

## Questions and Answers

### **Final Rule to Establish and Delist Gray Wolf – Northern Rocky Mountain Distinct Population Segment from the Federal List of Threatened and Endangered Species**

The wolf population in the northern Rocky Mountains (NRM) has exceeded its numerical, distributional, and temporal recovery goals every year since 2002. Therefore, with this final rule the U.S. Fish and Wildlife Service (Service) establishes a northern Rocky Mountains Distinct Population Segment (DPS) of the United States that includes all of Montana Idaho, and Wyoming, the eastern third of Washington and Oregon, and a small corner of north-central Utah. In addition, this rule removes this DPS, except the State of Wyoming, from the List of Endangered and Threatened Wildlife.

The only threat to the future conservation of wolves is excessive levels of human-caused mortality. The threats to the wolf population in the northern Rocky Mountain DPS in Idaho and Montana have been reduced or eliminated as evidenced by the adequate regulatory mechanisms outlined by these states. The Service will continue to manage wolves in Wyoming until the State revises its state regulatory framework so that wolves can also be delisted in Wyoming.

#### **1) Why is delisting in Idaho and Montana occurring at this time?**

**Answer:** In late 2002, the wolf population achieved its recovery goal of at least 30 breeding pairs and more than 300 wolves well distributed among Montana, Idaho, and Wyoming for at least three consecutive years. It has exceeded it every year since. In December 2007, the wolf population in Montana, Idaho, and Wyoming was estimated to contain 107 breeding pairs and 1,513 wolves and it appears to be around the same level in 2008. Montana will manage for about 400 wolves, Idaho about 500 and Service and National Park Service management in Wyoming will maintain about 300 wolves in Wyoming. All threats to the wolf population, except for the absence of an adequate regulatory mechanism in the State of Wyoming have been resolved. Wolves in Wyoming will still be protected under the ESA.

#### **2) What does Wyoming have to do to have wolves in that state removed from the protection of the ESA?**

**Answer:** Wyoming needs to put in place an adequate regulatory mechanism to ensure continued recovery of the gray wolf in Wyoming, including maintaining the minimum numbers of wolves and breeding pairs, and facilitating adequate demographic and genetic connectivity with Montana and Idaho. This will allow Wyoming to continue to maintain and share, with the other northern Rocky Mountain States, a recovered wolf population.

#### **3) Does this mean the U.S. Fish & Wildlife Service will require wolf packs to be maintained throughout all the states of Montana, Idaho, and Wyoming?**

**Answer:** Montana and Idaho committed to manage for over 15 breeding pairs and 150 wolves per state and intend to manage for about 400 wolves in Montana and 500 in Idaho. Many parts of Montana, Idaho and Wyoming which once contained historic wolf habitat have been so modified by human use that they can no longer support wolf packs. The state fish and game agencies will regulate human-caused mortality so that in many parts of those states wolf packs will never form. The Service fully recognizes that wolf packs cannot occupy their entire historic range, and supports limiting wolf pack distribution to suitable habitat as long as recovery is not threatened. However, wolf populations also depend on lone wolves that disperse from long distances to maintain demographic and genetic diversity throughout the NRM. State management must also maintain opportunities for natural dispersal and genetic exchange even though habitat that might be unsuitable to support resident packs. There are currently about 1,500 wolves in Montana, Idaho, and Wyoming. The Service believes that with approved state management plans in place in Montana and Idaho, and Service management of wolves in Wyoming, all threats to the wolf population will be sufficiently reduced or eliminated throughout the northern Rocky Mountains

**4) How many wolves must the states manage for after delisted?**

**Answer:** Montana and Idaho have committed to manage for at least 15 breeding pairs and 150 wolves in mid-winter, so the NRM wolf population never falls below 30 breeding pairs and 300 wolves. If the wolf population ever dropped below that level, wolves could be relisted under the Service's emergency listing authorities. However, state and federal targets will result in over 1,000 wolves being in the NRM wolf population in midwinter, resulting from a target population level in Montana of 400 wolves, 500 wolves in Idaho, and Service management resulting in about 300 wolves in Wyoming.

**5) What happens to wolves outside the NRM wolf DPS after delisted?**

**Answer:** This proposal will not affect any wolves outside of the northern Rocky Mountain wolf DPS. Wolves are listed by their location. Therefore, any wolf outside the northern Rocky Mountain wolf DPS would remain listed as they are currently. For example, if a wolf was found in Colorado, it would still be listed as endangered.

**6) Who makes the final decision whether Wyoming's regulatory framework is adequate?**

**Answer:** The Director of the U.S. Fish and Wildlife Service makes the final decision based on requirements of the ESA.

**7) Is there any federal oversight when wolves are delisted?**

**Answer:** Some, but it is very limited. Once a species is delisted the states or respective tribes have sole management responsibility. But, the ESA has many safeguards to ensure that states will maintain a recovered wolf population for the foreseeable future. For example, the Act mandates monitoring of the wolf population for at least 5 years after delisting to ensure it remains above recovery levels and any threats do not return to a level that would jeopardize the wolf population. Annual reports and our analysis of these

reports will be posted on our website during that period. In addition, should the wolf population become threatened or endangered again it could be relisted.

**8) What is tribal involvement after wolves are delisted?**

**Answer:** The Nez Perce Tribe led wolf management efforts in Idaho under a cooperative agreement with the Service from 1995 to 2005 and did an outstanding job. The Tribe and the state of Idaho signed a cooperative agreement in 2005 to maintain the Tribe's involvement in wolf management. The Wind River Tribe prepared a wolf management plan for tribal lands that was approved in 2007. The Blackfeet tribe completed a plan in 2008. Tribes will have sole management responsibility on tribal lands after wolves are delisted, except for in Wyoming where, to ensure consistent management, the Act's protections will remain. The states and tribes will address any tribal treaty right issues on public lands, such as harvest, just as they currently do for other resident wildlife species.

**9) How will livestock and wolf conflicts be handled when wolves are delisted?**

**Answer:** The Service, tribes, and state fish and game agencies in Montana and Idaho and USDA Wildlife Services currently work together to investigate and respond to reports of suspected wolf damage to livestock. The states and tribes have also signed cooperative management agreements with USDA Wildlife Services to assist them with wolf management. If wolves are delisted, the states and tribes will continue working with USDA to investigate and manage wolf/livestock conflict. The states have laws, very similar to the experimental population regulations, to protect private property from damage caused by wildlife. Under those laws, landowners and grazing permittees will be able to shoot wolves attacking or molesting their domestic animals, just as they were able to do in the experimental population areas when wolves were listed and just as they can now shoot resident black bears or mountain lions seen attacking or harassing their livestock. The Service will continue to manage all wolf conflicts in Wyoming, outside of the Wind River Reservation.

**10) Will delisting the northern Rocky Mountain wolf DPS mean that wolves can be hunted?**

**Answer:** Wolves will always be fully protected in National Parks, such as Yellowstone and Glacier. However, when wolf populations are above 15 breeding pairs in Montana and 20 breeding pairs in Idaho, the state fish and game agencies will conduct regulated public hunting seasons to help manage wolf numbers and pack distribution. The states indicate they intend to manage for around 400 wolves in Montana and 500 in Idaho. The Service fully supports regulated public harvest programs as important tools to help manage wildlife populations. Hunting will not be permitted in Wyoming as long as wolves are protected by the ESA.

**11) Can the states manage wolves?**

**Answer:** Yes. Wolf recovery was made possible because the state fish and wildlife agencies and sportsmen restored wolf prey, including elk, deer and moose. The states have professional fish and wildlife organizations with hundreds of employees, including biologists, wardens, researchers, educators, and managers who have done an incredible

job of restoring and managing wildlife in their states. The States of Montana and Idaho have been managing wolves in their states since 2004 under cooperative agreements with the Service and have done an outstanding job. The Service is confident they will do the same for wolves once they are delisted. In the unlikely event that the States fail to manage wolves under the terms of the management plans, the U.S. Fish and Wildlife Service would relist wolves under the ESA.

**12) Who is paying for all of this?**

**Answer:** While listed under the ESA, the federal government has paid most of the costs of wolf restoration and management from its annual appropriations from Congress for endangered species recovery. In 2007, about \$2.4 million was spent on wolf management in the Northern Rockies, mostly for cooperative agreements with the states of Idaho and Montana. A total of about \$30 million has been spent since wolves were first listed under the ESA in 1974. Once wolves are delisted, states will begin to fund some of the cost of wolf management through other funding sources, including other types of federal funding.

**13) Who will pay livestock compensation when wolves are delisted?**

**Answer:** Since 1987, Defenders of Wildlife, a non-governmental organization, has paid over \$1,000,000 for livestock and herding and guarding animals killed by wolves in the northern Rocky Mountains. However, it is uncertain if this private compensation program will continue if wolves are delisted. Therefore, the states of Montana and Idaho, as well as adjacent states anticipate state-administered compensation programs will complement or take the place of the Defenders program after delisting. Beginning in 2008, the States of Montana and Wyoming started paying for some wolf damage.

**14) How would the states that have portions of their states outside the proposed DPS be affected?**

**Answer:** Wolves outside the DPS will remain listed as endangered. If control actions were needed, the Service could use its authorities to address conflicts, including lethal and nonlethal control of problem wolves.

**15) Did those States in the proposed delisting area all need to have Service-approved wolf management plans before delisting can occur?**

**Answer:** No. The significant portion of the range for the northern Rocky Mountain population of gray wolves is only in Montana, Idaho and Wyoming. Service-approved wolf management plans are needed only for these three states.

**16) How long could it be before the northern Rocky Mountain wolf population is delisted?**

**Answer:** The final rule is scheduled to become effective 30 days after publication in the Federal Register.

**17) Will there be litigation over this action?**

**Answer:** Wolf issues are so symbolic and emotional that no matter what the final decision, legal action, often from both sides, is almost guaranteed.

**18) Will the Service let states shoot as many wolves as they want?**

The Service's responsibility is to recover a species and then ensure it will not become threatened again. Just as states manage other resident wildlife—such as black bears or elk—they will decide how many wolves above the minimum recovery levels they will manage. At this time Montana will manage for about 400 wolves and Idaho about 500. In Wyoming continued management by the Service will result in more than 300 wolves. In the highly unlikely event that wolf populations stayed below minimum state recovery levels (15 breeding pairs and 150 wolves per state), they could be relisted.