



A Summary of the Final Rule to Reclassify the Gray Wolf March 2003

Since first listed under the Endangered Species Act (ESA) in 1974, recovery programs have helped gray wolf populations rebound from the lows experienced during the mid-1900s. Today, wolf recovery has almost been achieved in the Eastern United States. In the West, reintroduced gray wolves in Wyoming and Idaho complement a naturally recovering population in northwestern Montana.

As a result of these successes, we (the U.S. Fish and Wildlife Service) changed the ESA designation of the gray wolf in most of the 48 states to reflect the species' current population status. We proposed the change in July 2000, and have now finalized it, but in a form modified from the original proposal. Our final decision does not affect gray wolves in Alaska or Canada, or the red wolf, a separate species found in the Southeast. The following is a summary of that final decision.

Establishing Separate Listings for Each Recovery Program

We operate three separate recovery programs for the gray wolf; each has its own recovery plan and recovery goals based on the unique characteristics and limitations of its geographic area. These three recovery programs have progressed at different speeds and have achieved different degrees of success. It is no longer appropriate to classify all of these wolf populations as "endangered" because two of them are no longer on the brink of extinction. The ESA provides that species can be reclassified from endangered to threatened as they approach recovery and the strictest protections are no longer necessary or appropriate.

Formerly, the gray wolf was listed as endangered across the 48 states and Mexico, except in Minnesota where it was listed as threatened. This final decision replaces that listing with three separate smaller listings. Those listings have been designated as Distinct Population Segments (DPSs) under the Endangered Species Act. In total, the three DPSs cover all the area that we believe was historically occupied by the gray wolf. Each DPS contains one of our gray wolf recovery programs in its core, as well as an adjacent area where wolves are not currently found, except possibly as occasional dispersing individuals. The protection given to each of these areas varies with the health of the wolf population there.

The **Eastern Gray Wolf DPS** encompasses the historical range of the gray wolf from the Great Plains to the Atlantic Coast. Due to the successful gray wolf recovery in Minnesota, Wisconsin, and Michigan, this DPS is now classified as **threatened**.

The **Western Gray Wolf DPS** primarily includes the Rocky Mountains and the Pacific coastal states. In the Northern U.S. Rockies, wolf recovery efforts have also been successful to the point that we have reclassified this DPS to **threatened**.

The **Southwestern Gray Wolf DPS** includes Arizona and New Mexico, southern Colorado and southern Utah, western Oklahoma, western Texas, and Mexico. Our efforts to reintroduce Mexican gray wolves in the southwest are still in the early stage. Wolf numbers are low, threats appear relatively high, and recovery is many years in the future. Therefore, the Southwestern DPS retains a classification of **endangered**. The special regulation for the nonessential experimental population designation for wolves in parts of Arizona, Mexico and Texas is unchanged by this final rule.

The Southeastern and Mid-Atlantic portions of the U.S. are outside of the historical range of the gray wolf. Although these areas were included in the 1978 listing of the gray wolf, their inclusion was in error. These areas are now “**delisted**” – they are no longer included in any of the ESA’s protections for the gray wolf. However, the red wolf, a separate wolf species, is still listed as endangered in the Southeast and is not affected by any of these changes.

Maintaining the Nonessential Experimental Population Designations in the Northern Rockies

In 1994, we finalized special regulations under section 10(j) of the Act to designate two areas in the northern U.S. Rocky Mountains as “nonessential experimental populations” (NEP) to use these areas for reintroducing gray wolves. (“Nonessential” refers to our determination that these populations are not essential to the survival of the gray wolf.) These areas include all of Wyoming, most of Idaho, and the southern half of Montana. The NEP designations, as well as the special regulations that apply to the two NEPs, are not affected by this final rule, and they will continue to apply to gray wolves in the NEPs. (For more information on Experimental Populations, see the fact sheet entitled *Little-Known But Important Features of the Endangered Species Act*.)

Special Regulations for the Western DPS and the Eastern DPS

The ESA provides for threatened species to receive less Federal protection than endangered species, if that is appropriate for their continued recovery. Because threatened species generally are more numerous, protection efforts may focus more on ensuring the continued growth of the population, rather than on preserving every individual. Section 4(d) of the ESA allows us to modify protections for threatened species so that we can better address their unique conservation needs.

In the case of the gray wolf, one of those unique needs is to reduce the conflicts that arise between wolves and people who own domestic animals including pets and livestock. Due to differences in livestock raising practices across wolf range, we have developed two different

special regulations under section 4(d) to reduce wolf-domestic animal conflicts without unnecessarily impacting continued wolf recovery.

The special regulation for **most of the Eastern DPS** focuses on removing wolves that have been verified as having attacked or killed domestic animals. It provides States and Tribes with the authority to kill such wolves without the need to obtain a Federal permit. This part of the special regulation is very similar to the regulation that has authorized lethal control of depredating wolves in Minnesota since 1978. The new special regulation also provides Tribes with the authority to salvage dead wolves for religious and other traditional cultural uses without a Federal permit. This new regulation applies to the part of the Eastern DPS that is west of Pennsylvania; however, it does not include Minnesota (see next section).

The new special regulation for the **Western DPS** is very similar to the regulations that continue to cover the nonessential experimental population areas in Idaho, Montana, and Wyoming. It allows a variety of methods to reduce wolf-domestic animal conflicts, depending on the severity and frequency of the conflicts, and whether they occur on private or public land. Many of these methods are now available to livestock and dog owners. Other methods can be carried out by the Service or by other Federal, State, or Tribal agencies that we designate for such purposes.

Because these two new special regulations are closely based on the existing special regulations that have been successfully used for Minnesota wolves and wolves within the northern Rockies NEPs, we expect them to reduce wolf-domestic animal conflicts while allowing core wolf populations to continue to increase.

No Changes for Minnesota Wolves or for Critical Habitat in Minnesota and Michigan

Gray wolves in Minnesota were reclassified from endangered to threatened in 1978. At that time, we established a special regulation under section 4(d) of the ESA to allow lethal control of Minnesota wolves that have preyed on domestic animals. The special regulation applies to about 88 percent of the State. That special regulation has succeeded in reducing the impact of wolf recovery on livestock producers in Minnesota while allowing the State's wolf population to increase in numbers and expand its range.

This new final rule does not affect the previously established Federal protections afforded to gray wolves in Minnesota. Minnesota wolves remain threatened under the ESA; the Minnesota section 4(d) rule continues to be in effect; and the three areas designated as critical habitat in Minnesota (as well as the fourth critical habitat area on Isle Royale, Michigan) are unchanged.

No Changes for Gray Wolves in the Southwestern Distinct Population Segment

This final rule does not affect the status or management of gray wolves in the southwest. Gray wolves in the Southwestern DPS retain their endangered status and the nonessential experimental population area in Arizona, New Mexico, and a portion of Texas remains unchanged.

Changes From the Proposed Rule to this Final Rule

The final rule was modified from our original proposal (See Figure 1). The modifications are listed below.

- C Listing three instead of four DPSs - Our July 2000 proposal included four DPSs, while this final rule lists only three. We combined the proposed Western Great Lakes DPS and the proposed Northeastern DPS into a single Eastern DPS because there is no firm evidence that a wolf population exists in the Northeastern U.S. and there is now uncertainty about the identify of the wolf species that was historically found there.
 - The boundary between the Western DPS and the Southwestern DPS has been moved northward into Colorado and Utah to better reflect the possible movements of dispersing wolves from the Southwest and the Northern Rocky Mountains.
- C Reduction in the area that is delisted - The proposal recommended delisting in parts or all of 30 states, whereas the final rule delisted all or parts of 16 states. States that are outside the historical range were delisted, while all states within the historical range of the gray wolf are now included in one of the remaining listed areas.
- C The special regulation for the Western DPS covers California and Nevada; these states were proposed to be delisted, so the special regulation was not proposed to apply there.
- C The special regulation for the proposed Western Great Lakes DPS applies to most of the larger Eastern DPS. Specifically, those parts of the DPS west of Pennsylvania, and excluding Minnesota, are covered by the new special regulation.
- C Minor changes have been made to the conditions under which several aspects of the Western DPS special regulation can be applied.

Evaluating Future Changes in Federal Protection for Gray Wolves

When we consider placing a plant or animal on the endangered species list, we examine five factors that may be contributing to the species' imperilment: loss of habitat; overuse due to scientific or commercial factors; disease/predation; inadequacy of existing protections; and other human-caused or natural factors. We must evaluate these same five factors when making a decision to reclassify or delist a species. As the status of gray wolves in the Eastern DPS and/or Western DPS continues to improve in the future, we will consider delisting those wolves. And if wolves in the Southwestern DPS show significant progress toward recovery, we will review these five factors to determine if that DPS should be reclassified from endangered to threatened.

Additional Information

The U.S. Fish and Wildlife Service posts information about gray wolf populations on the Internet at <http://midwest.fws.gov/wolf>. Individuals or groups wishing to be placed on the Service's mailing list to obtain updates on the wolf's status can write to:

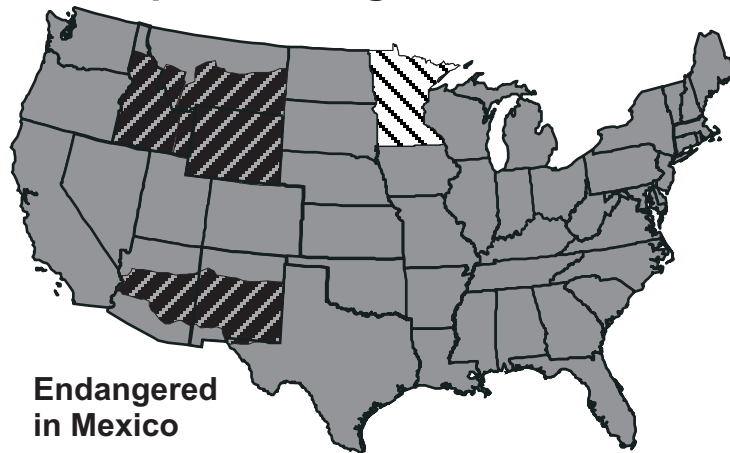
U.S. Fish and Wildlife Service
Gray Wolf Review
1 Federal Drive
Fort Snelling, MN 55111-4056

or use the GRAYWOLFMAIL@FWS.GOV address or call the Service's Gray Wolf Information Line at 612-713-7337.

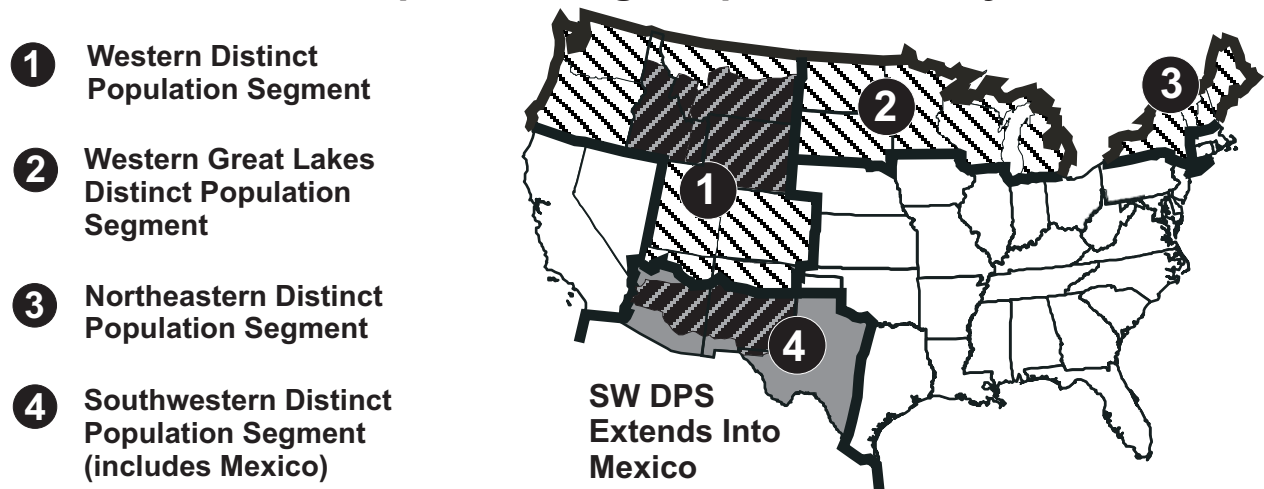
Figure 1. Maps illustrating the changes in status of the gray wolf under the Endangered Species Act.



Map 1 - Listing Prior to March 2003



Map 2 - Listing Proposed on July 13, 2000



Map 3 - Final Listing as of March 2003

