

PETER A. DeFAZIO  
4TH DISTRICT, OREGON

TRANSPORTATION AND  
INFRASTRUCTURE  
RANKING MEMBER



## Congress of the United States House of Representatives

February 22, 2016

Oregon Senate Democrats  
900 Court Street N.E.  
Salem, Oregon 97301

Dear Democratic Members of the Senate:

I understand the House has passed and the Senate is now considering legislation, HB 4040, that would codify in law the recent decision by the Oregon Fish and Wildlife Commission (Commission) to remove the gray wolf from the State Endangered Species Act (ESA). I am deeply opposed to this legislation and am concerned that the Oregon legislature would consider such a flawed bill. I am currently fighting to maintain protections for the gray wolf at the federal level in response to increased political attacks and pressure to remove the wolf from the federal ESA. The actions that Oregon has taken, particularly the consideration of HB 4040, directly undermine my efforts at the federal level.

In addition to having concerns with legislation that would ratify the Oregon Department of Fish and Wildlife's (Department) flawed recommendation to remove the gray wolf from the State ESA, HB 4040 also preempts judicial review of the decision, an extreme precedent-setting measure that should not be taken lightly. I believe the true purpose of HB 4040 is to block the current court case pending against the state.

The Department's recommendation to delist the gray wolf was premature and not subject to an independent peer-review process as required by state law. Through my extensive experience with federal wolf delisting efforts, I know it is critically important that wildlife management, especially management of an iconic predator species like the gray wolf, is based upon sound scientific findings and analysis. The Department's decision not to open their findings to a rigorous scientific review is both alarming and telling, especially since the pending federal proposal to delist the gray wolf has been mired in a near identical controversy over the science used to justify the delisting in addition to concerns over the improper influence by the U.S. Fish and Wildlife Service on the composition of the independent peer-review panel.

In order to maintain the integrity of the ESA, it is critical that management decisions be driven by science, not politics. Judicial review is an essential component of this process. The concerns regarding whether or not the Department did a proper analysis and used the best available science should be subject to judicial review. To do otherwise flies in the face of all the progress the state has made thus far in wolf recovery efforts. It is simply, not how we do things in Oregon.

PLEASE RESPOND TO:

- 2134 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3704  
(202) 225-6416
- 405 EAST 8TH AVENUE, #2030  
EUGENE, OR 97401  
(541) 465-6732  
1-800-944-9603
- 125 CENTRAL AVENUE, #350  
COOS BAY, OR 97420  
(541) 269-2609
- 612 SE JACKSON STREET, #9  
ROSEBURG, OR 97470  
(541) 440-3523
- defazio.house.gov

The extensive stakeholder outreach and collaborative approach used by the state to develop Oregon's Wolf Management Plan, which is currently up for review this year, have made Oregon the model for wolf conservation in the nation. HB 4040 will signal a sharp departure from these efforts and send a message that Oregon is following in the footsteps of other Western states such as Wyoming, Idaho, and Montana that have been overtly hostile to wolves.

Decisions on whether to remove a species from the State ESA should not be taken lightly or used as a political bargaining chip. At the very least you should be sure that the Department's recommendation to delist the wolf is legally and scientifically sound. Therefore, I urge you to reject this legislation. Thank you for your consideration of this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter DeFazio". The signature is written in a cursive, flowing style with some loops and flourishes.

Peter DeFazio

Cc: Governor Kate Brown