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Feds announce final rule to delist wolves in Lower 48 states

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The Trump administration is moving forward with a controversial decision to lift endangered species protections for gray wolves across the Lower 48 states.

Interior Secretary David Bernhardt made the announcement Thursday at the Minnesota Valley National Wildlife Refuge in Bloomington, Minn.

“After more than 45 years as a listed species, the gray wolf has exceeded all conservation goals for recovery,” Bernhardt said. “Today’s announcement simply reflects the determination that this species is neither a threatened nor endangered species based on the specific factors Congress has laid out in law.”

Western ranchers and agricultural groups supported removing wolves from the list of federally endangered species. In a statement, the National Cattlemen’s Beef Association said the decision means producers “do not have to live in fear from wolf attacks on their animals or face uncertainty when trying to prove depredation occurred in order to receive partial compensation.”



“Today’s announcement is the culmination of decades of work done by cattle producers and landowners nationwide to protect habitat ensuring wolf recovery efforts were successful,” said NCBA Vice President Don Schiefelbein, “even when impacts to their livelihoods were significant.”

Environmental groups, meanwhile, are already planning a lawsuit, arguing the decision is premature hinders wolf recovery.

“Gray wolves occupy only a fraction of their former range and need continued federal protection to fully recover,” said Jamie Rapaport Clark, president and CEO of Defenders of Wildlife. “We will be taking the U.S. Fish and Wildlife Service to court to defend this iconic species.

‘One of the greatest comebacks’

Wolves were driven to near-extinction in the early 20th century due to hunting, trapping and other government-funded extermination programs. Certain subspecies and regional populations of wolves were originally listed under Endangered Species Preservation Act of 1966, then under the Endangered Species Act of 1973.

In 1978, wolves were reclassified as endangered throughout the contiguous U.S. and Mexico. At the time, the population numbered just 1,000 wolves outside Alaska and Canada.

Today, there are more than 6,000 wolves in the Lower 48 states. The USFWS issued its latest delisting proposal in March 2019, handing management of wolves over to state and tribal governments.

The final rule excludes the Mexican gray wolf, which will remain listed under the Endangered Species Act. Gray wolves living in the northern Rocky Mountains — including Idaho, Montana, Wyoming and parts of eastern Oregon and Washington — were also previously delisted.

The USFWS has called wolf recovery “one of the greatest comebacks for an animal in U.S. conservation history,” along with the bald eagle, brown pelican and American alligator.

“Today is a win for the gray wolf and the American people,” said USFWS Director Aurelia Skipwith. “I am grateful for these partnerships with states and tribes and their commitment to sustainable management of wolves that will ensure the species’ long-term survival following this delisting.”

Stability, predictability for ranchers

Though wolves are delisted in eastern Oregon and Washington, the species had remained federally protected in the western two-thirds of both states.

In Oregon, the state has adopted a Wolf Management and Conservation Plan that allows ranchers and wildlife managers to kill wolves that repeatedly prey on livestock — a standard known as “chronic depredation” — or those caught in the act of biting or chasing livestock.

However, with the federal protections in place, ranchers in western Oregon were limited to using non-lethal deterrents to protect their animals. The issue came to the forefront this summer after the Rogue pack notched 11 confirmed depredations of yearling steers over a four-month span between May and August.

“Producers have endured unacceptable personal stress, ongoing chronic confirmed and unconfirmed predation as well as loss of production in the cattle they work so hard to protect,” the Oregon Cattlemen’s Association said in a statement. “This (delisting) will remove an unnecessary layer of management that has prevented responsible management for many years.”

Ashley House, executive vice president of the Washington Cattlemen’s Association, said she hopes the decision will guide Washington state lawmakers toward a similar statewide policy.

“As ranchers, we remain optimistic that we will be able to protect our livelihoods and ability to produce a safe, affordable domestic food supply while working in tandem with wildlife managers for balanced management and realized success,” House said.

The Oregon Fish and Wildlife Commission removed wolves from the state’s endangered species list in 2015. Oregon had at least 158 known wolves in 2019, and Washington had at least 145.

Kaitlynn Glover, executive director of the Public Lands Council and director of natural resources for the National Cattlemen’s Beef Association, said delisting wolves will allow for states to oversee management programs that work best for them, while creating more stability and predictability for ranchers.

“That’s one of the underlying goals of the ESA,” she said.

Lawsuit coming

Wolf advocates, however, argue the delisting rule is not based on the best available science, and ignores the truth that wolves have not recovered yet in a significant portion of their historical range.

Amaroq Weiss, senior West Coast wolf advocate with the Center for Biological Diversity, said the group did an analysis in 2014 that found gray wolves occupied only about 30% of suitable habitat totaling 530,000 square miles in the Lower 48 states.

“It’s quite clear the rule is not based on the best available science. We also know it’s illegal,” Weiss said. “The ESA requires species recovered to significant portions of their historical range. That is not what has happened yet.”

Weiss said the Center for Biological Diversity and other groups plan to file a lawsuit against the decision once it is formally published in the Federal Register.

“The only reason that we have wolves back anywhere in the country is because federal protections were put into place. That was the only thing that stopped the rampant killing of this species,” she said. “What is needed in order for continued wolf recovery ... are these protections.”

A peer review team made up of five scientists also criticized the delisting proposal after it was released in 2019.

Among its 245-page report, the team found the USFWS misinterpreted some of the science used to make its determination, and did not provide an adequate review and analysis of factors relating to persistence of the wolf population.

John Mellgren, an attorney with the Western Environmental Law Center, said the finding that wolves have successfully recovered “does not pass the straight-face test.”

“On its face, this appears to be politically motivated,” Mellgren said. “While the Trump administration may believe it can disregard science, the law does not support such a stance. We look forward to having a court hear our science-based arguments for why wolves desperately need Endangered Species Act protections to fully recover.”