

## Wolves in the West: Utah's Response

March 30, 2005

### Introduction

Wolves once claimed territory throughout much of the lower 48 states. Under the Endangered Species Act, the reintroduction of wolves to the Intermountain West has occurred, and in the last 10 years their numbers have grown substantially after being hunted nearly to extinction. As packs begin to disperse seeking new territory, states are confronted with balancing wildlife populations with the rights and interests of landowners.

In the 2003 legislative session, the Utah State Legislature passed HJR 12 urging the Division of Wildlife Resources (DWR) to create a wildlife resource plan that sets out specific management goals for when wolves potentially establish a significant presence in Utah. The DWR established the Wolf Working Group (WWG) in the summer of 2003 to draft a statewide wolf management plan. Comprised of 13 members representing differing interests in wolf management, the WWG released an initial draft of its proposed management plan on March 18, 2005. Public comments on this draft will be taken until April 1, 2005 and will be considered in the creation of a final draft to be presented in public meetings in May. The draft is available for review at [www.wildlife.utah.gov/wolf/](http://www.wildlife.utah.gov/wolf/). This brief examines the status of wolves in the Intermountain West and highlights recent policy developments that are relevant to the successful implementation of this management plan.[1]

### History

Government led extirpation efforts greatly reduced the number of wolves over large areas of their original territory which included Utah and much of the lower 48 states. By the 1930s, the majority of wolves through the Rockies had been exterminated through predator control reduction programs[2]; the last verified wolf kill in Utah occurred in 1930 in San Juan County and the last wolf in Yellowstone Park was killed in 1930 by a National Park Ranger.[3]

In 1973, wolves came under Federal protection with the passage of the Endangered Species Act (ESA). While previous regulations were enacted by the U.S. Congress in the 1960s, the creation of the ESA established more stringent protection and conservation efforts for the U.S. Fish and Wildlife Service. The purpose of the ESA is to protect and conserve endangered and threatened species as well as to promote the conservation and recovery of listed species of plants and animals. Under the ESA, all species of plants and animals are eligible for listing as threatened or endangered with the exception of pest insects.

Endangered means a species is in danger of extinction throughout a significant portion of its former range. Threatened means a species is likely to become endangered within the foreseeable future.

While the ESA is designed to protect and conserve species and their natural habitats, the ultimate goal of the ESA is to recover threatened and endangered species to levels in which they no longer require federal protection. It is through this means that the reintroduction of wolves has occurred.

**Figure 1: Estimated Wolf Populations**

State	Numbers
Alaska*	6,000 - 8,000
Arizona	**
Idaho	368
Michigan	390
Minnesota	2,500
Montana	92
New Mexico	**
Wisconsin	370
Yellowstone National Park	301

\*Alaska is the only state where wolves are not listed as endangered or threatened

\*\*Recovered Mexican wolves number approximately 40 in Arizona and New Mexico

Source: U.S. Fish and Wildlife Service

### Recovery Efforts

Recovery efforts for wolves can be broken down into separate geographical regions: the Great Lakes, Northern Rockies, Southwest United States and Mexico, and the Southeastern United States.[4] Efforts to reintroduce wolves have succeeded in many of these areas, including eastern timber wolves in the upper Midwest, Mexican wolves in the Southwest, and red wolves in the Southeast. The Midwestern wolf population has rebounded to the point that wolves are only listed as threatened, rather than endangered, in Minnesota.

Efforts to re-establish wolves in the Rocky Mountains began in the mid 1970s. In 1995, the U.S. Fish and Wildlife Service released 14 Canadian gray wolves into Yellowstone National Park and 15 wolves into Central Idaho. While wolves have been reintroduced into Yellowstone and Central Idaho, a native pack from Canada has crossed into Northern Montana and established a significant presence. These wolves in Northern Montana are not part of any experimental recovery populations. All gray wolf subspecies are listed as endangered in the lower 48 states with the exception of the Minnesota population and the reintroduced recovery wolves in the Northern Rockies and eastern Arizona, which are classified as “experimental, nonessential” populations.

The classification of “experimental, nonessential populations” occurs under a special rule in the ESA. This designation allows landowners more rights to kill a wolf caught in the act of killing livestock or dogs as well as for the Fish and Wildlife Service to remove or destroy problem wolves.

While wolves have not been reintroduced into the Southern Rockies, there is reason to believe that expanding wolf numbers in Central Idaho and the Greater Yellowstone area may result in wolf migrations into Utah. In summer 2002, wolf kills on livestock were verified in Cache County; in November 2002, a Yellowstone collared wolf was captured north of Morgan, Utah.[5] Wolves have also been documented in Colorado and Oregon.

### Recent Developments

In 2003, the U.S. Fish and Wildlife Service released a plan to de-list the gray wolf on the ESA. Downgrading the wolf’s protection status from endangered to threatened would reduce the level of federal protection afforded to wolves as well as place management efforts in the hands of states. Under the adopted final rule, protections for wolves would have been decreased in Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Northern Utah and Northern California. Wolf protection also would have been reduced in additional states throughout the U.S. even though wolves are not present in all downgraded regions. Subsequent to the publication of the Final Rule, several organizations filed suit against the U.S. Fish and Wildlife Service charging that de-listing was a direct violation of the ESA.

In January 2005, a U.S. District Court in Oregon rejected the Fish and Wildlife Service’s final rule for de-listing wolves, deciding that the final rule itself was inconsistent and did not comply with ESA downgrading policies. As a result of the court’s decision, wolves have not been de-listed and they continue to retain their endangered status. If at any future time wolves are delisted, state management plans will play a key role in conservation and protection.

On the same day in January 2005, another U.S. District Court decision was announced in New Mexico which validated U.S. Fish and Wildlife Service efforts to re-establish the Mexican wolf in National Forests in the Southwest. The claim, brought by livestock ranching organizations charged that the re-establishment of wolves

in the Southwest increased livestock predation, the potential for wolf hybridization and improper translocation. The decision that the U.S. Fish and Wildlife Service has legal grounds to reintroduce wolves in the Southwest has potential impact on several state laws that have passed throughout the United States banning the re-introduction and recovery of wolves.[6] While Utah has not banned the re-establishment of wolves, HJR 12 and Ute Indian Tribe Resolution 03.036 urge the U.S. Fish and Wildlife Service to reject any proposals to recover wolves into Utah and encourage the delisting of wolves and subsequent transfer of management to the states.

### **Figure 2: Timeline of Wolf Extirpation and Recovery**

- 1630** First bounty offered for wolf in Massachusetts
- 1800's** Bounty systems begin in Colorado, Iowa, Michigan, Minnesota, Montana, Wisconsin, Wyoming and Texas
- 1914** Yellowstone National Park wolf extirpation efforts begin
- 1930** The last gray wolf in Yellowstone was killed
- 1956** Minnesota ends wolf control program
- 1965** Minnesota ends wolf bounty program; Michigan designates wolves a protected species under state law
- 1966** Passage of the Federal Endangered Species Preservation Act (provided limited protection for wolves on state lands)
- 1973** Creation of the Endangered Species Act
- 1974** Eastern Timber Wolf granted federal protection under the ESA
- 1975** Northern Rockies Recovery Plan established
- 1977** Joint Mexican-American wolf recovery efforts begin for the Mexican wolf
- 1978** Wolves in Minnesota downlisted to threatened due to growing population numbers
- 1979** Canadian wolf is found to be crossing into Montana--signals first wolf activity in the Northern Rockies in 50 years
- 1986** Canadian wolves establish a pack in Northern Montana
- 1991** First breeding pair of wolves is discovered in the Upper Peninsula of Michigan
- 1995** Reintroduction of Wolves into Yellowstone National Park and Central Idaho
- 1996** Additional wolves are released into Yellowstone and Idaho
- 1998** Reintroduction of Mexican Wolves into the Arizona/New Mexico border
- 2002** Wolves appear in Utah after a 74 year hiatus
- 2003** U.S. Fish and Wildlife Service publishes Final Rule delisting wolves in the lower 48 states
- 2005** Federal Court overturns U.S. Fish and Wildlife Service Final Rule; reinstates wolves to endangered classification
- 2005** Federal Court upholds U.S. Fish and Wildlife Service recovery efforts of the Mexican Wolf in the Southwestern U.S.

\*The list is not exhaustive, but rather highlights major events in wolf extirpation and recovery

Sources: National Wildlife Federation, Defenders of Wildlife, International Wolf Center

### **Wolves in Utah & The Wolf Management Plan**

Under the Utah Division of Wildlife Resources Administrative Rule R657-48, any species listed on the ESA automatically qualifies for listing as a sensitive species in Utah. As such, wolves are protected in Utah by both state statute and federal law.[7] The Wolf Management Plan under review in the Utah Division of Wildlife Resources is in anticipation of the delisting of wolves at some future date despite the setback by the Oregon decision. Upon delisting, the U.S. Fish and Wildlife Service will provide states that have approved management plans the opportunity to manage wolves.

In creating the Utah Wolf Management Plan, stakeholders around the state were invited to participate in public meetings to provide input and express opinions on how wolves should be managed if or when they arrive in Utah. The central goals of the plan are to manage, study and protect wolves in Utah while avoiding conflicts with the Ute Indian Tribe, to prevent depredation of livestock and protect investments made in Utah wildlife.[8]

At the cornerstone of any state management plan is offsetting the impact of wolves on livestock depredation. The Wolf Working Group under the Division of Wildlife Resources has established a compensation program within the management plan proposal. Compensation for livestock loss will first come through State Funds and compensation standards will be based on a percentage of market value of livestock.[9] Other compensation alternatives aside from state funded programs include efforts underway by Defenders of Wildlife, a non-profit, wolf advocacy organization that reimburses livestock owners for losses to wolf predation and may prove to be an alternative funding source.[10]

Specifics of the Wolf Management Plan also lay out responses to nuisance wolves, wolves that pose a threat to

human populations, monitoring activities of wolves, as well as training and education programs for Wildlife Resource personnel and the general public. The proposed plan may be viewed online at [www.wildlife.utah.gov/wolf/](http://www.wildlife.utah.gov/wolf/).

### **Will Wolves Make it to Utah?**

While the Utah State Legislature and the Ute Indian Tribe encourage the rejection of any U.S. Fish and Wildlife Service plans to re-establish wolves in Utah, it is entirely possible that wolves will re-colonize portions of Utah. [11] A study conducted in 2002 by Utah State University analyzes the possible dispersion of wolves into Utah [12]. In any discussions of management of dispersing wolves into Utah it is imperative to consider the impact on human, livestock and wildlife populations. Utah State University concluded that while habitat in Utah could theoretically support up to 700 wolves, habitat fragmentation and road density could reduce the size of core habitat areas significantly, resulting in more probable estimates that Utah could support approximately 200 wolves. [13] With several sightings of wolves in Utah in the last three years, it is clear that wolves have already returned to Utah. It is highly likely that as populations increase in nearby states that wolves will develop an established presence in Utah.

### **Endnotes**

[1] Utah Foundation is not advocating specific policy recommendations or comments to be considered for this draft. Rather, this brief is designed to serve as an educational tool on the status of wolves.

[2] The Utah Territorial Legislature began offering bounties of \$1 per wolf in 1888. 2005 Utah Wolf Management Plan Draft, 13.

[3] 2005 Utah Wolf Management Plan, 13 and National Wildlife Federation.

[4] Additional potential recovery areas have been identified and include the Southern Rockies, Pacific Northwest, and the Northeastern United States. No wolves have been reintroduced to these areas at this time. It remains to be seen whether wolves will naturally migrate to these areas.

[5] 2005 Utah Wolf Management Plan, 13.

[6] Numerous county level resolutions have passed in Wyoming, Oregon, California and New York banning the presence of wolves. At the state level, New Hampshire has banned the reintroduction of wolves. Many of these resolutions not only attempt to prohibit the recovery of wolves to their areas, but also demand that the U.S. Fish and Wildlife Service immediately remove or destroy any wolves that migrate into their jurisdiction. Defenders of Wildlife "Anti-Wolf Resolutions and Legislations." [www.defenders.org/wildlife/wolf/speakup/antiwolf.html](http://www.defenders.org/wildlife/wolf/speakup/antiwolf.html).

[7] Division of Wildlife Resources and HJR 12.

[8] 2005 Utah Wolf Management Plan, 63.

[9] Depending on whether the livestock loss is confirmed, probable or possible, compensation will be based on a percentage of fair market value. See 2005 Utah Wolf Management Plan, 83 for more information.

[10] Defenders of Wildlife maintain a \$200,000 trust called the Bailey Wildlife Compensation Trust. Funded by private donors, the Trust makes payments to compensate livestock owners for losses.

[11] A number of organizations are petitioning for the creation of a Distinct Population Segment (DPS) in the Southern Rocky Mountains that would include Colorado, Utah and Northern New Mexico. If such a population were created against the wishes of the State Legislature and Ute Indian Tribe, it is possible that despite delisting wolves from other regions, wolves placed in a Southern Rocky Mountain DPS would remain endangered.

[12] Utah State University. "Wolves in Utah: An Analysis of Potential Impacts and Recommendations for Management." Natural Resources and Environmental Issues Vol X 2002.

[13] In the immediate future it is more likely that wolves entering Utah will be lone individuals dispersing from other areas.

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