Delisting the Gray Wolf as an Endangered Species

Gray wolf in Minnesota (Attribution: Derek Bakken, Wikimedia Commons).

Wolves play an important role as predators in North America. They primarily feed on deer, elk, and other large mammals. By doing so, they remove the sicker and weaker members of other animal species. In places where humans have settled, however, wolves also feed on livestock (farm animals).

In most parts of the United States, including rural areas, wolf populations have decreased. As American settlers moved west in the 19th century, they feared that wolves might eat all their livestock. This led to widespread hunting and even government-sponsored efforts to exterminate wolves. The rapid growth of towns and cities also began to severely limit the habitats (natural surroundings) of wolves. By the middle of the 20th century, excessive hunting of wolves and the spread of human settlement nearly led to wolves' extinction.

Only a few hundred gray wolves remained in Minnesota and in a limited area of Michigan. (Today, the gray wolf is one of two species in North America, along with the red wolf in the Southeastern states.) The gray wolf remained in only 5 percent of the range it used occupy in the lower 48 states.

In 1973, Congress passed and President Richard Nixon signed into law the Endangered Species Act (ESA). The law's purpose was to protect ecosystems (environmental areas) of endangered animal species. Endangered species are those that are almost extinct. The law was also meant to conserve both endangered species and threatened species (those that are almost endangered). The gray wolf was listed as endangered.

Limited "takings" (hunting and trapping) of listed species may occur, but the ESA establishes strict rules. Takings of endangered species may only occur in order to study or preserve the affected species. The U.S. Fish & Wildlife Service (FWS), a federal agency of the executive branch, rarely issues permits to trappers or researchers for takings of endangered species.

Overpopulation of a species of predator, such as the gray wolf, can lead to a decrease in other species of prey, such as deer. The ESA calls these predator attacks "depredations." When depredations occur, the ESA allows the FWS to delist predator species. Delisting means moving the species from endangered to threatened status. Delisting also makes it easier for the FWS to issue permits to hunters for takings.

By 1978, the U.S. Fish & Wildlife Service listed all wolves in 47 states as gray wolves. This made them all endangered and, therefore, protected. Over the next 20 years, gray wolf populations gradually recovered, especially in Minnesota and the Rocky Mountains. At times, the FWS has attempted to delist the gray wolf.

In 2003, the FWS delisted gray wolves in states near the Great Lakes because of reported depredations. Environmental organizations opposed the delisting. They sued the FWS to enjoin (stop) the delisting. Sport-hunting organizations supported the FWS's delisting. Judges in two federal district courts, however, invalidated the delisting, and the gray wolf was returned to endangered status.

The FWS attempted a similar delisting in 2007 in the Great Lakes region. The Humane Society of the United States, an animal-rights organization, sued the FWS and the Safari Club International, a sport-hunting group, in federal court. In *Humane Society of the United States v. Kempthorne*, a federal appeals court overturned the FWS's decision. Another attempted delisting in 2009 also resulted in a return of the gray wolf to endangered status.

Yet another delisting in December 2011 in the Western Great Lakes region stirred controversy. The region includes Minnesota, Michigan, Wisconsin, and significant portions of Iowa, North Dakota, and South Dakota. According to the FWS, the gray wolf population in this region has recovered very well. The legislatures in the states of Minnesota, Wisconsin, and Michigan have also passed state plans to conserve the gray wolf population.

In the meantime, rural farmers have reported attacks on their livestock. In 2012, farmer Dan Lorentz of Minnesota found a calf killed on his land. A state conservation officer investigated the killing and found nearby wolf tracks. A trapper was hired to find the

wolf, capture it, and then kill it. As with other farmers in Lorentz's situation, the state paid him about $1,000 for the loss of his calf. In 2012, the state paid a record $154,000 for 111 claims of wolf-depredations of livestock.

More than 100 depredations occur in Minnesota each year. In turn, around 266 wolves were trapped and killed in the state in 2012 alone. The U.S. Department of Natural Resources ("DNR") has set a quota (limit) of no more than 400 takings of wolves allowed in the state each year. "Our 400-wolf quota," says Dan Stark, a wolf specialist of the DNR, "takes into consideration the wolves dying from depredation control, poaching [illegal hunting], and vehicle kills." Stark, therefore, argues that no excessive takings of wolves occur and the number of hunting and trapping licenses is limited.

On the other hand, environmentalists and advocates for animals argue that no takings are necessary. "There is no evidence...hunting works," says Maureen Hackett, founder of Howling for Wolves, a wolf-preservation group. "There's supposedly 265,000 cattle in the wolf range, and [farmers] lose 90 to wolves," she said. "That's not very many." Hackett has proposed that farmers still be paid for their losses, but that they also be encouraged to use guard dogs and electric fences to protect their livestock.

In 2013, the Humane Society of the United States, Born Free USA, and other animal-advocacy organizations sued the U.S. secretary of the interior, the FWS, and the U.S. Department of the Interior (all executive-branch departments or agencies) to enjoin the 2011 delisting. In part of their complaint, they argue that the state governments are "financially strapped" and will not be able to fund law enforcement against poaching of wolves.

At the same time, another wolf-preservation group in Michigan started a petition. Their goal is to allow Michigan citizens to vote directly in 2014 on whether or not to allow wolf hunting in the state. In 2006, Michigan citizens voted by a 2-1 margin to keep a ban on hunting doves.

For Discussion and Writing

1. How was the legislative branch involved with the policy of delisting? List the actions and what legislative body did them.
2. How was the executive branch involved? List the actions and what executive body did them.
3. How was the judicial branch involved? List the actions and what judicial body did them.