



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

Mr. Terry Cleveland, Director
Wyoming Game and Fish Department
5400 Bishop Boulevard
Cheyenne, Wyoming 82006

Dear Director ^{Terry} Cleveland:

The gray wolf population in Montana, Idaho, and Wyoming has met recovery goals and the Fish and Wildlife Service is committed to pursuing a proposal to delist the species. As you know, the Service's responsibilities under the Endangered Species Act include ensuring that adequate management controls are in place to maintain population levels above recovery goals.

Based on our review of state management plans, peer review comments, and the states' responses to those comments, the Service is confident that both the Montana and Idaho wolf management plans are adequate to maintain their share of the tri-state wolf population above recovery levels. Nonetheless, the Service must consider the three state management plans in their totality because the wolf populations of the three states comprise the Western Distinct Population Segment, the listed entity in question. As a result, delisting cannot be proposed at this time due to some significant concerns about portions of Wyoming's state law and wolf management plan. I have specifically outlined those concerns and provided recommendations to correct them in this letter.

If Wyoming adequately addresses each of the following concerns, the Service intends to proceed with the proposed delisting process for the gray wolf in the Western Distinct Population Segment:

1. The "predatory animal" status for wolves must be changed. The unregulated harvest, inadequate monitoring plan, and unit boundaries proposed by the state's management plan do not provide sufficient management controls to assure the Service that the wolf population will remain above recovery levels. The designation of wolves as "trophy game" statewide would allow Wyoming to devise a management strategy that provides for self-sustaining populations above recovery goals, regulated harvest and adequate monitoring of that harvest. As is the case with other trophy game in Wyoming, the state could establish management areas, season dates, and quota limits to control populations in a regulated manner. In addition, Wyoming could address wolf depredation concerns through regulations that exist for currently classified trophy game animals.

- 2. The Wyoming state law must clearly commit to managing for at least 15 wolf packs in Wyoming. We believe that wolf population management as trophy game would provide adequate controls to ensure that wolves remain above recovery goals with well distributed packs in suitable habitat.
- 3. The Wyoming definition of a pack must be consistent among the three states and should be biologically based. As you are aware, the three states are currently collaborating on the criteria that defines a wolf pack. If a pack size must be established by law, rather than the result of this collaborative effort, the state law must define pack size as at least 6 wolves traveling together in the winter. At the current time, biological monitoring and analyses indicate that this pack size is expected to include at least one breeding pair.

The portions of the state wolf plan dealing with wolf monitoring, public information and education, law enforcement, harvest and defense of property reporting requirements, research, and nuisance wolf management are adequate. Therefore, we do not recommend any changes to these portions of the plan.

If requested, the Service will assist the Department in implementing the three changes noted above. In addition, I hope that Wyoming will continue to work with Service biologists to prepare a proposal to delist wolves when adequate management plans are approved. During that process, the Service and states should discuss opportunities to ensure that adequate funds are available to accomplish the necessary monitoring and management of wolf populations. The non-essential experimental population rule (Section 10(j)) that addresses all wolf management in Wyoming would offer expanded management flexibility to any state with an approved state wolf management plan. The Service intends to continue discussions with Wyoming on ways to transfer some of that expanded authority for wolf management to Wyoming under a cooperative agreement with the Service, once the Wyoming wolf management plan is amended and approved by the Service. I hope those discussions will continue and the State will consider assuming some of those wolf management authorities even before the delisting process is completed.

Thank you for all your cooperation and please let me know if I can provide further assistance. I want to congratulate your staff for the professional approach your Department exhibited during preparation of the state plan. I hope that the necessary changes can be implemented and that the upcoming proposed delisting process proceeds smoothly.

Sincerely,



DIRECTOR

cc: **Montana Department of Fish, Wildlife, and Parks**
Idaho Department of Game and Fish