

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

**IMPORTANT NOTE: the delisting of the northern Rocky Mountain gray wolf
population becomes effective 30 days after the publication of the final rule in the
*Federal Register***

February 21, 2008

The wolf population in the northern Rocky Mountains (NRM) has exceeded its numerical, distributional, and temporal recovery goals every year since 2002. The states of Montana, Idaho and Wyoming have made strong commitments to maintain wolf populations well above minimum recovery levels, likely managing the population between 900-1250 wolves. Therefore, the U.S. Fish and Wildlife Service is designating a northern Rocky Mountain wolf Distinct Population Segment (DPS) that will include all of Montana Idaho, and Wyoming, the eastern third of Washington and Oregon, and a small corner of north-central Utah. This wolf population will be removed from the protection of the Endangered Species Act.

Threats to the wolf population in the northern Rocky Mountain DPS have been eliminated, as evidenced by the population's healthy annual growth and the written commitments for future wolf conservation made by Montana, Idaho, and Wyoming. The Service will remove the entire DPS from the federal list of threatened and endangered species. This final delisting action for the northern Rocky Mountain population will not affect the status of wolves in any other part of the United States.

Why is Endangered Species Act protection no longer needed?

The NRM wolf population no longer meets the legal requirements to remain listed under the Endangered Species Act (Act). 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. At that time there were an estimated 663 wolves in 49 breeding pairs. The recovery goal has been exceeded every year since, and threats to the species have been addressed. Currently, the wolf population in Montana, Idaho, and Wyoming exceeds 100 breeding pairs and 1,500 wolves.

Does Wyoming now have an approved state law and wolf management plan?

Yes, Wyoming state law was changed to give Wyoming Game and Fish Department the legal authority to maintain the wolf population of at least 15 breeding pairs and at least 150 wolves in mid-winter, including maintaining at least 7 wolf breeding pairs in suitable habitat in northwestern Wyoming outside the national parks – consistent with the requirements of the Act. Service Director H. Dale Hall approved Wyoming's plan on December 15, 2007, conditional on it becoming fully effective under Wyoming State law, which should happen in March 2008. The plan must be in effect before the delisting rule becomes effective 30 days after its publication.

Does this mean the U.S. Fish & Wildlife Service will require wolf packs to be maintained throughout Montana, Idaho, and Wyoming?

No, the recovery goals only mandate that each state maintain a wolf population that never goes below 10 breeding pairs and 100 wolves per state, within the general area currently occupied by wolf packs (western and south-central Montana, central and northern Idaho, and northwestern Wyoming). However, those three states have each committed to maintain their wolf populations in excess of 15 breeding pairs and 150 wolves, and indicate they will likely maintain an overall NRM wolf population between 900-1250 wolves. The states have also committed to maintain the current overall distribution of wolves in the NRM. There are many parts of eastern Montana, southern Idaho and eastern Wyoming where once-historic wolf habitat has been so modified by human use that it can no longer support wolf packs. The Service fully recognizes that wolves cannot occupy their entire historic range and supports limiting wolf distribution to suitable habitat to reduce conflicts with people, as long as its recovered status is not threatened.

After the wolves in the northern Rocky Mountains are delisted, how many wolves must the States manage?

Montana, Idaho, and Wyoming have each committed to manage at least 15 breeding pairs and at least 150 wolves in mid-winter to provide a buffer to ensure that the NRM wolf population never falls below the mandated minimum level of 30 breeding pairs and 300 wolves (10 breeding pairs and 100 wolves per state). If the wolf population ever dropped below that level, the Service could take actions to protect wolves through the Service's emergency listing authority under the Endangered Species Act. Wyoming has committed to manage for at least 7 breeding pairs outside the national parks in Wyoming, regardless of how many wolves are in the national parks.

After delisting, what happens to wolves outside the NRM wolf DPS?

This action will not affect the status of any wolves outside of the northern Rocky Mountain wolf DPS. The status of wolves under the ESA is determined by their location. Therefore, any wolf outside the boundary of the northern Rocky Mountain wolf DPS would retain its current status. For example, if a wolf dispersed to Colorado, it would be listed as endangered. Should one wander into the western Great Lakes, it would continue to be managed by the states, because that population of gray wolves was delisted in 2007.

Who made the final decision to delist wolves?

Service Director H. Dale Hall made the decision, consistent with the Act's requirements.

After wolves are delisted, will there be any federal oversight?

Once a species is delisted a State or Tribe has sole management responsibility. The Act includes many safeguards to ensure that the wolf population will remain recovered for the foreseeable future. For example, the Act mandates the Service to monitor the wolf population for at least 5 years after delisting. This helps to ensure the population remains above recovery levels and emerging threats do not jeopardize the wolf population. Annual reports and the Service's analysis of these reports will be posted on the Service website during that period. Should the wolf population again become threatened or endangered, it could be protected under the ESA again.

After delisting, what are the roles and responsibilities of tribes?

Tribes manage all resident wildlife on tribal lands, so once wolves are delisted each tribe will manage all wolves on their tribal lands. Some tribes have also taken a management role on other lands. For example, the Nez Perce Tribe led a highly successful wolf management effort in Idaho administered under a cooperative agreement with the Service from 1995 to 2005. The Tribe and State of Idaho signed a cooperative agreement in 2005 to maintain the Tribe's involvement in wolf management. 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.

How will livestock and wolf conflicts be handled after wolves are delisted?

The Service, tribes, state fish and wildlife agencies in Montana, Idaho and Wyoming and USDA Wildlife Services currently work together to investigate and respond to reports of suspected wolf damage to livestock. The States and Tribes have signed cooperative management agreements with USDA Wildlife Services to assist them with wolf management. Once wolves are delisted, the States and Tribes will continue working with USDA to investigate and manage wolf/livestock conflict. The states have laws to protect private property from damage caused by wildlife. The State laws are similar to the federal experimental population regulations that were in effect while wolves were listed. Under those laws, landowners and grazing permittees will be able to shoot wolves attacking or molesting their domestic animals, just as they now can shoot resident black bears or mountain lions that are seen attacking or harassing their livestock.

Does delisting of the northern Rocky Mountain wolf DPS mean that wolves can be hunted?

Wolves can be hunted once the delisting takes effect, if states establish hunting seasons and related regulations designed to maintain the wolf population at agreed upon levels. The number of wolves killed by hunters would be tightly regulated to ensure the wolf population is never threatened. These states already have hunting seasons for many species of resident wildlife, including black bear, elk, deer, and moose. State-regulated sport hunting programs have a strong record of enhancing wildlife populations. When wolf populations are well above 15 breeding pairs per state, the State fish and wildlife agencies can propose public hunting seasons to help maintain wolf numbers and wolf pack distribution. The Service supports regulated public hunting programs as important tools to help manage and conserve recovered wildlife populations. Federal authority for maintaining wolf populations in national parks, such as Yellowstone and Glacier will remain.

Can the States manage wolves?

Yes. It is important to remember that state fish and wildlife agencies and sportsmen made wolf recovery possible by restoring wolf prey, including elk, deer and moose. The states also already manage healthy populations of other large predators such as mountain lions, black bears, and coyotes. They 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 they have done an outstanding job. The written commitments they have made in their state wolf management plans ensure that they will do the same for wolves once they are delisted. In the unlikely event that the states do not meet the terms of their management plans, the U.S. Fish and Wildlife Service can take action to again protect wolves under the Act.

Who is paying for all of this?

While listed under the Act, the federal government has paid most of the costs for wolf restoration and management through annual appropriations from Congress for endangered species recovery. In 2007, about \$3 million was spent on wolf management in the northern Rockies, mostly for cooperative agreements with the states of Idaho and Montana and Nez Perce Tribe. 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.

Who will pay livestock compensation after delisting?

Since 1987, a private group, the Defenders of Wildlife, has paid nearly \$900,000 for livestock and herding and guarding animals killed by wolves in the northern Rocky Mountains. However, it is uncertain if that private compensation program will continue when wolves are delisted. Therefore, the states of Montana, Idaho, and Wyoming, as well as adjacent states, anticipate that State-administered compensation programs for wolf damage will complement or take the place of the Defenders program after delisting.

How will the States that have portions of their States outside the proposed DPS boundary be affected?

Wolves outside the DPS boundaries of the Rocky Mountain and Western Great Lakes populations will remain listed as endangered. If control actions are needed, the Service has a number of options, including removing the problem wolf. Additionally, State management could involve nonlethal control of problem wolves and relocation.

Will other States in the West need to have Service-approved wolf management plans?

No. The significant portion of the range for the northern Rocky Mountain population of gray wolves is Montana, Idaho and Wyoming. Service-approved wolf management plans are needed only for those states to ensure the wolf population will remain recovered.

How many wolves will states be allowed to shoot?

The Service has no legal authority over a delisted wolf population. 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 for through regulated public hunting programs which often include mandatory hunting licenses, permits, reporting, and seasons and bag limits. In the event that wolf populations ever fell below those levels, they could be protected again under the ESA.

Who should be the point of contact regarding wolf issues after they are delisted?

Wolves in national parks will remain under the management authority of the National Park Service. On national wildlife refuges, the individual refuge should be contacted, unless a prior arrangement has been made with the state fish and wildlife agency to allow wolf hunting on that refuge. On tribal lands the Tribes have management authority, and they should be contacted. On other lands, where wildlife is typically managed by the respective State fish and wildlife agency, (including federal lands such as those administered by the U.S. Forest Service or BLM) the states should be contacted. There will be no federal regulations and no specific federal authority for wolf management within the boundaries of the DPS.

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