



## *Policy matters: Wolf recovery and the law*

*...species of fish, wildlife, and plants are of esthetic, ecological, educational, recreational, and scientific value to our Nation and its people.*

– U.S. Endangered Species Act

For the many animals driven to the brink of extinction or exiled from the places they once lived, recognition in the law offers the chance of recovery and survival. Protection of threatened and endangered species also makes restoring a natural balance and a healthy environment possible.

The listing of the wolf under the U.S. Endangered Species Act (ESA) is especially meaningful. After centuries of being deliberately persecuted and exterminated, the wolf is now protected. This change—together with strong private and public support and resources—has helped bring the wolf back to many parts of the country.

For this to happen in the Northeast (where the last wolves were eliminated in the late 1800s)—and to ensure their survival once populations recover—the wolf has to be protected under both federal and state laws.

It is also necessary to continually monitor management policies and actions. Negative attitudes toward wolves remain strong in some places, and pressure to weaken legal protections

(including the Endangered Species Act) is constant.

### **Starting, and Stopping, Recovery**

In both 1992 and 2000, the U.S. Fish and Wildlife Service (the agency responsible for administering the ESA) called the return of the wolf to the Northeast critical to the “overall restoration of the species.” In national recovery proposals, the Northeast was considered a “Distinct Population Segment” (DPS), a geographical definition that determines where in the United States recovery planning should take place.

But in 2003, the Fish and Wildlife Service decided to “downlist” the gray wolf from “endangered” to “threatened”



@ Corel Corporation

on the Endangered Species list and to eliminate the Northeastern DPS by lumping the region together with the Great Lakes (where wolf populations have reestablished). In response, two lawsuits were filed challenging that the policy violated key parts of the Endangered Species Act.

In January 2005, the U.S. District Court in Oregon agreed, making the Fish and Wildlife Service's proposal invalid. This decision was strengthened by an August, 2005 ruling by the U.S. District Court in Vermont, which determined that the elimination of the Northeast as a separate DPS violated the ESA. These two court decisions have reopened the possibility that wolf recovery planning could take place in the Northeast.

### **Around the States**

Federal protections for wolves are in force on the state level. But state policies are also necessary to ensure that wolves coming to the Northeast on their own are protected and managed properly.

CREW is working to have Maine, New Hampshire, New York, and Vermont include the wolf on their lists of endangered and threatened species and to encourage the agencies responsible for wildlife management to take actions (like public education and habitat protection) that support wolf recovery.

It's also important to collaborate with Canadian provinces (Ontario, Québec, New Brunswick, and Nova Scotia). Key habitat for wolves stretches across

borders. There is also evidence that wolves are trying to come to the Northeast from Canada. Reducing hunting and trapping pressures along the border and keeping key wildlife corridors open would help wolves survive the journey.

### **Wolves across the U.S.**

The wolf has been an *endangered* species in the lower 48 states since 1974 under the current U.S. Endangered Species Act. This is true today except in Minnesota, where the animal is considered *threatened*.

Wolves in Alaska aren't protected by U.S. laws. Gray wolves in the area around Yellowstone National Park and central Idaho, Mexican wolves in the Southwest, and red wolves in the Southeast are "non-essential, experimental populations," a status that allows management to be influenced by certain activities (like ranching).

In the last few years, some management responsibilities have been turned over to the states, including in Michigan, Minnesota, Wisconsin, Montana, and Idaho. Some of the strategies used are controversial, such as lethal control following livestock predation and culling to maintain a certain population size.

Classification of a species under the ESA applies to states, which also choose whether to list a species under their own wildlife laws. In the Northeast:

**Maine** considers the wolf to be a species of "special concern." They can't be hunted or trapped, but no special protections are in place.

**New Hampshire** and **Vermont** don't include the wolf on their lists of endangered and threatened species protected by state law.

**New York** classifies the wolf as "endangered" under state law, with a special ranking as "apparently extirpated."

*The Coalition to Restore the Eastern Wolf (CREW) is a group of local, regional, and national organizations working to recover healthy wolf populations in as much of their former range in the northeastern United States and southeastern Canada as is feasible. CREW believes that doing so is critical to improving natural conditions and keeping environments whole throughout the region.*

PO Box 171 ♦ Willow, NY 12495  
845-679-5056 ♦ [crewinfo@earthlink.net](mailto:crewinfo@earthlink.net)  
[www.easternwolf.org](http://www.easternwolf.org)