



February 25, 2011

Governor Brian Schweitzer
Office of the Governor, State Capitol
P.O. Box 200801
Helena, Montana 59620-0801

Dear Governor Schweitzer:

We are writing on behalf of the organizations listed below to express our deep concern over your recent statements regarding Montana's wolves. Earthjustice represents these organizations in litigation that resulted in a District Court order reinstating Endangered Species Act protections for wolves in the northern Rocky Mountains. Unless and until wolves are lawfully delisted, Montana's wolves are protected under federal law.

In your February 16, 2011 letter to the Secretary of the Interior, and in numerous follow-up interviews with local and national media outlets, you suggested that Montana did not intend to follow federal law, nor honor its commitments under either Montana's wolf management plan or its Memorandum of Understanding with the U.S. Fish and Wildlife Service, with respect to wolf management. Your statements could jeopardize Montana's continued authority to manage wolves under its cooperative agreement with the U.S. Fish and Wildlife Service.

More troubling, your statements may incite Montanans to violate the Endangered Species Act. Wolves are still protected under that Act. In Northwest Montana, it is illegal for anyone other than authorized wildlife agents to harm, harass, or kill wolves. In other parts of the state, individuals may only kill wolves that are in the act of attacking their livestock or pets. Nowhere is it permissible for individuals to kill wolves in a response to an alleged threat to elk herds.

We urge you to correct the misimpression left by your statements that it is no longer a crime to kill wolves. If you do not, Montanans following your lead may be punished under federal law by substantial civil and criminal penalties. See 16 U.S.C. §1540(a), (b). Individuals who knowingly kill a wolf in violation of the Endangered Species Act face civil penalties of up to \$25,000 and criminal penalties of up to \$50,000 and one-year imprisonment. Id.

We are extremely disappointed that Montana has chosen to disavow its commitment to conserve wolves. Wolves in Montana should be managed as an essential part of the ecosystem, not in opposition to it. We hope you will reconsider your position

and fulfill your responsibility to preserve Montana's wildlife—including wolves—for future generations.

Should you have any questions, please do not hesitate to contact us.

Sincerely,



Douglas Honnold
Jenny Harbine

CC: Kenneth Salazar, Secretary of the Interior
David Hayes, Deputy Secretary of the Interior
Dan Ashe, Deputy Director, U.S. Fish and Wildlife Service

Earthjustice represents Defenders of Wildlife, Natural Resources Defense Council, Center for Biological Diversity, The Humane Society of the United States, Jackson Hole Conservation Alliance, Friends of the Clearwater, Alliance for the Wild Rockies, Oregon Wild, Western Watersheds Project, Wildlands Network, and Hells Canyon Preservation Council