

Written Testimony

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Understanding the Consequences of Experimental Populations Under the Endangered Species Act

Chairman Gosar and members of the subcommittee, thank you for allowing me to be here today representing the voice of the American rancher. I am a 5th generation rancher from Arizona. We own and operate a cow/calf operation in Apache County, Arizona. I made the decision recently to leave a career in ag lending and move my wife and 4 kids back to the ranch that I grew up on and that has been in my family for generations.

I was seven years old when the wolves were reintroduced into Arizona and New Mexico so have been dealing with this issue for my entire life. I can recall one fall day after working tirelessly to get all our cattle gathered off the mountain, we received a phone call about a calf laying in a field. As we approached the scene, we knew that something wasn't right. The calf could be seen breathing heavily and he was not getting up to run away. This is how a calf usually acts when something is very wrong with its health, we were thinking it was some sort of sickness, the thoughts were already going through our minds of how we were going to treat this little guy to help him have a full recovery. Nothing prepared us for what we were about to witness. We quickly realized this was not going to be a routine medical treatment as we came face to face with the reality of living in wolf country. A soccer ball sized chunk of flesh had been ripped out of the calf's rear leg (Figure 1), not only was flesh torn away but the evidence was clear,



Figure 1- Courtesy of Dobson Timberline Ranch

the wolves had been eating this calf alive when something had chased them away from the scene before they could finish their job of killing this calf. As we sat in disgust, we called our USDA APHIS livestock depredation inspector to come out. We told them of the gruesome scene and that we had thought it was wolves but needed him to come and confirm. We told him the calf was too far gone and would not be able to recover from his injuries so that we would be euthanizing him before the inspector arrived. That is when our anger compounded, the inspector told us not to euthanize the little calf because if we did then there would not be any compensation for the calf if in fact wolves had been responsible for the maiming. This was because the calf needed to die from the actual wolf attack. After the inspector arrived and confirmed the attack from the size of the bite marks and puncture wounds we had to sit around all night and part of the next day watching that poor calf suffer because we were not allowed to euthanize the animal and put it out of its misery.

On another occasion early in the wolf reintroduction program, my father was concerned with the wolf population (Paradise Pack) being dumped in the middle of our sheep operation. He was assured by United States Fish and Wildlife Services (USFWS) that there were no wolves in the area and that it would be a while until they would reach us, and, in that case, we would be notified ahead of time. One night a baby horse was harassed and had its rear leg ripped from its body in its own pen at our barn less than 200 yards away from our house. My dad immediately knew this gruesome scene was nothing like he had seen before in his 40+ years of being on the mountain and dealing with predators. He immediately called the United States Forest Service (USFS), as well as USFWS. They assured him there were no wolves in the area, even after my dad had relayed the story and evidence of larger than normal bite marks. Because my dad was told there were no wolves in the area, he made the decision to euthanize our livestock guard dogs. The day after our dogs were euthanized, USFWS was at our corrals and my dad went to see what they were there for. USFWS representatives told him they were doing an investigation into a wolf that was shot, and they needed to see his guns. This was just days after they had assured us there were no wolves in the area and convinced my dad it was our own dogs that were responsible for the killing of our baby horse. After this news my dad called a United State Department of Agriculture, Animal and Plant Health Inspection Services (USDA APHIS) representative to come and do an investigation on the baby horse that was killed. During this investigation they found scat, tracks, and confirmed the bite marks were wolf bites with measurements this led to the investigation being our first of many confirmed depredations. Sadly, this experience of non-communication, secrecy, and deceit was a foreshadow of how the next 21 years would go.

These two stories are just the beginning of a long list of horrific attacks that exemplify the harsh realities, financial burden, and mental stress that we face being on the frontlines of the federal government’s experiment to reintroduce the Mexican Gray Wolf. Although there are many more stories from the hundreds of slayings that we have had since the reintroduction, I hope these two that stick with me every day will also stick with you.

As I further discuss this topic, I would like to detail out some ways that we try to co-exist with the wolf in our home. We try to have a good working relationship with the USFWS as well as APHIS and the Arizona Department of Game and Fish (AZGFD). For the last three summer and fall seasons we have been working with a graduate student from Utah State University that is working through Montana State University’s Western SARE Research and Education Proposal in Sustainable Agriculture, entitled: “**Landowner Collaborative Strategies for Nonlethal Predator Control**” This study is trying to measure the benefits of range riders and their effectiveness to help reduce stress in livestock. To collect data for this study the students come down while we are doing our work on the cattle before our long drives to different pastures. We have been trimming the tails of cows and taking body condition scores of the cows. Those scores are then sent to a lab so they can do research on their cortisol levels, which allows them to measure stress in the cattle. Through gathering this data and comparing it to wolf pressure during the year they are trying to get an idea of the added stress from having to deal with these predators and if range riders help reduce that stress. Here is a list of other things that we have done to try and co-exist and mitigate encounters with the wolf as much as possible.

- We have hired extra laborers to put up fladry to help mitigate the wolves when we still ran sheep.
- We have worked to install collars onto our cattle that had fladry as well as bells in hopes of minimizing contact with wolves. (Figure 2)



Figure 2 – Courtesy of Dobson Timberline Ranch



Figure 3- Courtesy Dobson Timberline Ranch

- We have worked to install solar ear tags that flash at night in hopes to keep wolves away from livestock (Figure 3).
- We have worked to install flashing lights on fence posts to keep wolves away at night.
- We have regularly cut our grazing periods short in pastures due to a wolf pack moving in. Not only do we lose out on the grazing fees we have paid for that pasture, but we also lose out on the gain our cattle would have gotten from that grass.
- We spend long nights with radio antennas patrolling our herds to ensure the frequencies of wolves do not get too close to our animals. We haul water to keep cattle away from

water sources that are known to be close to wolves.

- I have been in contact with Dr. Malmberg with Wildlife Services after she gave a presentation on pursuit myopathy (wolves running cows until they die). I contacted her to see if she would like to do a study on our ranch as I believe we may have a lot of cases of this. We are hoping to do some future studies and certainly would stress the importance of investing resources in research.

We like to think of ourselves as forward-thinking ranchers that are willing to try and do anything to co-exist with the wolf. I believe this is evident in my previously mentioned relationship with the differing agencies as well as adding countless hours of extra work to our busy season just to try and help researchers that could hopefully help benefit the entire industry.

While these items are burdensome to say the least, we also bear a harsher reality to the presence of wolves on our forests. Aside from the direct costs of cattle being chased to death and eaten alive, the indirect costs far outweigh the direct costs of depredations. As I have worked on policy with our county Farm Bureau that made its way up to the American Farm Bureau, resulted in Congressman Stanton introducing H.R. 2695, the Wolf Act in the 119th U.S. Congress that was ultimately included in Chairman Thompsons farm bill that passed out of committee. Congressman Stanton has already begun working to gain bipartisan support for this effort once again.

I have done a lot of work to track the indirect costs that are associated with our specific ranch. In my analysis I have calculated what the wolves have cost us over the years. In 2021 my figures came out to be over \$100,000 in indirect costs. In 2024, with record high cattle prices I have estimated over \$320,000 in indirect costs to our ranch. Some of the indirect costs include items such as hauling water, trucking hay, extra trips to the mountain to check cattle when wolves are close to cattle, extra labor to haze wolves, decrease in calf weights at weaning time, decline in the number of cows re-breeding, and equipment depreciation from extra wear and tear. These exorbitant numbers may not seem like a large sum of money to you but in an industry where profit margins are already stressed because of increasing input costs, every dollar counts.

My family has been grazing this forest allotment since before Arizona was a state. We were the only sheep operation left in the White Mountains when the federal government decided to use the middle of our summer grazing lands as the launch point for the reintroduction in Arizona. We now no longer graze sheep due to the devastating losses directly attributed to the Mexican Gray Wolf; we simply could not absorb the costs any longer and now I am afraid we are getting to that point with our cattle operation. I have two generations still alive in my grandpa and father that were well acquainted with running livestock in the White Mountains alongside other predators. Both generations I have living today say there is nothing like the devastation brought about by the experimental Mexican Gray Wolf.

I would like to take a moment to briefly discuss the evidentiary guidelines that USDA APHIS and USFWS uses to determine livestock depredations that ultimately decide if a producer gets compensated for a depredation. This exemplifies the challenges that producers face as they attempt to co-exist with the Mexican Gray Wolf. In 2023 USFWS services changed the guidelines that had been in place since 2004. These standards recognized that in the American West, we deal with large acreage pastures and a lot of rough terrain. Some of my neighbors have ranches with pastures that are only accessible by a three-hour horseback ride. It is simply impossible to be everywhere every day and see every animal. If a calf is killed in a large pasture and not found until a few days later, a lot of the evidence that is now being required by FWS to be a confirmed kill has deteriorated to the point where a confirmation cannot be given. The new evidentiary standards adopted in 2023 specifically state that “subcutaneous hemorrhaging is the best physical evidence available to field investigators to directly associate a depredation with a direct and lethal attack by a carnivore” leading investigators to only confirm a kill with this evidence, as opposed to the previous standards that allowed for all the evidence to be considered when making a determination. Wolf fight scenes are unique, since they hunt in packs, the cow usually stops in one spot and spins in circles while fighting for its life, trampling brush and grass in the process. In the past, this fight scene could be used as part of the evidence collected in

the report, along with bite marks on the hind legs, and bite impressions matching wolf jaw dimensions, were all allowed to be considered in confirming a wolf kill. In addition to the new standards, trained field staff are no longer able to make determinations on whether it was a kill or not. They simply take the information and send it to an office in Ft. Collins, Colorado for someone else to make a final determination on whether it was a kill or not. In a 2024 meeting with USFWS and USDA APHIS, USDA APHIS admitted that the field staff undergo multiple trainings and qualifications before they are allowed to do investigations on wolf depredations. In a follow-up question I asked if the office staff has the same training as the field staff and the response was “no”. Other western states’ Gray Wolf depredation programs allow for all evidence to be submitted and considered for confirmation of wolf kills Why are Mexican Gray wolves the only ones being held to a different standard?

In January of 2024 we had a wolf depredation that had all the textbook wolf killing signs as well as mountains of evidence pointing to it being a wolf kill. The full report can be found as Exhibit L.

- The kill was found within two days of the death of the animal (very fresh for depredations as pasture sizes are so large).
- Collared wolves had been reported in the area in the time frame of the kill with GPS pinpoint data
- AZGFD personnel reported hazing two wolves from the kill
- There was a sign of a struggle
- There was 0-25% of the carcass that remained (no soft tissue remained to find subcutaneous hemorrhaging)
- There were tracks in the area
- There was a fight scene
- There was evidence of typical wolf consumption (crushing of bones)
- Measurements on the head of the calf that matched wolf canine spreads

With the large amount of evidence collected by the trained field staff, this kill was recommended as a confirmed kill. However, when it reached the office in Ft. Collins, CO, it was overturned from confirmed status to a “probable” status with no option for me to contest that change. Untrained office staff are making final determinations and overturning highly trained field staff that are boots on the ground. It is for reasons such as this that I am advocating for finding a solution that fairly compensates ranchers on an annual basis for direct and indirect costs. These costs can be researched, found, and applied to different areas and make the burdens borne by ranchers more equitable. The American Farm Bureau has recently done research on weaning weights in cattle herds that

have wolf pressure vs. herds without wolves. Their research has shown that weaning weights in herds with wolf pressure are 3.5% lower than in herds without resulting in a \$34 (would vary year to year with cattle market) reduction in each calf. The economists then put together a calculation model that would figure what payment could be made that determined wolf pressure and the cost of decreasing weaning weights. A model such as this would be extremely beneficial and a step in the right direction when trying to compensate ranchers for the undue burden they face trying to manage around the federal government's experiment. Another thing that needs to be implemented is 100% compensation for livestock depredations. Right now, the USDA Farm Service Agency (FSA) under the Livestock Indemnity Program only pays 75% of market value on a confirmed wolf kill.

These new standards of evidence used by these agencies are so restrictive and only have one goal in mind, limit the number of depredations being reported. The USFWS and APHIS officials are claiming that the reason there were so many wolf depredations was because field staff was confirming kills to appease ranchers. This led to an investigation by the USDA Office of Inspector General (OIG). USFWS and APHIS officials have said the report had many instances of depredations being confirmed that should not have been and because of this the OIG instructed them to re-design their standards when it comes to confirming wolf kills. However, this is false, the OIG's report only recommendation was that a more consistent standard needed to be in place when specifying which pictures were required to be in the report. In a response to the OIG's request, APHIS admitted they did not have the authority to make changes to the standards and that would need to be done by the Mexican Wolf Executive Committee. However, in 2023 not only did APHIS and USFWS re-write a new standard for collecting evidence, but they implemented it without the Executive Wolf committee. I understand this committee does not have oversight of USDA APHIS; however, I bring this to your attention as the problems associated with the evidentiary standards and confirming wolf kills exacerbate the difficulties of living and operating within the experimental wolf recovery range.

With profit margins being so slim for small family farms and ranches and the high costs of carrying the burden of the Mexican Gray Wolf, it would be wise to find a solution to fairly compensate ranchers. I am pleading for help to alleviate the burden that is being unfairly borne by me, the American rancher, trying to serve my noble purpose of providing safe, affordable food to the American people.

I am not advocating for the complete removal of the wolf population; I am simply asking that the burdens that have been unfairly placed on the backs of ranchers in AZ and NM be met with fairness and proper compensation. In December 2024, USFWS released their 5-

year evaluation of the Mexican Wolf Recovery Strategy. The report highlights that in the U.S. we are exceeding abundance and genetic targets with 257 wolves observed in 2023 while the Mexico population has not reported the same growth with only 35 wolves being reported in 2022. So, while the population in the US continues to grow the success of recovery rests in the success of Mexico's population. The continual moving of goal posts for the program, whether it be increasing the number of sustainable populations from the original 100 wolves to 300 or changing standards of evidence, are burdensome and costly to ranchers. This program is an expense to the federal government and should not be paid for by the ranchers and the others who live in the community. There are many more issues that I could discuss and cover, however, to be direct and concise, I have limited my testimony. I am very grateful for this opportunity, thank you for your time and consideration as we continue to work towards a sustainable and equitable path forward.