PROTECT THE ADIRONDACKS!

December 6, 2013

Public Comments Processing
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, MS 2042-PDM
Arlington, VA 22203

RE: Attn: FWS-R2-ES-2013-0056

The U.S. Fish & Wildlife Service (FWS) announced last summer that it was proposing a new rule to officially delist the gray wolf (*Canis lupus*) from protections under the Endangered Species Act (ESA). Protect the Adirondacks opposes this proposal and recommends that the FWS continue to provide ESA protections for the gray wolf.

The stakes are high for the Adirondack Park and Northeast U.S. with the FWS action to delist the gray wolf. If this action is approved, it will mean that for all practical purposes the gray wolf population in the U.S. will remain as it is today and not grow and expand, with viable populations constricted to the west, in the greater Yellowstone Park area, and the Upper Midwest. If a gray wolf population is ever to be established in the Adirondack Park, and our native ecosystem restored, federal protection under the ESA is essential.

In 2013, the gray wolf has established viable populations in the western U.S. in Idaho, Wyoming, and Montana, as well as with smaller populations in eastern Oregon and Washington. Gray wolves have also made a major comeback in the western Great Lakes states of Michigan, Wisconsin, and Minnesota, with smaller populations in the eastern Dakotas.

Today, the FWS estimates that there are over 2,000 gray wolves in Minnesota, over 800 in Wisconsin, and over 600 in Michigan's Upper Peninsula. Out west, estimates put the wolf populations at over 600 wolves in Idaho and Montana, over 250 in Wyoming, and a handful in eastern Washington and Oregon. The much-celebrated Yellowstone National Park wolf restoration program has seen multiple packs develop with a total population of 100-150 wolves. While the return of the gray wolf to parts of the American west and western Great Lakes states has been a major success story for the Endangered Species Act, these areas represent but a fraction of the total native habitat of the gray wolf in the continental U.S.

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The establishment of viable gray populations in two locations in the U.S. is important, but more populations are needed if wolves are to find their way to the Adirondack Park and the Northeast. We have viable habitat, but our geographic location in northern New York is far from gray wolf populations that could supply initial migrants. If the proposed delisting rule is finalized it will close the door on gray wolf restoration in the Adirondack Park.

There are many reasons that Protect the Adirondacks believes that the proposal to delist the gray wolf from ESA protections is a bad idea.

Two recoveries are successful, but just the beginning: The gray wolf has barely begun to recover or is absent from significant portions of its former range where substantial suitable habitat remains in the Western U.S., Midwest and Northeast. The established gray wolf populations in the West and Upper Midwest represent a small portion of overall gray wolf historic habitat. Why delist the gray wolf in states where it does not yet exist, unless the goal is to prevent new populations from being established in new locations?

The delisting action will likely negatively impact the establishment of viable populations in new areas of the West that have strong wolf habitat. Some of the best habitat in the U.S. for gray wolves is currently unoccupied, such as northern California, Colorado, and Utah. These are the areas most likely to see new wolf populations if ESA protections are sustained. The delisting rule will foreclose re-colonization of these areas by the gray wolf.

The FWS delisting rule fails to consider the importance of these new potential wolf habitat areas to the long-term survival and recovery of wolves, or the importance of wolves to the ecosystems of these regions. If the gray wolf is delisted, then it will be impossible for natural re-colonization of wolves in other parts of its historic range, such as the Northeast and Adirondack Park.

Delisting is contrary to Endangered Species Act: The ESA calls for populations of protected species to be re-established to "a significant portion of its range." Other species, such as the bald eagle, American alligator and peregrine falcon, were declared recovered and delisted when they occupied a much larger portion of their former range. The gray wolf deserves the same chance at real recovery. Only a fraction of its former habitat is now occupied with viable populations.

Gray wolves in the East need protection: Delisting will not provide ESA protection for any wild gray wolf that may colonize suitable habitat anywhere is the U.S., such as the Northeast or Adirondacks. The only way that a viable gray wolf population will recolonize the Adirondack Park in northern New York will be from viable populations that are established closer to New York. Recolonization of viable wolf populations must be allowed to continue progress eastward from the western Great Lakes states.

Delisting is a fast track to hunting seasons for wolves: Montana, Wyoming and Idaho — where wolf management has been turned over the states — are not managing wolves like other big game hunting species such as elk, deer, and bears. These states are managing aggressive population reduction and suppression efforts, not standard hunting seasons. The delisting rule will see higher levels of hunting that will constrict populations to the West and Upper Midwest.

The scientific community is opposed to gray wolf delisting: Sixteen scientists expressed "serious concerns" (see attached) with a recent FWS proposal to delist the gray wolf from Endangered Species Act protections. They do not believe that the rule reflects the conclusions of conservation biology principles and best practices. They also do not find the delisting proposal to meet the fundamental purpose of the ESA to conserve endangered species and the ecosystems.

These scientists were joined by the American Society of Mammalogists (see attached), which also is opposed to this proposal. The argue that the two core areas of gray wolf populations today in the West and Upper Midwest represent only 6% of the historic range of gray wolves.

By law, Endangered Species Act decisions are supposed to be governed by the best available science. That leading scientists oppose this delisting rule should raise red flags for the FWS and justifies rescinding this proposal.

Keystone species, such as wolves, are vital for the ecological health: There is a growing body of scientific literature demonstrating that top predators like wolves play critical roles in maintaining a diversity of other wildlife species and healthy, balanced ecosystems. The successful reintroduction of wolves as the keystone predator in Yellowstone National Park changed the landscape and ecology of that system in ways few scientists predicted. This shows the importance of establishing a keystone species in the Adirondacks.

For all of these reasons, Protect the Adirondack opposes the proposal to delist the gray wolf from ESA protections.

On behalf of the Board of Directors of Protect the Adirondacks, please accept our gratitude for the opportunity to submit these comments on this important decision.

Sincerely,

Peter Bauer
Executive Director

May 21, 2013

Secretary Sally Jewell
Department of Interior
1849 C Street NW
Washington, DC 20240

CC: Dan Ashe, Director
U.S. Fish and Wildlife Service
1849 C Street NW
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Dear Secretary Jewell,

As scientists with expertise in carnivore taxonomy and conservation biology, we are writing to express serious concerns with a recent draft rule leaked to the press that proposes to remove Endangered Species Act protections for gray wolves across the Lower 48 States, excluding the range of the Mexican gray wolf. Collectively, we represent many of the scientists responsible for the research referenced in the draft rule. Based on a careful review of the rule, we do not believe that the rule reflects the conclusions of our work or the best available science concerning the recovery of wolves, or is in accordance with the fundamental purpose of the Endangered Species Act to conserve endangered species and the ecosystems upon which they depend.

The Service's draft rule proposes to: 1) "remove the gray wolf from the List of Threatened and Endangered Wildlife"; 2) "maintain endangered status for the Mexican wolf by listing it as a subspecies (*Canis lupus baileyi*)"; 3) "recognize a new species of wolf known as *Canis lycaon* [that] occurs in southeastern Canada and historically occurred in the northeastern United States and portions of the upper Midwest (eastern and western Great Lakes regions)"; and 4) deny protection to wolves in the Pacific Northwest because they do not qualify as a distinct population segment for lack of discreteness from wolves in the northern Rocky Mountains.

We find these proposals problematic both in terms of their scientific support and their consistency with the intent of the statute. Specifically:

1) **Removal of the gray wolf from the List of Threatened and Endangered Wildlife**
The gray wolf has barely begun to recover or is absent from significant portions of its former range where substantial suitable habitat remains. The Service's draft rule fails to consider science identifying extensive suitable habitat in the Pacific Northwest, California, the southern Rocky Mountains and the Northeast. It also fails to consider the importance of these areas to the long-term survival and recovery of wolves, or the importance of wolves to the ecosystems of these regions.

2) **Maintain endangered status for the Mexican wolf by listing it as a subspecies**
Although the taxonomic distinctness of the Mexican wolf is well-supported, and we thus support subspecific listing as appropriate, the draft rule fails to delineate the geographic extent of the area in which wolves would receive protection, specifying only that Mexican wolves would be

protected “where found”. Genetic analysis of historic Mexican wolves showed that the range of the Mexican wolf likely extended beyond the historic range initially inferred from limited record data. At the same time, the Service has inexplicably delayed completion of the recovery plan for the Mexican wolf, the draft of which had concluded that habitat to the north of the current recovery area may be essential for recovery of the subspecies. The lack of specificity in the rule, coupled with past actions by the Service, encourages continued efforts by stakeholders to block recovery actions essential to recover a subspecies that is among the most endangered mammals in North America.

3) **Recognize a new species of wolf known as *Canis lycaon***

There is not sufficient information to support recognition of a new species of wolf, *C. lycaon*, and the geographic range reduction for *Canis lupus* in the eastern US as currently proposed. The Service acknowledged this problem in 2011, concluding:

> While Chambers *et al.* (in prep.) provide a scientific basis for arguing the existence of eastern wolves as a distinct species, this represents neither a scientific consensus nor the majority opinion of researchers on the taxonomy of wolves, as others continue to argue that eastern wolves are forms of gray wolves (Koblmuller *et al.* 2009, vonHoldt *et al.* 2011). 76 Fed Reg. 81669.

While we encourage the Service to continue to review the taxonomic history of wolves in the eastern US, any future proposed taxonomic revision of canids should be a reflection of a more settled, broader scientific consensus rather than a premature policy decision based on ongoing and unsettled scientific debate. New evidence from complete genome sequencing efforts will likely supersede previous limited genetic evidence. Whether the Service moves forward with recognizing *C. lycaon* should have no bearing on the possibility that *C. lupus*’ range may have extended into some, if not many, of the eastern states. If the Service is intent on recognition of *C. lycaon*, this new species itself needs immediate protection as an endangered species. The draft rule provides no coherent scientific or statutory basis for not protecting wolves in the northeastern United States. The rule also ignores the threat that interspecific hybridization may have on the listed wolf species.

4) **Conclude that wolves in the Pacific Northwest do not qualify as a distinct population segment**

Finally, we cannot support the conclusion that wolves in the Pacific Northwest do not qualify as a distinct population segment due to lack of discreteness from other wolf populations. In 2007, the boundary between the northern Rocky Mountains population and the Pacific Northwest was established by the Service in order to recognize the recovery that has occurred, and delist Northern Rocky Mountain (NRM) wolves. The 2007 rule correctly stated that the “DPS policy does not require complete separation of one DPS from other U.S. packs or populations..if occasional individual wolves or packs disperse among populations, the NRM DPS could still display the required discreteness.” It defies logic for the Service to now argue that “dispersal of wolves across the NRM DPS boundary is likely to continue” and that such occasional dispersal prevents recognition of a DPS that would protect wolves that are beginning to establish in the Pacific Northwest. Additionally, genetic testing of gray wolves that have migrated naturally into the Pacific Northwest has established that some derive from British Columbia coastal wolf populations which are genetically distinct from the inland stock of wolves used as a source for reintroduction to the northern Rocky Mountains.

The extirpation of wolves and large carnivores from large portions of the landscape is a global phenomenon with broad ecological consequences. There is a growing body of scientific literature demonstrating that top predators play critical roles in maintaining a diversity of other wildlife species and as such the composition and function of ecosystems. Research in Yellowstone National Park, for example, found that reintroduction of wolves caused changes in elk numbers and behavior which then facilitated recovery of streamside vegetation, benefitting beavers, fish and songbirds. In this and other ways, wolves shape North American landscapes.

Given the importance of wolves and the fact that they have only just begun to recover in some regions and not at all in others, we hope you will reconsider the Service's proposal to remove protections across most of the United States.

Respectfully,

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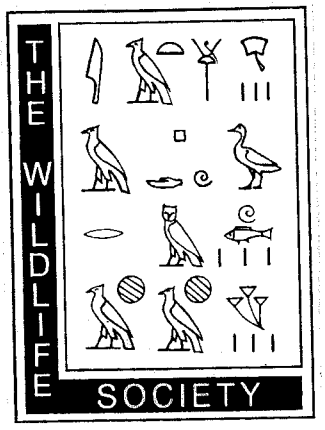

Gray Wolf Delist – Eastern Distinct Population Segment
C/o Content Analysis Team
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15 November 2004

Dear Content Analysis Team:

The American Society of Mammalogists (ASM) is a non-profit, professional scientific society consisting of over 4,000 members from the United States and 60 other countries worldwide. It was founded in 1919 and is the world's oldest and largest organization devoted to the study of mammals. The Wildlife Society (TWS) is the international scientific and educational organization of professional wildlife biologists and managers, dedicated to excellence in wildlife stewardship, with almost 9,000 members from over 60 countries. Both Societies are deeply concerned about the future of mammals worldwide in increasingly threatened habitats, and thus we strongly support mammalian conservation and responsible use based on sound scientific research.

The following letter outlines our concerns in opposition of the US Fish and Wildlife Service's (USFWS) proposal to remove the eastern Distinct Population Segment (DPS) of the gray wolf (*Canis lupus*) from Endangered Species Act protection across a substantial portion of

its historic range that currently does not sustain wolf populations. In the 21 July 2004 *Federal Register* the USFWS published a proposed rule to completely delist gray wolves in the eastern DPS, composed of 21 states from the Great Plains to Atlantic Coast. This proposal would leave the management of wolves in these areas to the individual states. Only three states in this region (MI, MN, and WI) currently have wolf populations or wolf management plans. Thus, delisting throughout the region in the absence of management plans in these 18 states seems directly contrary to the USFWS's Factor D (the adequacy or inadequacy of existing regulatory mechanisms). Indeed, delisting would remove any protection for gray wolves should they naturally recolonize or otherwise become established in any of these other 18 states.

Our first major concern is that the eastern DPS, as defined in the proposed rule, is an arbitrary designation that does not follow any obvious lines of geography, modern management issues, or even species boundaries (see below). Delisting wolves across this large area is not consistent with the geographic or demographic scope of their recovery in the region. The combined populations in MN, WI, and MI represent no more than one percent of the original wolf population of the lower 48 states. Moreover, without federal protection, there is little chance for the establishment of new gray wolf populations in any of the other 18 states that do not currently have wolves, but did historically. Although suitable wolf habitat exists across the Eastern DPS, especially in the northeastern U.S. (Wydeven et al. 1998), wolves are primarily at risk from direct human actions, including activities specifically aimed at their eradication. In the absence of federal protection, persecution by a small minority of the public will likely prevent wolves from re-establishing in the northeastern U.S. The recovery of wolves locally in MN, and the establishment of small but viable populations in WI and MI, is a credit to the effectiveness of the federal Endangered Species Act and provides evidence that wolf populations can establish and persist given the appropriate protections.

Additionally, the taxonomic classification of wolves in eastern North America is still unclear (Wilson et al. 2000, Fascione et al. 2001). At a minimum, this uncertainty demands a conservative approach of maintaining protection until the issue is resolved. More to the point, some studies suggest that this region actually hosts a unique and endemic Northeastern American wolf, *Canis lycaon*, separate from the Eurasian-evolved *Canis lupus* (Grewal et al. 2004). This offers an even more compelling argument for strong federal protection of eastern wolves throughout their historic range.

We have reservations about the conservation potential for the state management plans for MI, WI, and MN. Although there are common strengths (e.g., requirement of sound animal husbandry practices in order to gain compensation for livestock losses to wolves), we believe that other aspects of these three plans err on the side of liberal lethal wolf control policies not consistent with long-term wolf conservation.

Therefore, we recommend continued protection under the Endangered Species Act for gray wolves in the Eastern DPS, as defined in the proposed rule. We thank you for the opportunity to provide comments on this very important issue.

Sincerely,

Dr. Guy Cameron
President
American Society of Mammalogists

Thomas M. Franklin

Thomas M. Franklin
Executive Director (Acting)
The Wildlife Society

References

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Wydeven, A. P., T. K. Fuller, W. Weber, and K. MacDonald. 1998. The potential for wolf recovery in the northeastern United States via dispersal from southeastern Canada. Wildlife Society Bulletin 26(4):177-185.