10 I was fortunate enough about five years ago
11 to draw a moose egg and be able to go hunt them. First
12 year applying, never had. You know. I got to go shoot
13 this moose. It was a great honor, and I appreciate
14 that. I went and shot the moose the first day we are
15 out. It was a fifth bull moose. We seen a lot of
16 moose. We took a plane up the day before we went moose
17 hunting and we seen 13 moose in our zone. And this is
18 all you have you against it. Everywhere we went when we
19 were moose hunting there were moose tracks.

20 I can't believe that the number of wolves
21 they are saying isn't a problem. They are coming down
22 in my area, Perham, Minnesota, and killing off our deer.
23 We had one incident a wolf went into his corner needles,
24 we had eight, nine, or ten deer that were totally
25 demolished. Wolf tracks all around him. I don't

1 understand that far south why it is a problem. You know
2 what I mean? I just feel that there is everybody
3 against this wolf hunt and say there is motor must have
4 wolves, they are underestimating. It the DNR says there
5 is 4- or 5,000 wolves in this state. They don't know
6 the exact amount of wolves in this state. They don't
7 know the exact amount of deer in this state.

8 I come from a county that has the best deer
9 hunting ever and is getting depleted because the wolves
10 are getting in there and we are not having the success
11 rate that we had from year to year. We are in 239, if
12 you want to mark it down, the zone, and we haven't had
13 the deer hunting success that we had in the years. My
14 first year of hunting we had a draw for a doe permit.
15 We had a draw. A 12-year-old-boy and we had a draw for
16 a doe permit, to shoot a doe. And in the two years
17 before that I could shoot one and in the five-years
18 before that I could shoot five to get the deer. I don't
19 understand the ratio.

20 You know, in Northern Minnesota you say we
21 have got a lot of deer, there is a lot of people there
22 from the DNR controlling that zone and making it what it
23 is. All of these people in Iowa and, you know, shooting
24 the monitor bucks, that's all these guys are trying to
25 do. They are trying to shoot the four or five-year-old

1 buck to put on their wall. They are not shooting
2 everybody in the world. When you don't shoot the five
3 or six -- when you only shoot the five or six, that
4 hurts the population. I can't see how the wolf number
5 hurts the moose population.

6 You see two on TV the wolves take the moose
7 down every day. You got four feet of snow. What is
8 that going to do? I seen it. I seen it permanently in
9 Grand Marais. We are working through three and a half
10 feet of snow trying to wreck out this power line and all
11 you -- the only trail you see are wolves trails and
12 moose trails right over the top of the moose tracks.
13 That's all I got to say about this. I appreciate the
14 wolves and their inspiropy of being in Minnesota, but
15 Minnesota is the number -- the second state in the
16 United States with the biggest population, excluding
17 Alaska. My cousin lives in Palmer, Alaska, and he can
18 shoot an unlimited number of wolves there, and we are
19 the second state. So, do we have a problem with the
20 wolves here? I think we do.

21 HEARING OFFICER: Thank you, sir.

22 MR. HEINLE: Yep. That's all I got to
23 say.

24 MR. BAKER: Thank you.

25 (Applause.)

1 HEARING OFFICER: Is there anyone else
2 who would like to speak this evening? Going once. Going
3 twice.

4 Well, again, thank you all very much
5 for attending. This hearing is adjourned.

6 (HEARING Exhibits 35 through 40 marked
7 for identification.)

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9 (Whereupon, the public hearing was
10 adjourned at 9:30 p.m.)

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1 REPORTER'S CERTIFICATE

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3 I, Ann Marie Holland, do hereby certify that
4 I recorded in stenotype the public hearing on the
5 foregoing matter on the following day, February 7th,
6 2013, held at the Best Western Plus-Kelly Inn, Plymouth,
7 Minnesota, before the Administrative Law Judge James E.
8 LaFave;

9 That I was then and there a Notary Public in
10 and for the County of Washington, State of Minnesota;

11 I further certify that thereafter and on that
12 same date I transcribed into typewriting under my
13 direction the foregoing transcript of said recorded
14 hearing, which transcript consists of the typewritten
15 pages 1 - 129;

16 I further certify that said hearing transcript
17 is true and correct to the best of my ability.

18 WITNESS MY HAND AND SEAL THIS 22nd DAY OF
19 February, 2013.

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24 Ann Marie Holland

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