

# Colorado Gray Wolf 10(j) Rulemaking EIS

Summer 2022

Fish and Wildlife Service  
U.S. Department of the Interior



## YOU'RE INVITED!

Dear friend,

Thank you for your interest in the planning process for management of gray wolves in Colorado. In response to a request from Colorado Parks and Wildlife (CPW) for increased management flexibility, the U.S. Fish and Wildlife Service (the Service) has published a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Colorado Gray Wolf 10(j) Rulemaking. The Service is proposing this rulemaking to develop a 10(j) rule under the Endangered Species Act (ESA) that would provide the state its requested management flexibility for reintroduced wolves, while reducing potential conflicts between wolves, livestock producers, and other stakeholders and increasing the likelihood that the reintroduction effort is successful.

CPW is continuing public outreach efforts during development of the state's wolf restoration and management plan, which will focus on the logistics of the reintroduction and management of the gray wolf.

Sincerely,

**Nicole Alt**

Colorado Ecological Services Supervisor  
U.S. Fish and Wildlife Service





# BACKGROUND INFORMATION

## Gray Wolves in Colorado

Historically, gray wolves occurred across Colorado in all the state's major habitat types, preying on native ungulate species such as bison, elk, and deer. When overhunting from European settlers reduced these ungulate populations, wolves increasingly began to prey on domestic livestock. Unregulated hunting and trapping, as well as the widespread use of poisons, resulted in the eradication of gray wolves across Colorado and most of the species' historical range in the lower 48 states by the early to mid-1900s. The last known wolf in Colorado at this time was killed in Conejos County in 1945.

In 1995 and 1996, gray wolves were reintroduced in the Northern Rocky Mountains region under the Service's regional wolf recovery program. For a complete history of the regulatory management of wolves in the lower 48 states through 2018, please see the Service's 2020 final delisting rule, published in the Federal Register [85 FR 69778]. As this population has recovered, dispersing wolves have been documented in Colorado. Most of these dispersing wolves have been confirmed through limited sightings, and there are no indications that they have remained in the state until recently. In 2021, the first wildborn pups were documented in Colorado. As of the end of 2021, there was one documented pack in Colorado. Visual sightings note between six to seven wolves in that pack, and there is no evidence of breeding in 2022.

## Colorado Restoration and Management Plan

On November 3, 2020, Proposition 114, now codified as Colorado Statute 33-2-105.8, was approved by Colorado voters. The statute requires the CPW Commission to develop a plan to restore and manage gray wolves and take the steps necessary to reintroduce gray wolves no later than December 31, 2023. The statute also requires CPW to assist livestock producers in preventing and resolving wolf conflicts with livestock. The status of gray wolves in Colorado under the ESA is currently endangered, and they are federally protected throughout the state. Following the adoption of Colorado Statute 33-2-105.8, CPW requested that the Service develop a 10(j) rule under the ESA to provide flexibility in the state's management of the species.

While reintroduction programs for species listed under the ESA typically are led by the federal government, Colorado Statute 33-2-105.8 is unique in that the reintroduction and management effort for gray wolves is citizen-directed and state-led. While this effort is not led by the Service, the Service has the authority to designate a population as an experimental population under section 10(j) of the ESA if it will be released into suitable natural habitat outside the species' current range (but within its probable historic range). A section 10(j) designated population of an endangered species is treated as a threatened or candidate species under the ESA, which allows the Service to enact management restrictions, protective measures, or other special management considerations for the population that provides for management flexibility for the reintroduced population.

In response to the request by CPW, the Service is evaluating establishing an experimental population or permit consistent with section 10 of the ESA to assist the State of Colorado in the reintroduction and management of gray wolves in part of the species' historical range in Colorado. The rule or permit would address components of the gray wolf restoration and management plan developed by the State of Colorado.

