

Summary of the Western Gray Wolf DPS 4(d) Rule

which applies to gray wolves throughout the area designated as the Western Distinct Population Segment (WDPS) in Washington, Oregon, California, Nevada, Idaho north of Interstate 90, northern Montana, Utah north of U.S. 50, and Colorado north of Interstate 70. Actions within Wyoming, the southern portion of Montana, and Idaho south of Interstate 90 are regulated in accordance with the Experimental Populations Special Rules found at 50 CFR §17.84(i)

The reader is encouraged to refer to the full text of the regulations, found at 50 CFR 17.40(n) for the complete wording and reporting requirements for the Western Gray Wolf 4(d) rule.

Type of Action & where found in 50 CFR 17.40(n)	Examples	Conditions	Regulatory Authorization
lethal take of a wolf in immediate self defense or in defense of others - (3)(vi)	unlikely event that a wolf that is attacking a human being	must be reported within 24 hours and the wolf carcass must not be disturbed	Exempted through 4(d) Special Rule and does not require a permit, and is also generally permitted under 50 CFR 17.21(c) and 17.31(a)
proactive protection of human life and safety - (3)(vii)	wolf exhibited aggressive behavior, or previously fed by humans and frequenting campgrounds	Service, Federal land management agency, or State or tribal conservation agency, or their agents, may trap and place in captivity or kill any wolf determined to be a demonstrable but non-immediate threat to human life or safety. Would only occur at direction of the Service.	Exempted through 4(d) Special Rule and does not require a permit
noninjurious opportunistic harassment - (3)(i)	scaring a wolf by yelling, shooting your gun in the air, or driving your truck near it	must not result in injury to the wolf, and only occurs if the wolf presents itself, not pre-meditated. Must be reported to the Service within 7 days.	Exempted through 4(d) Special Rule and does not require a permit
non-lethal intentional harassment - (3)(ii)	shooting rubber bullets or bean bags at wolves that you tracked	after persistent wolf activity is confirmed; designed to be less than lethal, must receive training from the Service or other Service-authorized agencies	Requires a 10(a)(1)(A) permit from the Service

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killing wolves “in the act” on PRIVATE land (including State-owned and managed lands) - (3)(iii)(A)	shooting wolves that are “in the act” of biting, wounding or killing your livestock, herding or guard animals, or domestic dogs on your private lands	landowner shall provide evidence of animals wounded or killed by wolves in less than 24 hours, and Service confirms animals were wounded or killed by wolves.	Exempted through 4(d) Special Rule and does not require a permit
killing persistent problem wolves “in the act” on PUBLIC land - (3)(iv)	shooting wolves that are “in the act” of attacking your livestock, or herding or guard animals, on Federal lands; does NOT include attacks on dogs unless they are livestock herding or guarding dogs.	After the Service confirmed that wolves have previously wounded or killed livestock, and agency efforts to resolve problem have been terminated, we could issue permit to allow grazing allotment permittees to kill wolves in the act of attacking their livestock, or herding or guard animals on Federal lands.	Requires a 10(a)(1)(A) permit from the Service
Killing wolves on PRIVATE land for chronic wolf depredation - (3)(iii)(B)	shooting problem wolves on private land (shoot-on-sight)	The private property owner or adjacent private landowner has had at least two separate confirmed depredation events by wolves on livestock or dogs, and the Service has determined that wolves are routinely present and present a significant risk to their livestock.	Requires a 10(a)(1)(A) permit from the Service
Accidentally killing a wolf - (3)(ix)	unintentionally hitting a wolf with your car, trapping a wolf by mistake [NOTE: shooting a wolf because it was mistaken for another species is not considered accidental]	Must be accidental, and incidental, and reasonable due care was taken to avoid take, and reported in 24 hours	Exempted through 4(d) Special Rule and does not require a permit

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Capturing and moving wolves to reduce impacts on deer and elk- (3)(v)	State or tribal wildlife programs want to translocate wolves to reduce localized impacts to deer and elk populations	<p>Consistent with a Service-approved State or Tribe wolf management plan, and the Service determines the translocations will not inhibit wolf population growth toward recovery levels.</p> <p>Alternatively, if the State or Tribe does not have a Service-approved wolf management plan, but 10 breeding pairs are established in the State, and the Service determines that wolves are impacting localized wild ungulate populations at unacceptable levels, wolves could be moved by the Service.</p>	Exempted through 4(d) Special Rule and does not require a permit
Government take of PROBLEM WOLVES - (3)(viii)	The Service, or agencies designated by the Service, may take wolves that attack livestock, or guard or herding animals, and may take wolves that attack other domestic animals, twice in a calendar year.	<p>FWS determines when take will be initiated by evaluating: (1) evidence of the attack, (2) reason to believe that additional attacks will occur, (3) no evidence of unusual wolf attractants, and (4) if on Federal lands, all grazing allotment conditions have been implemented.</p> <p>Females and their pups will be released if captured on public lands, prior to October 1, unless depredation continues.</p>	Exempted through 4(d) Special Rule and does not require a permit, but will only occur at the direction of the Service

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Service, Federal, State, or Tribal agency employees acting in the course of official duties that take a wolf in the wild - (3)(xi)	(1) scientific purposes; (2) to avoid conflict with human activities; (3) to improve wolf survival and recovery prospects; (4) to aid or euthanize sick, injured, or orphaned wolves; (5) to dispose of a dead wolf; (6) to salvage a dead specimen which may be used for scientific study; (7) to aid in law enforcement investigations involving wolves; and (8) to prevent wolves with abnormal physical or behavioral characteristics, as determined by the Service, from passing on those traits to other wolves.	The agency employee must have written authorization from the Service. The take must be reported to the Service within 15 days. Service directions on retaining or disposing of specimens must be followed.	Generally exempted through 4(d) Special Rule but also requires letter from the Service
Land use on USFS, BLM, and other Federal Lands - (5)	grazing, logging, road building, etc.	Except for National Parks and National Wildlife Refuges, no land use restrictions are anticipated unless needed to prevent take of wolves at active den sites between April 1 and June 30 may be needed.	Requires Section 7 consultations with the Service
Recovery actions that include take of gray wolves - (3)(x)	Scientific purposes, enhancement of propagation or survival, zoological exhibition, or educational purposes	Would need to comply with permit terms and conditions identified by the Service	Requires a 10(a)(1)(A) permit from the Service