

November 29, 2022

Katie Petronis  
Deputy Commissioner for Natural Resources  
New York State Department of Environmental Conservation  
625 Broadway, 14th Floor  
Albany, NY 12233-1010

**Re: Protecting Wolves in New York**

Dear Deputy Commissioner Petronis:

On behalf of the Northeast Wolf Recovery Alliance, we thank you and fellow Department of Environmental Conservation (DEC) staff for meeting with us on October 28, 2022, to discuss measures to improve protections for wolves in New York State. We are encouraged by DEC's acknowledgment that the large canid recently shot and killed near Cooperstown is a wolf and by DEC's willingness to discuss educational and regulatory actions that can be taken to better protect wolves. We appreciate the measures recently instituted by DEC to better inform the public, including hunters, about the presence of wolves in New York and how to distinguish wolves from coyotes. However, we firmly believe that additional actions must be taken to ensure the future of wolf recovery in New York, including full implementation of legal protections for wolves provided by New York's endangered species law and the federal Endangered Species Act.

**Background**

As you know, New York law prohibits the "taking," defined to include killing, of gray wolves (*Canis lupus*) because of their status as an endangered species in the state of New York. Environmental Conservation Law ("ECL") § 11-0535(2); 6 NYCRR Part 182.5(a)(7)(ix). Despite this prohibition, wolves continue to be killed in New York State, with the most recent confirmed fatal shooting of an 85-pound wolf occurring in December 2021 near Cooperstown.

Wolves have dispersed and will continue to disperse into the Northeast from breeding populations in Canada and the Great Lakes.<sup>1</sup> Studies have concluded there are conservatively more than 17,000 square miles of potential wolf habitat throughout New England and New York, making the region not only ideal but highly suitable for wolf recovery. Self-sustaining populations of wolves exist in Algonquin Provincial Park and Southern Quebec<sup>2</sup> and the distance between suitable wolf habitat in the Northeast and established wolf populations in Canada is

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<sup>1</sup> Glowa, J., W. L. Pepperman, C. L. Schadler, J. Butera, and J. G. Way. 2009. Petition submitted to protect wolves and allow wolf recovery in the northeast. Submitted to U.S. Department of Interior on 31 January 2009. 17 pages. Available:

<http://www.easterncoyoteresearch.com/downloads/ESApetition2009final.pdf>

<sup>2</sup> COSEWIC. 2015. COSEWIC assessment and status report on the Eastern Wolf *Canis sp. cf. lycaon* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa. xii + 67 pp. Available: [www.registrelep-sararegistry.gc.ca/default\\_e.cfm](http://www.registrelep-sararegistry.gc.ca/default_e.cfm)

easily within the dispersal distance that has been recorded consistently in other wolf populations across the country.<sup>3</sup>

There is evidence that wolf dispersal into the Northeast has been happening for years and is likely to continue.<sup>4</sup> Unfortunately, the evidence of wolf presence in the Northeast consists primarily of documented killings of wolves, including two in New York in 2001 and 2005.<sup>5</sup> In addition, records produced in response to our recent Freedom of Information Law request suggests that another canid, found dead on a bulldozer tread in a New York State park in 2020, was revealed through DNA analysis to be 73% wolf and therefore a wild native canid that if alive today would have helped support New York's ecological systems.

The preservation and protection of wolves dispersing into New York State is crucial if natural recovery of wolf populations in the Northeast is to be successful. Following steep declines, wolves are now established or recolonizing in at least 11 other states. The same population recovery is possible in New York, which DEC acknowledges contains "significant suitable habitat" for wolves, including 6,000 square miles of suitable habitat in Adirondack Park alone.<sup>6</sup> In fact, DEC notes that wolves have successfully recolonized regions of northern Wisconsin and the Michigan Upper Peninsula possessing habitat, road and human densities comparable to that of the Adirondack Park.<sup>7</sup> This similarity is particularly significant because the US border is only 130 kilometers (80 miles) from the wolf core population in the Papineau Labelle Wildlife Reserve in Quebec.<sup>8</sup> However, as DEC notes, wolves dispersing from this core area (or from other core areas) "might be able to successfully navigate the fragmented New England and Adirondack landscape *if provided protection from intentional killing.*"<sup>9</sup> We therefore urge the DEC to take the following steps to mitigate the taking of wolves by coyote hunters and to better protect wolves in New York from intentional or unintentional killing.

### **Regulatory Actions**

In order to reach a middle ground between complete legal protection for all wild canids—which would provide the greatest protection for wolves—and current regulations allowing an extended coyote season with no bag limit, we ask that DEC amend its regulations to institute the following protective procedures:

1. All canids killed in New York should be checked-in, similar to the check-in requirement that currently exists for deer and bear. Canids taken by hunting or trapping should be tagged and possession of untagged canids should be prohibited and penalized. This will provide better regulation and needed data on the numbers, sizes and characteristics of canids being taken in New York.

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<sup>3</sup> Morales-González, A., Fernández-Gil, A., Quevedo, M. and Revilla, E. (2022), Patterns and determinants of dispersal in gray wolves (*Canis lupus*). *Biol Rev*, 97: 466-480. <https://doi.org/10.1111/brv.12807>

<sup>4</sup> Glowa et al. 2009

<sup>5</sup> *Id.*

<sup>6</sup> NYSDEC, Species Status Assessment, Gray Wolf, *Canis lupus* (2017) at 1, 8.

<sup>7</sup> *Id.* at 12.

<sup>8</sup> *Id.* at 7.

<sup>9</sup> *Id.* at 8 (emphasis added).

2. Checked-in canids that meet certain regulatory criteria (*e.g.*, weight, size, canine spread, head and ear size) should be subjected to a DNA analysis to assess the genetic composition of the animal. This will provide critical data concerning the genetic makeup of large canids in New York and will identify wolves that are taken. The results of all DNA analyses performed on checked-in canids should be made available to the public annually on the DEC website. The state should work with canid experts to use reputable labs that have prior experience genotyping hybridized *Canis* populations in the eastern United States.
3. A two-year canid hunting moratorium should be imposed as soon as possible within the geographic area where a wolf kill has been documented. This measure is critical to protect other wolf pack members that may be present in the area. It may also deter hunters from taking large wolf-like canids in order to avoid the possibility that the take of a wolf will trigger a canid hunting moratorium.
4. Night hunting of “coyotes” should be prohibited due to the fact that hunting in nighttime conditions makes field identification of canid size exceptionally difficult. In addition, the coyote hunting season should be shortened, and bag limits should be established. It should be recognized that eastern coyotes are already >25% wolf and this can confuse the general public in differentiating existing hybridized canids (aka “coyotes”) from wolves.<sup>10</sup> Essentially, this can create situations where people kill a small wolf (*e.g.*, 60-65 pounds) thinking it was a large “coyote”.
5. A wanton-waste law should be established for all canids, similar to other animals, to ensure that their bodies are being used after being checked in (see #1). This will ensure minimal waste of ecologically important predators, and will better adhere to the North American Model of Wildlife Management.

### **Educational Actions**

As noted above, we appreciate DEC adding to its website information concerning the presence of wolves in New York and ways to distinguish wolves from coyotes. We are also pleased with the Department’s stated intention to add an article about wolves in New York to its hunting and trapping newsletter. However, it is important to use photos or drawings of hybridized eastern coyotes/coywolves on any websites or other informational texts, and not the smaller western coyote (the DEC press release shows a western coyote<sup>11</sup>).

We believe additional public education, particularly among hunters, is critical to ensuring that wolves are protected, and therefore request that all hunter and trapping training curriculum include information on wolves, including the facts that wolves are present in New York and are

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<sup>10</sup> Way, J.G. 2013. Taxonomic Implications of Morphological and Genetic Differences in Northeastern Coyotes (Coywolves) (*Canis latrans* × *C. lycaon*), Western Coyotes (*C. latrans*), and Eastern Wolves (*C. lycaon* or *C. lupus lycaon*). *Canadian Field-Naturalist* 127(1): 1–16.

<sup>11</sup> <https://cpw.state.co.us/Documents/Wolves/Wolf-VS-Coyote-Identification-Sign.pdf>

protected by law; how to distinguish wolves from coyotes; and the recommendation that “if in doubt, don’t shoot” in cases where hunters are unsure of whether a large canid is a wolf.

### **Wolf Sightings**

We are pleased that DEC is partnering with SUNY ESF to expand wildlife camera capacity in the Adirondack Park to 1,000 cameras, which will hopefully help document canids present in the Park. We request that DEC make any data obtained through this program publicly available, particularly any photo documentation of large canids present in the Park, while also being careful to not disclose location of potential wolves. We are also pleased that DEC is conducting further genetic testing on canids in New York. We urge DEC to expand this research to include scat collection for genetic analysis to better understand the potential range of wolves in the State.

The public currently has no easy way to report potential wolf sightings to the Department. We therefore urge DEC to establish a mechanism, such as a hotline and/or website portal, for members of the public to report potential wolf sightings. We also request that DEC (i) establish a process for responding to and investigating reported sightings, and (ii) identify and institute protective measures that will be taken in the event the Department verifies (by field observation, photographic evidence, scat or DNA analysis or other means such as trap and release to obtain body size of a known individual) a wolf sighting. These measures are crucial to understanding where wolves may be present in the State and ensuring their protection.

Thank you for the opportunity to provide these recommendations. We look forward to continuing a collaborative effort to provide better protections to wolves in New York.

Sincerely,

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Protect the Adirondacks

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Managing Partner  
Adirondack Wild: Friends of the Forest Preserve

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