

Western Great Lakes Gray Wolves Questions and Answers

Background

On February 8, 2007, the U.S. Fish and Wildlife Service (Service) published a final rule that identified the Western Great Lakes Distinct Population Segment (DPS) of the gray wolf and removed Endangered Species Act protection for that DPS at the same time. Three parties challenged the final rule by filing a lawsuit. On September 29, 2008, the U.S. District Court for the District of Columbia ruled in favor of the plaintiffs by vacating the final rule and remanding it back to the Service. Because the final rule was “vacated” it was no longer in effect and by “remanding” the final rule, the court returned the rule to the Service to address the court’s concern. On April 2, 2009, the Service published a new final rule that responded to the issues raised in the court’s decision and again removed Endangered Species Act protection for the Western Great Lakes DPS of the gray wolf.

1. What is the Service doing?

The Service is withdrawing its 2009 decision to remove the Western Great Lakes population of gray wolves from the federal list of threatened and endangered species. The effect of this withdrawal will be to reinstate the Endangered Species Act protections for gray wolves in the Western Great Lakes area that were in place prior to publication of the final rule announcing that decision, while the Service gathers additional public comment.

2. Why is the Service withdrawing the final rule?

The Service agrees with the plaintiffs that sufficient opportunity for public review and comment as required by federal law was not provided prior to publication of the Service’s April, 2009 final decision to remove gray wolves in the Western Great Lakes from Endangered Species Act protection.

3. Didn’t the Service provide an opportunity for public comment when it originally proposed to delist this wolf population?

Yes. The Service provided a 90-day public comment period on the original March 27, 2006, proposed rule. The Service reviewed and analyzed all comments and data that it received during this public comment period and published a final decision to delist the Western Great Lakes population on February 8, 2007.

However, on September 29, 2008, the U.S. District Court for the District of Columbia overturned that decision and sent it back to the Service for reconsideration. The Service then published the April 2009 final rule that addressed the court’s concerns and again removed Endangered Species Act protections for the Western Great Lakes population. The Service agrees with the plaintiffs that under federal law, the public should have been given an additional opportunity to provide comments before the Service made a new final decision.

4. What is the status of gray wolves in the Western Great Lakes region?

Upon acceptance of this agreement by the court, and while the Service gathers additional public comment, gray wolves in the Western Great Lakes area will again be protected under the Endangered Species. All restrictions and requirements in place under the Act prior to the delisting will be reinstated. In Minnesota, gray wolves will be considered threatened; elsewhere in the region, gray wolves will be designated as endangered. The Service will continue to work with states and tribes to address wolf management issues while Western Great Lakes gray wolves remain under the protection of the Act.

5. Do gray wolves in the Western Great Lakes region continue to merit Endangered Species Act protection?

The goal of the Endangered Species Act is to improve the status of a listed species to the point that it no longer needs ESA protection. Generally, this means reducing or removing threats to its survival, resulting in increasing numbers and distribution of the species.

The Western Great Lakes area continues to support a healthy self-sustaining population of wolves. Gray wolf numbers and distribution in the Western Great Lakes have exceeded the criteria identified in the recovery plan. The estimated population in Minnesota is 2,922. Wolves are established in Michigan's Upper Peninsula and Wisconsin and number about 580 and 626 in those places, respectively.

In addition to exceeding population criteria set out in the recovery plan, potential threats after delisting have been addressed by Minnesota, Michigan, and Wisconsin state management plans. To prepare for federal delisting, each of those states developed a wolf management plan with the goal of ensuring future survival of the state's wolf population. Those plans were signed by the head of each state's Department of Natural Resources after input from wolf experts and extensive public involvement.

Based on these factors, gray wolves in the Western Great Lakes region have met the legal requirements necessary for delisting. However, the Service will again solicit and analyze additional information from the public prior to making any final decision.