

January 12th, 2022

The Honorable Deb Haaland
Secretary
Department of Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Haaland:

We request that you immediately issue an emergency regulation to restore federal protections through the Endangered Species Act (ESA) to the Northern Rocky Mountain Distinct Population Segment (DPS) of the gray wolf. This request is based on the conditions that have unfolded in the Northern Rockies since significant changes were made to state regulatory mechanisms in 2021. Specifically, these are the conditions that should compel the Department of the Interior to take immediate action:

1. The Service's 2009 Final Rule states: "If a State changed their regulatory framework to authorize the unlimited and unregulated taking of wolves, a condition we have previously determined threatened a wolf population, *emergency listing would be immediately pursued.*" That condition now exists, whereby Idaho is killing wolves in an unregulated and unlimited fashion.
2. Even if Idaho were to regulate hunting for the purpose of reducing wolf abundance to the lowest level allowable by the 1987 Northern Rocky Mountain Recovery plan - that would still be problematic. It would be problematic because that recovery plan is based on science that is now more than three decades old. A review of the best-available science would almost certainly find those lowest-allowable levels inappropriate.
3. The damage that is almost certain to occur in the near future to gray wolves in the Northern Rocky Mountains may not be easily recovered.

The Northern Rocky Mountain population of gray wolves was established as a meta-population with three subpopulations. Once these three subpopulations (central Idaho, northwestern Montana, and the Yellowstone ecosystem) met federal recovery goals, the Service began the rule-making process to delist wolves, ceding management to states. The Service's 2009 Final Rule, which was rejected by a Montana Federal Court in 2010 ([Defenders of Wildlife v. Salazar, 729 F. Supp. 2d 1207](#)), ultimately became law when Congress attached a rider to federal budget legislation. However, the 2009 Rule contained standards designed to ensure the states maintain "adequate regulatory mechanisms" as well as viable and interconnected wolf subpopulations. Specifically, the FWS 2009 Delisting Rule issued in the Federal Register (vol. 74, no. 62) Final Gray Wolf Delisting Rule (page 15148), states:

"While our post-delisting monitoring window is 5 years, meaningful changes in State law or management objectives that would significantly increase the threat to the wolf population could lead to reconsideration of listing, including the potential for emergency listing, at any point. For example, if a State changed their regulatory framework to authorize the unlimited and unregulated taking of wolves, a condition we have previously determined threatened a wolf population, *emergency listing would be immediately pursued*" (Issue 31 of [Federal Register / Vol. 74, No. 62 / Thursday, April 2, 2009](#); emphasis added).

Unregulated and unlimited wolf-killing in Idaho is underway

The methods of wolf-killing allow unlimited take by private individuals without a reporting requirement. On May 5, 2021, Idaho Governor Brad Little signed [Senate Bill 1211](#) which authorizes unregulated and unlimited killing of wolves across the state's wolf range starting July 1, 2021. Specifically, this legislation allows for "any method utilized for the take of any wild canine in Idaho shall be available for the taking of wolves." Any method used to kill coyotes—listed as vermin in Idaho—can now be used to kill wolves including the use of bounties, traps, snares, night raids, hunting hounds, and even killing newborn pups and mothers in their dens.

The state of Idaho has increased the compensation to private individuals, otherwise known as bounties, for killing wolves of any age from \$1,000 per wolf in 2020 to up to \$2,500 per wolf in 2021 and going forward. One litter of wolf pups—a highly vulnerable component of the population—can fetch \$15,000 or more in bounty payments. This higher bounty is available for wolves killed in "chronic" conflict areas. Each conflict area is defined by game management units and often contain tens of thousands of livestock. The Idaho Department of Fish and Game defines these "chronic conflict areas" as one confirmed livestock loss to wolves in four out of five years (Jon Rachel, IDFG State wolf manager, January 4, 2022). The core of the state's wolf population occurs within these game management units that are defined as "chronic" conflict areas. The Idaho Department of Fish and Game (IDFG) also uses annual aerial gunning of wolf packs in "Elk Zones below objectives" and private trappers in the "Predation Management Plan" zones (see Appendix A). Importantly, there is no limit to the number of tags people can buy to kill wolves. All tags are valid in any open season and any unit and the season statewide on public lands is year-round (pages 80-82 [IDFG Big Game Seasons and Rules 2021](#)).

No other game species is being managed with these eradication tactics and there is no similar lucrative bounty for any other species in the state. The situation playing out in Idaho and Montana currently warrants immediate action on the part of the Department of the Interior (DOI) to ensure decades of recovery efforts are not wiped out in the next few months.

On this, the 27th anniversary of the arrival of the first wolves to Yellowstone National Park and central Idaho, we call upon the Secretary of Interior to use the broad authority that she has under the Section 4(b)(7) of the ESA to issue an emergency listing of wolves in the Northern Rockies. In regard to "any emergency posing a significant risk to the well-being of any species of fish or wildlife or plants... Such regulation shall, at the discretion of the Secretary, take effect immediately upon the publication of the regulation in the Federal Register. Any regulation promulgated under the authority of this paragraph shall cease to have force and effect at the close of the 240-day period following the date of publication unless, during such 240-day period, the rulemaking procedures which would apply to such regulation without regard to this paragraph are complied with. If at any time after issuing an emergency regulation the Secretary determines, on the basis of the best appropriate data available to him, that substantial evidence does not exist to warrant such regulation, he shall withdraw it."

If states that assume management responsibility for delisted species eliminate adequate regulatory mechanisms that ensure persistence of recovery, then the reaction by the Department of the Interior should be swift and certain: issuance of an emergency regulation to reinstate federal protections to create the impetus for states to engage in efforts to reinstate adequate regulatory mechanisms. DOI should not stand by and allow this slaughter of wolves not only because of the injustice to this species, but for the precedent this situation will set. If states that assume management responsibility for delisted species can change their regulations to allow and encourage take of recovered species to the point that puts them back on the brink

of extinction, what does this mean for grizzly bears, lynx, and other threatened and endangered species? Why would this administration allow for the setting of such a terrible precedent?

We are not alone in this request for emergency relisting. [Regional tribes including the Nez Perce](#) and Shoshone Bannock have asked for emergency relisting of wolves in the Northern Rockies. Twenty-one [US Senators](#) and [81 US Representatives](#) have asked for emergency relisting of wolves in the Northern Rockies. Dan Ashe, the former US Fish and Wildlife Service Director and now President and CEO of the American Association of Zoos and Aquariums and more than 70 directors of zoos across the nation have [formally requested emergency relisting](#) of the Northern Rockies wolves. Over [800 of the world's top scientists](#), including Dr. Jane Goodall, have asked for emergency relisting of wolves in the Northern Rockies. Hundreds of thousands of people across the US and around the world are asking you for emergency relisting of Northern Rockies wolves.

Please act now.

Sincerely,

Robert Crabtree, PhD

Chief Scientist
Yellowstone Ecological Research Center

Scott Creel, PhD

Professor, Department of Ecology
Montana State University

Adrian Treves, PhD

Professor, Nelson Institute for Environmental
Studies
University of Wisconsin – Madison

John Vucetich, PhD

Professor
Michigan Technological University

Jeremy Bruskotter, PhD

School of Environment and Natural Resources
Ohio State University

Suzanne Asha Stone

President, International Wildlife Coexistence
Network, Idaho
Idaho/Yellowstone Wolf 1995 Reintroduction
team member

Eric Dinerstein, PhD

Senior Advisor, Biodiversity and Wildlife
RESOLVE

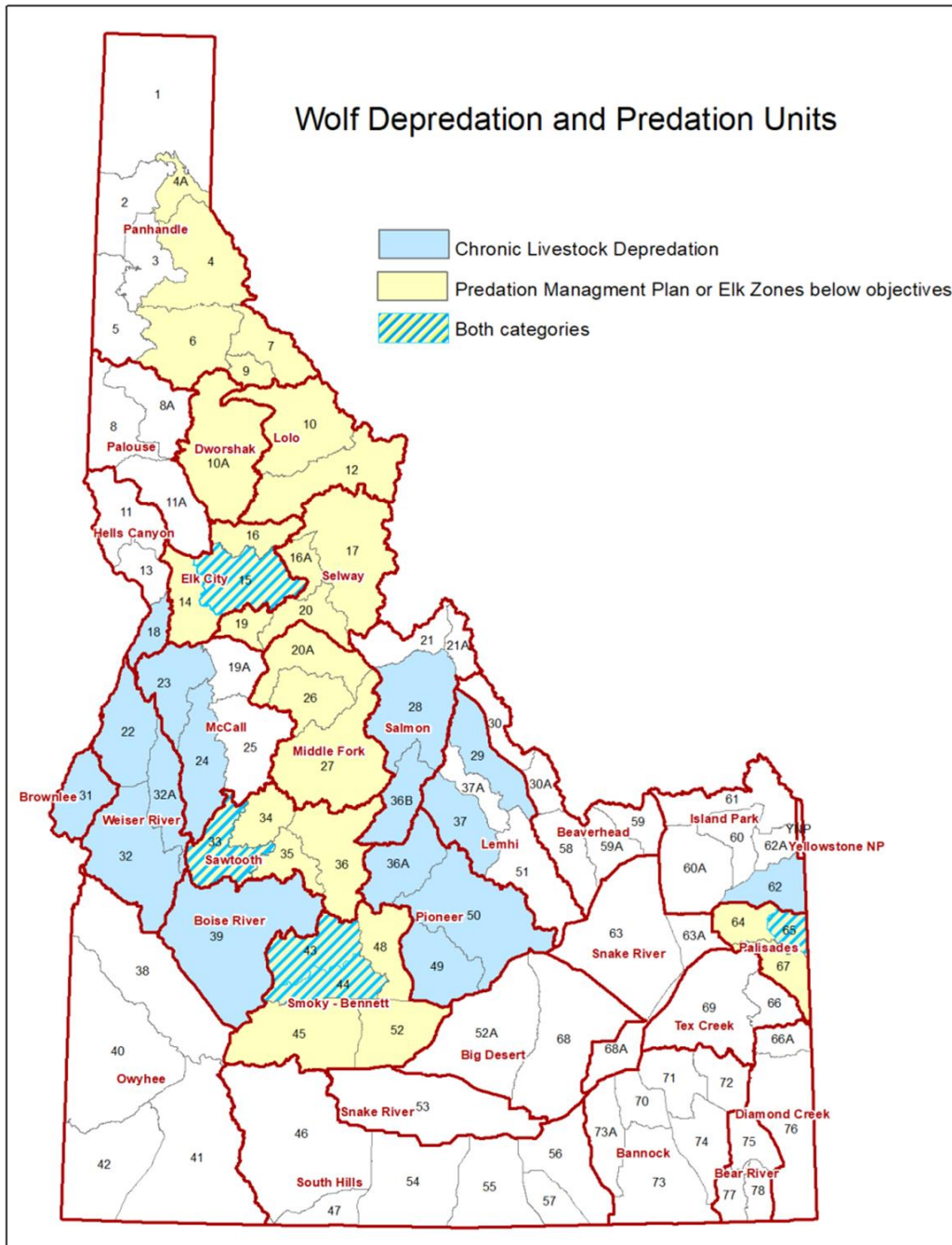
Bridgett M. vonHoldt, PhD

Associate Professor, Ecology & Evolutionary
Biology
Princeton University

Carly Vynne, PhD

Director, Biodiversity and Climate Team
RESOLVE

Appendix A:



Idaho Fish and Game map of Game Management Units.

Just one “confirmed” livestock loss in the blue areas, which overlap with the core of the Idaho wolf population, authorizes bounties increased to \$2,500 per wolf no matter the age or distance to the confirmed livestock loss. The areas in yellow represent the predator management area where bounties are offered up to \$1,000 per wolf with no age limit. Entire packs of wolves are being killed by aerial gunning in the yellow areas defined as “Elk Zones below objectives.”