

Gray Wolf Proposed Delisting Questions and Answers

What action is the U.S. Fish and Wildlife Service taking?

The U.S. Fish and Wildlife Service has evaluated the classification status of gray wolves (*Canis lupis*) currently listed in the contiguous United States and Mexico under the Endangered Species Act (ESA) and is proposing to delist the species due to recovery. This proposal is specific to gray wolf and does not include the separate listing of the Mexican wolf (*Canis lupus baileyi*) as endangered under the ESA. Recovery of the gray wolf under the ESA is one of our nation's great conservation successes, with the wolf joining species such as the bald eagle, peregrine falcon, American alligator and brown pelican that have been brought back from the brink with the help of the ESA.

How were gray wolves recovered?

This remarkable [recovery success](#) has been achieved as a result of more than 45 years of collaboration and partnerships with states, tribes, conservation organizations, private landowners, and other federal partners. Many of our state and tribal partners in areas where the wolf is already delisted continue to demonstrate their ability to effectively manage their wolf populations. The regulatory mechanisms put in place by these partners will continue to benefit gray wolves and ensure the long-term survival of the species.

The ESA does not require wolves to be present throughout all of its former range, or for populations to be at historic levels for delisting to occur. The measure under the ESA is whether wolves are in danger of extinction or at risk of becoming so in the foreseeable future throughout all or a significant portion of its range. By any scientific measure, gray wolves no longer meet the ESA's standard for protection and so should be delisted.

[Under the ESA](#), if we determine that a species is no longer threatened or endangered throughout all or a significant portion of its range, the Service must publish in the *Federal Register* a proposed rule to remove the species from the Lists of Endangered and Threatened Wildlife and Plants in title 50 of the Code of Federal Regulations (50 CFR 17.11 and 17.12). We also must make a final determination on our proposal within one year thereafter.

What is the range of gray wolves?

Gray wolves were extirpated from most of the lower 48 United States by the middle of the 20th century, with the exception of northern Minnesota and Isle Royale in Michigan. Subsequently, wolves from Canada occasionally dispersed south and successfully began recolonizing northwest Montana in 1986. In 1995 and 1996, 66 wolves from southwestern Canada were reintroduced into Yellowstone National Park and central Idaho.

Today, the vast majority of wolves in the lower 48 exist as two large, stable or growing populations totaling more than 6,000 individuals that are broadly distributed across the northern portions of three states in the Great Lakes area and all or portions of five states in the northern Rocky Mountains.

The population in Michigan, Wisconsin and Minnesota is about 4,400 strong, with the Northern Rocky Mountains population (Montana, Idaho, Wyoming, eastern Oregon and Washington and north-central Utah) standing at around 1,700. There are further 12,000-14,000 wolves in eastern Canada and 15,000 in western Canada, each of which is connected to the adjacent gray wolf population in the US. Wolves have also begun to expand into northern California and western Oregon and western Washington.

In listed western OR, western WA, and northern CA there are three documented breeding pairs and four packs (note: because of effective documented dispersal, wolves in the Pacific coast States are an extension of the metapopulation of wolves in western Canada and the northern Rocky Mountains)

Lone long-distance dispersing wolves have been reported from the listed states of North Dakota, South Dakota, Utah, Colorado, Nevada, Missouri, Indiana, Illinois, Nebraska, and Kansas. The total number of confirmed records in each of these States, since the early 2000s, ranges from one in Nevada to at least 27 in North Dakota.

What is the history of gray wolves under the ESA?

Federal protections were first established for two subspecies of wolves under the [Endangered Species List in 1967](#) the red wolf (*Canis niger*) and the eastern timber wolf (*Canis lupus lycaon*).

This List was published on March 11, 1967, under the Endangered Species Preservation Act of 1966 – the first piece of federal legislation that would allow native species of fish and wildlife, at risk of extinction, to be formally protected within their range. This eventually became the Endangered Species Act of 1973.

In 1978, the Service published a rule reclassifying the gray wolf as an endangered population at the taxonomic species level (*C. lupus*) throughout the contiguous United States and Mexico, except for the Minnesota gray wolf population, which was classified as threatened. We continue to recognize the red wolf as the species *C. rufus*, and note that it is listed as endangered where found. We do not consider red wolves further in this rule, and the red wolf listing is not affected by this proposal.

At the time of listing under the ESA, where did wolves remain and how many were there?

Excluding Alaska, wolves occurred in only two places in the entire lower 48 United States. A population persisted in northeastern Minnesota, and a small, isolated group of about 40 wolves occurred on Isle Royale, Michigan. The Minnesota wolf population was the only major U.S. population in existence outside Alaska at this time and numbered about 1,000 individuals.

While the Minnesota population was small compared to historical numbers and range within the lower 48 United States, it had not undergone a significant decline since about 1900. By 1978, when several gray wolf subspecies were consolidated into a single lower 48 United States/Mexico listing and a separate Minnesota listing under the ESA, the gray wolf population in Minnesota had increased to an estimated 1,235 wolves.

What is the current legal status of gray wolves?

Excluding the Mexican wolf, and as a result of court orders, gray wolves in the lower 48 states are legally divided into several entities: gray wolves are listed as threatened in Minnesota, and as endangered throughout the remainder of the United States and Mexico outside of the Northern Rocky Mountains (Montana, Idaho, Wyoming, eastern Washington and Oregon, and north-central Utah). Gray wolves in the Northern Rocky Mountains were delisted from the ESA in 2011 and 2012 respectively.

The proposed rule is specific to gray wolf and does not include the separate listings of the [Mexican wolf](#) subspecies and the [red wolf](#) species. The rule only addresses gray wolves where they are currently listed. The rule does not address wolves in the Northern Rocky Mountains, which are already delisted due to recovery and remain under state management.

How do I comment on the proposed rule?

We will accept comments received or postmarked 60 days on or before May 14, 2019. We must receive requests for public hearings, in writing, 45 days on or before by April 29, 2019. You may submit comments by one of the following methods:

- Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter Docket No. FWS–HQ–ES–2018–0097, which is the docket number for this rulemaking.
- By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: Docket No. FWS–HQ–ES–2018–0097; U.S. Fish & Wildlife Service Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us. Please include sufficient information with your submission (such as scientific journal articles or other publications) to allow us to verify any scientific or commercial information you include.

What is this proposal based on?

The proposal to delist gray wolves is based on sound science, a thorough analysis of threats and how they have been alleviated, and the ongoing commitment and proven track record of states and tribes to manage for healthy wolf populations once delisted. In making this proposal, the Service analyzed a number of factors, including habitat and prey availability, gray wolf adaptability, recovery activities and post-delisting regulatory mechanisms, and predictions about how these may affect wolves in the future.

The finding of our review was clear – the gray wolf has recovered by any and all measures required under the ESA. Gray wolves are no longer in danger of extinction or at risk of becoming so in the foreseeable future throughout all or a significant portion of the species' range. Once the science indicates a species has recovered, it is the obligation of the Service to delist it and return management authority to the states so that we can focus our limited resources on those species that still require conservation attention.

What became of the 2013 delisting proposal and why?

The 2013 proposal has been replaced by the Service's March 15, 2019, proposal.

Because the 2013 proposal to delist the remaining listed portions of the gray wolf in the United States and Mexico relied in part on two subsequently vacated final rules, the 2011 Western Great Lakes Distinct Population Segment (DPS) rule as well as our 2012 rule delisting gray wolves in Wyoming, in 2015, the Service only finalized the portion of the rule listing the Mexican wolf as an endangered subspecies. In 2017, the D.C. Circuit reversed the district court's decision and reinstated the delisting of gray wolves in Wyoming. Thus, wolves are currently delisted in the entire northern Rocky Mountains area.

How is this rule different from the 2013 proposed rule?

This proposed rule assesses the best available information regarding the status of and threats to the species, and replaces the Service's June 13, 2013, proposed rule to delist the gray wolf in the lower 48 United States and Mexico (78 FR 35664).

As this proposal replaces our June 13, 2013, proposal to delist gray wolves in the lower 48 United States and Mexico (78 FR 35664), we ask that any comments previously submitted that are relevant to the status of wolves currently listed in the contiguous United States and Mexico, as analyzed in this rule, be resubmitted at this time. Comments must be submitted during the comment period for this proposed rule to be considered.

The Service's 2013 proposed rule did not assess the status of wolves in the Western Great Lakes or the Northern Rocky Mountains area because at that time both populations were delisted due to recovery. The 2013 rule proposed to remove all additional wolves from ESA protection in the remainder of their range with the exception of those in the Desert Southwest, which were reclassified in a separate listing as a subspecies of gray wolf – the Mexican wolf.

In this proposed rule, we consider the status of the gray wolf within the geographic boundaries of the two currently listed *C. lupus* entities to determine whether these wolves should remain on the List in their current status, be reclassified, or be removed from the List. These two currently listed entities are: (1) *C. lupus* in Minnesota, and (2) *C. lupus* in the lower 48 United States and Mexico outside of Minnesota, the Northern Rocky Mountain DPS (Montana, Idaho, Wyoming, eastern third of Washington and Oregon, and north-central Utah), and the area covered by the experimental population area for *C. l. baileyi* (the designated area in which the subspecies is being re-introduced; see 63 FR 1752, January 12, 1998). These two entities are currently listed as threatened and endangered, respectively.

What will happen if gray wolf population numbers decrease?

The Service has agreements from several states to manage wolf populations at sustainable levels, so we are confident that gray wolf numbers will remain strong. If the delisting proposal is finalized, we would continue to monitor the delisted wolf populations for the statutory five years to ensure they continue to sustain their numbers. Although we do not expect it will ever be necessary, as with all recovered species, we may consider relisting, and even emergency relisting, if such an action is warranted.

Will delisting mean wolf populations will be decimated by hunting?

No. State and tribal wildlife agencies have a long track record of successfully managing wildlife in their states, including deer, elk, wild turkeys and many other game and non-game species. States with recovered populations (MT, ID, WY, MN, MI, WI) will continue to manage wolves according to their Service approved gray wolf management plans. States in which gray wolves are currently recolonizing, Washington Oregon and California, also have management plans that support wolf reestablishment in their states.

As with many species of wildlife, hunting is an accepted and successful wildlife management tool that helps to reduce conflicts with humans, maintain stable populations, generate public support and benefits all wildlife thanks to habitat improvements made possible by revenue collected from hunters. The Service is confident in the ability of state and tribal wildlife agencies to successfully manage wolf populations. Although we do not expect it will ever be necessary, we could consider relisting, and even emergency relisting wolves, if such an action were warranted.

The ESA is not designed to permanently protect individual animals from hunting or other active management. The purpose of the ESA is to prevent the extinction of imperiled species and to recover

them. Once the threshold of recovery has been met, we can -- and must -- return their management to state and tribal wildlife agencies.

Why was the wolf reclassified in 1978 and what was the result of that action?

When the gray wolf (*C. lupus*) was reclassified in March 1978 (replacing multiple subspecies listings with two *C. lupus* population listings), it had been extirpated from much of its historical range in the contiguous United States. The 1978 reclassification was employed as an approach of convenience to ensure the gray wolf was protected wherever it was found in the lower 48 states and Mexico, rather than an indication of where gray wolves actually existed or where gray wolf recovery would occur.

The 1978 reclassification resulted in inclusion of large areas of the contiguous United States where gray wolves were extirpated, as well as the mid-Atlantic and southeastern United States – west to central Texas and Oklahoma – an area that is generally accepted not to be within the historical range of *C. lupus*.

While this generalized approach to the listing appropriately protected dispersing wolves throughout the historical range of *C. lupus* in the United States and Mexico and facilitated recovery of the northern Rocky Mountains and western Great Lakes populations, it also erroneously included areas outside the species' historical range and was misread by some members of the public as an expression of a larger gray wolf recovery effort not required by the ESA and never intended by the Service.

Does the Service plan to continue offering funding for prevention of wolf-livestock conflict and reimbursing for depredated livestock?

The Service currently administers the Wolf-Livestock Loss Demonstration Program, which gives grants to states and tribes for proactive efforts to reduce wolf-livestock conflict as well as to compensate for confirmed wolf depredation. The Service has proposed other programs that are better suited to deliver this funding, such as the USDA's livestock indemnity program. Additionally, funding for recovery of listed species is limited and this program takes valuable resources that could be otherwise used to conserve species in need of the ESA protections.

Where can I find more information?

Detailed background information on gray wolves in the United States can be found in a separate Gray Wolf Biological Report (see USFWS 2018, entire). This document can be found along with this proposed rule at <http://www.regulations.gov> in Docket No. FWS–HW–ES–2018–0097 (see Supplemental Documents). We summarize relevant information from this report below. For additional information, including sources of the information presented below, see USFWS (2018, entire) and references therein.

More information is available online at: <https://www.fws.gov/home/wolfrecovery/>.