Vote NO on SB 256!

This bill directly contradicts the will of the voters and state law, which requires the wolf restoration process to begin by December 2023. It is unnecessary, undemocratic and unreasonable.

SB 256 is unnecessary

In 2020, Colorado voters passed Prop. 114 to restore wolves. The stated goal of SB 256 is to postpone the release of wolves into Colorado until the U.S. Secretary of the Interior has made a final ruling on designating Colorado's wolf population as “experimental” and “non-essential” until Section 10(j) of the Endangered Species Act (ESA). For context, Colorado Parks and Wildlife (CPW) requested this experimental designation because it allows more flexibility in the agency's ability to manage wolves. An experimental designation means Colorado's wolves will be treated as “threatened” under the ESA, regardless of gray wolves' designation elsewhere in their range.

The U.S. Fish and Wildlife Service is on track to issue a final Section 10(j) rule by December 2023 for an experimental population of wolves, and CPW is on schedule to meet the State's obligation to restore and manage wolves by the end of the year after holding multiple public processes and taking thousands of comments.

The administrative process is functioning as it should and interference from lawmakers, however well-meaning, is unnecessary.

SB 256 subverts voters by unduly delaying wolf restoration by 6 years or even longer

This bill prohibits the reintroduction of gray wolves if the U.S. Secretary of the Interior has not made a final determination about whether the gray wolf population is experimental (“10(j) rule”). According to the bill, one of the criteria that must be met for that final determination to occur is that “the time for an appeal or review has passed without an appeal or review being filed or the determination has been finally affirmed with all appellate remedies having been exhausted.”

However, the statute of limitations to challenge the eventual final 10(j) rule is 6 years. In other words, even if nobody appeals the final 10(j) rule, this bill delays restoration of wolves to Colorado until 2029. In fact, it could delay efforts even longer, if litigants wait until toward the end of that six-year period to file and begin legal proceedings that could take two years or more.

Colorado voters approved a measure to restore endangered wolves

When Colorado voters passed Prop. 114, wolves were federally protected under the ESA. The Trump administration did remove these protections (publishing their final rule on election day 2020, with the delisting taking effect on Jan. 4, 2021), but a federal court overturned this decision and restored protections for wolves on Feb. 10, 2022.

SB 256 contradicts Colorado voters and state law, which requires the restoration process to begin by Dec. 31, 2023.

For more information, please contact Aubyn Royall at aroyall@humanesociety.org.

Photo by: Don Getty