

## Delisting Wolves and the Impending Wolf Slaughter

by MICHAEL LUKAS 7/12/19

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On July 15, the U.S. Fish & Wildlife Service will [close](#) comments on its proposed rule to delist wolves from the endangered and threatened species lists. While this rule may seem to be just one of many attempts in a decade-long battle over grey wolf listing to eliminate protections for wolves and turn management over to [states](#) in places where wolves have returned, such as the Northern Rockies and Upper Midwest, this rule goes far beyond any previous USFWS delisting proposal by eliminating protections for all wolves in the lower 48 states, essentially declaring 85% of the grey wolf's historical range insignificant to wolf [recovery](#), ending federal protections and oversight. Given recent state management, it is difficult to see how this delisting will not result in isolated populations of wolves heavily and lethally “managed” through hunting, trapping, culling, and poaching in their current range, and a free-for-all slaughter of wolves that migrate outside those zones, keeping wolves from re-establishing their populations in places like Colorado (which has habitat for an estimated 1000 wolves)<sup>[1]</sup>, where they are already returning.

While I am not a biologist, as are many of the hundred signatories to a recent open letter<sup>[2]</sup> to the USFWS opposing the proposed wolf delisting rule due to the Service's lack of attention to “the best available science” (a mandate of the Endangered Species Act), as a researcher who has studied the discourse and human dimensions of wolf management for the last decade and recently completed a doctoral dissertation that focuses on the politics and rhetoric of wolf management, particularly in the U.S., it's nonetheless incumbent upon me

to emphasize the likely implications of wolf delisting in this current moment. This is because, as many of these scientists recognize, the proposed wolf delisting rule is not a decision prompted by science, but is, rather, a socio-political decision grounded in accepting the social intolerance of wolves. This delisting, I argue, will inevitably lead to the needless deaths of wolves, as migrating grey wolves (a native species) are prevented from re-establishing themselves in states that have wolf habitat but where lobbyists for agribusiness, privatization of public lands, and trophy hunting outfitters, are pushing state legislatures to keep wolves out (such as Colorado, Utah, and North Carolina) or further reduce populations (like the Upper Midwest and Northern Rockies) to satisfy and maximize their own private economic interests over those of the public and intent of the Endangered Species Act.

When *canis lupus* was listed as a species on the ESA in 1978, the entire species “grey wolf” was listed as endangered throughout the coterminous states, aside from Minnesota, where it was listed as threatened. Recovery of the species, as Judge Beryl Howell re-confirmed in a 2014 decision rejecting another delisting attempt by FWS, would thus amount to a return of the grey wolf to a “significant portion of its historical range.” Howell’s decision exposed the FWS rule as an attempt to circumvent the original listing of the entire species by designating the ‘Eastern wolf’ a subspecies that was now extinct, thereby eliminating the entire eastern half of the country outside the Upper Midwest as historical grey wolf range and possible future grey wolf habitat. While that sub-speciation effort to delist and contract historic wolf range failed, FWS has nonetheless proclaimed that the range this purported wolf occupied is now no longer “a significant portion” of the listed species *canis lupus*’ “historical range.” Indeed, while grey wolf populations have increased in 15% of the historical range, much of that range (including the Central Rockies, the Northeast, Lower Midwest, Central Appalachia and the Pacific Northwest) remains unoccupied by wolves. However, it is almost a certainty that wolves will migrate to, and establish populations in, available habitat in this historical range in the near future. Without adequate protections, these wolves are sure to face lethal control and persecution in states where the agribusiness lobby, big

game hunting industry, and privatization advocates hold immense sway, such as presently seen in Utah, Colorado, and Eastern Washington and Oregon.

Indeed, the very contraction of grey wolf range proposed in the current delisting proposal ultimately is not based upon available habitat, historical range, or the best available science. Instead, it is based on an agricultural model of wildlife management that “ranches” wolves, allowing wolves on the land so long as they are contained (ranching) and lethally controlled (slaughtered) where they exist. Given their often close ties with the agricultural industry and extractive land users, it should perhaps not be surprising that wildlife managers defer to this agricultural model and its perception that social intolerance should be a determinative factor in designating suitable wolf habitat—a designation that is wholly at odds with the scientific definition of habitat<sup>[3]</sup>, which is any place that provides for the needs of a species. Indeed, it could be said that a perceived lack of social tolerance amongst even a minority of the population in places such as Utah, Colorado, and North Carolina is considered determinative of the suitability of that habitat. However, as Justice Howell notes in the 2014 decision:

While the FWS and the defendant-intervenors may have practical policy reasons for attempting to remove the gray wolf in the western Great Lakes from the List of Endangered and Threatened Wildlife, those policy reasons cannot overcome the strictures imposed by the ESA. The ESA offers the broadest possible protections for endangered species by design. This law reflects the commitment by the United States to act as a responsible steward of the Earth’s wildlife, even when such stewardship is inconvenient or difficult for the localities where an endangered or threatened species resides.

As Howell recognizes, protections for endangered species may often be “inconvenient or difficult” where co-existence occurs, but this alone should not be determinative of endangered status or protections more generally. Indeed, basing species protections on a lack of social tolerance would be no different

than withholding protections of the Civil Rights Act for vulnerable minorities in localities where people lack social tolerance of such minorities—something we’re seeing the consequences of with voting restrictions in states now exempted from the Voting Rights Act of 1965.

So, while the grey wolf has come back from extirpation in a small portion of its range in the coterminous U.S., the listed [entity](#) *canis lupus*, whose range was originally designated as the near entirety of the lower-48, has not recovered in a way that would allow for delisting of the species throughout the United States. As Carlos Carrol—one of the biologists selected by the FWS to review the proposed delisting rule—emphasizes, FWS’ restrictive definition of wolf “range” to their current range is not only temporally arbitrary, but produces “perverse incentives” to eliminate wolves (or any species whose range is treated as such) to prevent their recovery by killing them before they become established. Indeed, Carrol notes that Utah’s Senate bill 36 explicitly proposes to “manage wolves to prevent the establishment of a viable pack” where they are not already protected<sup>[4]</sup>. Thus, the likely result of delisting wolves from the entirety of their range is that wolves will be heavily hunted, culled, and trapped where they exist, and unprotected and extirpated everywhere else, should they escape from such “management” in the habitat they currently occupy.

If anything, the American public should be suspicious of any delisting of *canis lupus* in a climate where lobbying efforts are dominated by minority interests like agribusiness and anti-regulation entrepreneurs—such as Americans for Prosperity, who promote exaggerated fears and effects of wolves<sup>[5]</sup>. As Carol and other researchers have noted, while it’s become increasingly evident from recent wolf range expansion in the Great Lakes and Europe that wolves “can persist in semi-developed landscapes if anthropogenic mortality is kept relatively low,”<sup>[6]</sup> doing so will require rejecting social intolerance as a determining factor in wolf recovery. Rather than putting resources into delisting wolves due to such pressure, FWS should instead work with wolf researchers, social scientists, human dimensions researchers, and environmental educators to develop programs to increase social tolerance, both in the range where wolves are and where they are soon to re-inhabit.

You can express your opposition to USFWS' proposed rule by commenting on the federal website by July 15<sup>th</sup>:

<https://www.regulations.gov/document?D=FWS-HQ-ES-2018-0097-0001>

1. Carlos Carroll, Michael K. Phillips, Carlos A. Lopez-Gonzalez, Nathan H. Schumaker, Defining Recovery Goals and Strategies for Endangered Species: The Wolf as a Case Study, BioScience, Volume 56, Issue 1, January 2006, Pages 25–37, [https://doi.org/10.1641/0006-3568\(2006\)056\[0025:DRGASF\]2.0.CO;2](https://doi.org/10.1641/0006-3568(2006)056[0025:DRGASF]2.0.CO;2) ↑

2. [https://www.biologicaldiversity.org/campaigns/gray\\_wolves/pdfs/Open-letter-to-FWS-regarding-proposed-wolf-delisting-May-2019.pdf](https://www.biologicaldiversity.org/campaigns/gray_wolves/pdfs/Open-letter-to-FWS-regarding-proposed-wolf-delisting-May-2019.pdf) ↑

3. Hall, Linnea S., et al. “The Habitat Concept and a Plea for Standard Terminology.” Wildlife Society Bulletin (1973-2006), vol. 25, no. 1, 1997, pp. 173–182. JSTOR, <http://www.jstor.org/stable/3783301>. ↑

4. [http://www.fws.gov/endangered/esa-library/pdf/Final Gray Wolf Peer Review Summary Report\\_053119.pdf](http://www.fws.gov/endangered/esa-library/pdf/Final_Gray_Wolf_Peer_Review_Summary_Report_053119.pdf) ↑

5. See the AFP produced ‘documentary’ Wolves in Government Clothing [https://www.youtube.com/watch?v=pfAyRZzWPrk&list=PLYh37YWsbqAn2-8nxFATVef\\_nGr7q3pe&index=3&t=0s](https://www.youtube.com/watch?v=pfAyRZzWPrk&list=PLYh37YWsbqAn2-8nxFATVef_nGr7q3pe&index=3&t=0s) ↑

6. [http://www.fws.gov/endangered/esa-library/pdf/Final Gray Wolf Peer Review Summary Report\\_053119.pdf](http://www.fws.gov/endangered/esa-library/pdf/Final_Gray_Wolf_Peer_Review_Summary_Report_053119.pdf) ↑