



Congress of the United States
House of Representatives
Washington, DC 20515-0603

April 7, 2022

The Honorable Deb Haaland
Secretary
Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Secretary Haaland,

We write to strongly encourage you to support state led conservation and management of the gray wolf (*Canis lupus*) nationwide and confirm the U.S. Fish and Wildlife Service's repeated conclusion that the species is recovered and needs no further protection under the Endangered Species Act. Additionally, we urge the Department to appeal a recent decision by the U.S. District Court Northern District of California related to the U.S. Fish and Wildlife Service's (Service) rule de-listing gray wolves in the lower 48 states published on November 3, 2020 (85 Fed. Reg. 69778).

In 2020, the Service removed the gray wolf in the lower 48 United States through a process that included the best scientific and commercial data available.¹ In the final rulemaking the Service demonstrated that the scientific data clearly showed that the gray wolf entities in the lower 48 states "do not meet the definitions of a threatened or endangered species under the Act."²

Unfortunately, in September, the Department found that two petitions to list the gray wolf in the western United States and in the Northern Rocky Mountains may be warranted and that the Service would initiate a 12-month comprehensive status review. While we do not agree with the determination on the petitions and are disappointed that the administration is giving credence to them, we believe this review will show that state management is more than adequate in preserving wolves across the West.

State and private conservation efforts have been shown to be more than adequate in managing gray wolves at sustainable levels since de-listing and gray wolf populations in the areas designated by these petitions—such as Idaho, Montana, and Wyoming—have far exceeded the federal management objectives of 150 wolves and 15 breeding pairs per state.³ There are

¹ U.S. Department of the Interior, *U.S. Fish and Wildlife Service, Endangered and Threatened Wildlife and Plants; Removing the Gray Wolf (Canis lupus) From the List of Endangered and Threatened Wildlife*, Federal Register, November 3, 2020.

² *Id.*

³ Sells, S. N., A. C. Keever, M. S. Mitchell, J. Gude, K. Podruzny, and R. Inman. 2020. Improving estimation of wolf recruitment and abundance, and development of an adaptive harvest management program for wolves in Montana. Final Report for Federal Aid in Wildlife Restoration Grant W-161-R-1. Montana Fish, Wildlife and Parks, Helena, Montana. P.7

currently an estimated 3,000 gray wolves in the Rocky Mountain states: 1,543 in Idaho,⁴ 1,117 in Montana,⁵ and 327 in Wyoming.⁶ Each of these states have far exceeded their population goals.

In its September announcement, the Department cited new regulations put forward in Montana and Idaho as justification for finding that the petitions may be warranted. These assertions are already proving to be false. For example, in Montana, the number of wolves harvested this year is in line with previous years, thus proving that new legislation is not impacting species conservation.⁷ Additionally, Idaho Fish and Game announced at the end of January that the wolf population remains stable.⁸ In the Upper Peninsula of Michigan and Wisconsin, the Service originally listed the wolf recovery goal as 100 animals. Yet that population had grown to nearly 1,000 – more than 10 times the initial recovery goal – by 2017.⁹

In the interim and with regard to the reintroduction of gray wolves in Colorado, as required by Proposition 114 that instructs the Colorado Parks and Wildlife Commission to reintroduce and manage gray wolves in the state by the end of 2023, the Service should work with the Colorado Parks and Wildlife Commission and local stakeholders to quickly adopt a 10(j) rule that allows for appropriate state management of wolves to include capturing and translocating, moving to captivity, or lethally taking problem gray wolves that depredate livestock.

The Northern District of California’s decision included a number of controversial views, which is why we believe it would be appropriate for the Department to appeal. For example, the decision attempts to overturn the Service’s deference when interpreting and implementing the best available science. The decision also sets an unimaginably high bar by requiring the Service to consider the historical range of a species before moving to de-list. For gray wolves, that would mean the entire Continental United States would have to be examined, regardless of habitat realities or occupancy potential. In fact, the term “historical” does not appear as part of the five criteria to list a species so there is simply no authority to require it as part of de-listing. The Court also fails to reconcile its conclusion that the states with wolves have adequate management plans to ensure that the species does not again become endangered with the conclusion that the species should be listed as threatened or endangered because wolf populations are not viable throughout its historic range. Lastly, the decision would force the Service to consider federal

⁴ Idaho Fish and Game. (2022, January 27) “Latest Fish and Game wolf population estimate is 1,543 and stable since 2019.”

⁵ Inman, B., K. Podruzny, T. Parks, T. Smucker, M. Ross, N. Lance, W. Cole, M. Parks, S. Sells, and S. Wells. 2020. Montana Gray Wolf Conservation and Management 2020 Annual Report. Montana Fish, Wildlife & Parks. Helena, Montana. P.10

⁶ Wyoming Game and Fish Department, U.S. Fish and Wildlife Service, National Park Service, USDA-APHIS-Wildlife Services, and Eastern Shoshone and Northern Arapahoe Tribal Fish and Game Department. 2021. Wyoming Gray Wolf Monitoring and Management 2020 Annual Report. K.J. Mills and Z. Gregory, eds. Wyoming Game and Fish Department, 5400 Bishop Blvd. Cheyenne, WY 82006. P.1

⁷ Montana Fish, Wildlife and Parks, *With Almost Two Months Remaining, Wolf Harvest on Par with Past Seasons*, January 20, 2022.

⁸ Idaho Fish and Game. (2022, January 27) “Latest Fish and Game wolf population estimate is 1,543 and stable since 2019.”

⁹ <https://www.wisfarmer.com/story/news/2017/06/14/wisconsins-official-wolf-population-closing-1-000-animals/396393001/>

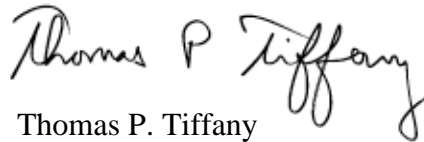
public land management regimes before de-listing, even if they are not viable for the continued existence of the species.

We are confident that the current review will demonstrate that state management is more than adequate for ensuring the conservation of the species while reducing significant economic impact to local communities and believe that the most up to date data clearly shows that an emergency listing is not needed to conserve the species. We also would urge you to appeal the U.S. District Court Northern District of California's decision from February 10th of this year to ensure that the Service is not subject to impossible standards for de-listing.

Sincerely,



Lauren Boebert
Member of Congress



Thomas P. Tiffany
Member of Congress



Dan Newhouse
Member of Congress



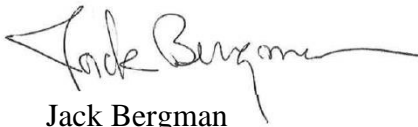
Bruce Westerman
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Andy Biggs
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Cliff Bentz
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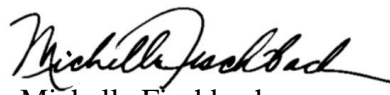
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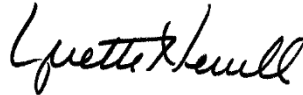
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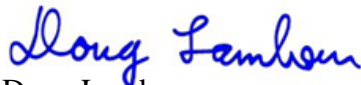
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