

Senators Casperson, Green, Booher, Proos, Colbeck, Marleau and Emmons offered the following resolution:

Senate Resolution No. 39.

A resolution to memorialize the Congress of the United States to remove gray wolves in Michigan from the federal endangered species list and to amend the Endangered Species Act to prevent similar future situations.

Whereas, Wolves are not endangered in Michigan. Gray wolves have made a remarkable recovery from near extinction in the early 1970s. Michigan's wolf population has met all federal recovery goals for delisting both in terms of number of wolves and the stability of those numbers. They exceed the federal recovery goal by 400 to 500 animals; and

Whereas, No one species of animal is more important to the environment than another. The gray wolf is no more important than the white-tailed deer; and

Whereas, Nature requires and strives for a balance between predator and prey, man and animal, and farmer and wildlife. As gray wolf populations grow in Michigan under federal protection, this balance is threatened. The potential ramifications of this imbalance are exemplified by a recent incident in Ironwood, Michigan. Wolves appeared multiple times in the backyard of a day care center shortly after the children were allowed outside to play. Federal agents disposed of three wolves in that backyard because of the potential danger to the children; and

Whereas, We do not want to wait for a tragedy before implementing management that properly reflects the current size of the gray wolf population. Michigan is ready to take on gray wolf management and has developed a sound management plan that will maintain a proper balance between the gray wolf and people; and

Whereas, The U.S. Fish and Wildlife Services has removed Michigan's gray wolf population from the federal endangered species list twice in the last four years only to have that decision overturned in federal courts. Without congressional action, the administrative delisting of wolves will continue to be stalled by lawsuits while farmers are losing livestock, game animals are being depleted, and wolves continue to encroach in developed areas in search of easy meals; and

Whereas, Wildlife management should not and cannot be carried out by lawsuits and preliminary injunctions. Proper wildlife management requires knowledge of the total environment, facts and figures produced by quality research, and legitimate conclusions based on sound information and research; and

Whereas, Delisting gray wolves would meet an immediate need for Michigan, but a long-term practical solution is necessary nationwide. The federal Endangered Species Act must be amended to require a showing of irreparable harm by clear and convincing evidence as a condition for the issuance of a preliminary injunction. In addition, the act must be amended to allow the assessment of costs against the party challenging federal decisions, orders, and classifications if the challenge is not successful; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to remove gray wolves in Michigan from the federal endangered species list and to amend the Endangered Species Act to create a higher threshold for issuing preliminary injunctions and to allow for the assessment of costs when a challenge is denied; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.