



## Questions and Answers About the Gray Wolf Western Distinct Population Segment 4(d) Rule

*Wolf populations in the experimental areas in Idaho, Montana, and Wyoming are continuing to rapidly expand in numbers and distribution. This means that individual wolves from those areas, or from Canada, could disperse into neighboring areas. If wolves attack livestock, today's reclassification and associated 4(d) rule provides private citizens and State and Federal governments the flexibility to address those problem wolves.*

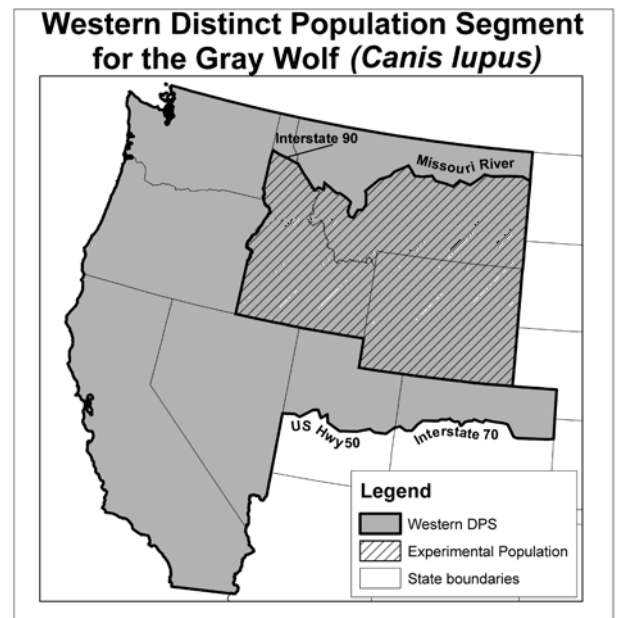
*The U.S. Fish and Wildlife Service (Service) believes that this increased flexibility for managing problem wolves will increase human tolerance of wolves, and will ultimately enhance the survival and recovery of gray wolves in the West. The Service will work closely with the appropriate State or Tribal wildlife management agency if any wolves require monitoring or management.*

### 1) What is a 4(d) rule?

Section 4(d) of the Endangered Species Act allows the Service to develop special regulations that can reduce or expand the normal protections for species listed as threatened (but not for species listed as endangered) to conserve the species. The Service developed the wolf Western 4(d) Rule to provide important flexibility for addressing species-human conflicts as wolves become more numerous and widespread.

### 2) Where is the Western Distinct Population Segment and where does the Western 4(d) rule apply?

See the map for the boundaries of the Western Distinct Population Segment. The 4(d) rule applies in the States of Washington, Oregon, California, Nevada, Idaho north of Interstate 90, northern Montana and northern Utah, and Colorado north of Interstate-70. The Western 4(d) rule is very similar to the experimental population rules that still apply in southern Montana, Wyoming, and Idaho south of Interstate 90. These rules allow flexibility for managing problem wolves.



### 3) Why is the Western Distinct Population Segment so big?

Wolves have been documented to disperse more than 500 miles in search of a mate and a new place to live. When the Service began to restore wolves in Montana, Idaho, and Wyoming, we knew that if recovery was successful, some wolves could disperse into neighboring areas. The Federal reclassification of wolves to threatened status not only recognizes the wolf's remarkable recovery, but with more wolves, there are more chances they may disperse into neighboring States. While the Service has no plans to recover wolves beyond Montana, Idaho, and

Wyoming, the Western 4(d) rule allows for a much greater level of management flexibility to deal with occasional lone dispersing wolves, especially if they cause conflicts with livestock.

#### **4) When does this 4(d) rule take effect?**

The rule will be effective the date it is published in the *Federal Register*, sometime near the end of March, 2003.

#### **5) What can a private landowner do about problem wolves?**

On any privately owned land within the Western Distinct Population Segment, private landowners or their agents (such as a family member, hired hand, or part-owner of the livestock, equipment, or land) can scare away wolves at any time, and for any reason as long as the wolf is not physically injured in the process. If you have to scare away a wolf, you must contact the Service (see contact information below) or the natural resource representative nearest you (Game Warden, Forest Ranger, Wildlife Services, or State or Tribal Wildlife Biologist) within 1 week. By notifying the Service of a wolf on your land or near your livestock, you protect your interests. If you later kill a wolf that was in the act of attacking your livestock, you have a record that you reported a wolf on your property.

If a private landowner or his/her agent sees a wolf biting or directly attacking livestock (cattle, sheep, mules, and horses), herding or guarding animals, or domestic dogs, on their private land, he/she can legally shoot the wolf. Shooting a wolf must be reported to the Service as soon as possible but within 24 hours. There must be evidence of an attack (wounded or dead livestock, tracks, blood, hair, etc.), and the wolf carcass should not be disturbed. Wolves, like most predators, often scavenge and feed on animals that died from other causes. Consequently, you are not allowed to shoot a wolf that is simply seen feeding on a livestock carcass. Rather, shooting a wolf “in the act” of biting, wounding, or killing your livestock, herding or guard animals, or domestic dogs is allowed under the 4(d) rule. Call USDA Wildlife Services in your State if you suspect you have a problem (see contact information below).

#### **6) What should I do if I suspect wolves have attacked or killed my livestock?**

Try to retain as much evidence as possible and report the incident to Wildlife Services as quickly as possible (see contact information below). A private group compensates producers for any livestock that is confirmed by Wildlife Services to have been maimed or killed by a wolf. The quicker the incident is reported, the more likely the investigation will be successful. Please do not promote activities that may destroy evidence, such as disturbing the site or conducting your own “examination,” before investigators arrive. Please do report the incident quickly, throw a tarp over any livestock carcass, and put a box or coffee can over any wolf tracks you find.

#### **7) Can having wolves on my private property affect the use of my land?**

No, there are absolutely no land-use restrictions on private land, not even around active wolf dens. We ask that you report any wolf activity on your land to your local biologist or game warden to help agencies keep better track of wolves, but your cooperation is strictly voluntary. You may not harm a wolf on your own property except in the special circumstances described in the Western 4(d) rule. Therefore, some predator control devices such as M-44 cyanide guns cannot be used in areas occupied by wolves.

**8) Can I shoot a wolf that is attacking my livestock on my grazing lease?**

That depends where your lease is located. If your lease is on State, Tribal, or private lands, the same rules apply as on private lands (see question 5 above). On Federal lands, such as those managed by the Bureau of Land Management or the U.S. Forest Service you can scare away wolves near your livestock without hurting them, but you must have a written permit from the Service to shoot a wolf attacking your livestock.

**9) I run livestock under a Federal grazing permit. How can I get a permit to shoot a wolf I see attacking my livestock on my Federal grazing allotment?**

You can receive a written 45-day permit from the Service to shoot a wolf attacking your livestock on a Federal grazing allotment after you have a depredation that Wildlife Services has investigated and confirmed to be caused by wolves. If you suspect that wolves have attacked your cattle, sheep, horses, mules, or herding and guard animals (llamas, donkeys, and certain special-use breeds of dogs commonly used for guarding or herding livestock), contact Wildlife Services or the Service.

**10) Can I legally kill a wolf that is attacking me or someone else?**

Yes. You can kill a wolf that is attacking you or someone else, but you must report it within 24 hours. The Endangered Species Act specifically states that “no penalty shall be imposed if it can be shown by a preponderance of evidence that the defendant committed an act based on a good faith belief that he was acting to protect himself or herself, a member of his or her family, or any other individual from bodily harm, from any endangered or threatened species.” Aggressive behavior by wild wolves toward humans is extremely rare, and wild wolves are generally shy of humans. There hasn’t been a single documented case of a healthy wild wolf killing a person in North America. Because of this, any claim that a wolf was killed because it was attacking a person will be investigated very closely.

For additional information on wolf attacks, please contact one of the following Service wolf biologists:

Joe Fontaine, 406-449-5225 x 206, Helena, Montana.

Tom Meier, 406-751-4581, Kalispell, Montana.

Mike Jimenez, 307-332-7789, Lander, Wyoming.

Carter Niemeyer, 208-378-5639, Boise, Idaho.

**11) What can be done about wolves that are acting aggressively toward humans, but don’t actually attack?**

The Western 4(d) rule allows the Service, any Federal land management agency (such as the U.S. Forest Service or Bureau of Land Management), or State or Tribal conservation agency to remove a wolf that has exhibited aggressive behavior but is not an immediate threat to human life or safety. In addition, the Service can issue rubber bullets to private citizens, provide them with training, and issue them a permit to shoot the rubber bullets at wolves to make them more afraid of people. As mentioned above, wild wolves are generally shy of humans. A few wolves have bitten people, but those rare instances are almost always associated with wolves that became habituated to people, usually by people feeding them.

**12) What can I do if wolves are frequenting my property?**

The Service can provide you with a permit and training to harass wolves in a non-lethal manner, such as shooting rubber bullets at wolves to help make them more afraid of people. The Service can also issue permits to shoot wolves on sight on private lands in areas with chronic wolf problems.

**13) Do Federal agencies still need to conduct section 7 consultations in the 4(d) area?**

Yes. Federal agencies are required to consult with the Service under section 7 of the Endangered Species Act if they fund, authorize, or carry out actions that may affect a threatened or endangered species. The Western 4(d) rule does not change the need for Federal agencies to conduct those section 7 consultations, but does simplify the process by specifying that few, if any, land-use restrictions are anticipated.

**14) Is the Service going to reintroduce more wolves?**

No. The Service's wolf restoration program in the northern Rocky Mountains is focused on maintaining a recovered wolf population in Montana, Idaho, and Wyoming. That population now numbers nearly 700 wolves and achieved its recovery goal in December 2002. The Service hopes to be able to propose to remove the wolf Western Distinct Population Segment from the list of endangered or threatened species in 2003. The Service has no plans to establish a wolf population anywhere else within the Western Distinct Population Segment, only to maintain the wolf population in Montana, Idaho, and Wyoming. The fate of any wolves in States in the Western Distinct Population Segment, other than Montana, Idaho, and Wyoming, will solely be a State issue once wolves are no longer protected by the Endangered Species Act.

**15) Why doesn't the Service want to restore the gray wolf throughout its historic range?**

Like all Federal agencies, the Service carries out its various programs according to the legal authorities provided to it by the various acts passed by Congress, and we cannot go beyond those legal authorities. The Endangered Species Act provides the authority to recover species to the point at which they are no longer threatened or endangered. The Endangered Species Act does not provide the authority to restore a species across its entire historical range. Because gray wolves can be recovered -- that is, they will no longer be threatened or endangered -- without restoration across their entire historical range, the Service has no plans to initiate wolf restoration across their former range. Recovery of species beyond the mandates of the Endangered Species Act is up to the respective States and Tribes.

**16) How many wolves currently reside in MT, ID ,and WY?**

Estimates of wolf numbers at the end of 2002 were 285 in central Idaho, 271 in the Greater Yellowstone Area, and 108 in NW Montana, for a total of 663 wolves. Of approximately 80 groups of two or more wolves, 43 groups met the definition of a breeding pair, (defined as an adult male and female with two pups or more until December 31).

**17) What is the recovery goal?**

The recovery goal is to have 30 breeding pairs of wolves distributed throughout the recovery area (Montana, Idaho, and Wyoming) for a minimum of 3 successive years. That goal was achieved December 31, 2002

**18) If the wolves are delisted, how will those populations be maintained to ensure long-term viability of the species?**

Two primary conditions have to be met for the western wolf population to be delisted. First the recovery goal discussed above must be met, and second, the Service is required to make sure the factors that caused wolves to be listed are resolved. The one factor that applies most to wolves is that human-caused mortality be regulated so it does not cause wolf populations to become threatened or endangered again. The Service must be reasonably assured that adequate regulatory mechanisms are in place to conserve the wolf population so that it will not become threatened or endangered if the Endangered Species Act protections are removed. The Service is working closely with the States of Montana, Idaho, and Wyoming as they develop wolf conservation plans that will meet this requirement.

**19) How many offspring do you expect each year from these populations?**

The average litter size in the Rockies is about 5 pups. The 43 breeding pairs in the recovery areas could produce about 220 pups this spring. Of course, this doesn't take into account mortality that could occur throughout the year.

**20) What is the average *annual* number of livestock kills in the three recovery states?**

NW Montana: 6 cattle, 5 sheep, per year since 1987.

Yellowstone: 9 cattle, 41 sheep, per year since 1995.

Central Idaho: 8 cattle, 23 sheep, per year since 1995.

**21) What other states in the Western Distinct Population Segment have reported wolves within their boundaries?**

Utah, Oregon, and Washington have had individual wolves naturally disperse inside their State borders. However, no breeding pairs have been documented outside of Montana, Wyoming, or Idaho at this time.

**22) How many livestock deaths have been reported annually in these other States?**

Through the end of 2002, 15 lambs, but no other livestock or pets, have been confirmed killed by a wolf in Utah. No other livestock or domestic animals have been confirmed as wolf depredations in the Western Distinct Population Segment outside of Montana, Idaho, and Wyoming.

**23) How much does a rancher get reimbursed for a cow or a sheep that is killed by a wolf? And where does that money come from?**

The conservation organization, Defenders of Wildlife, has a wolf depredation compensation program. They will pay a livestock producer 100% of the fair market value of the livestock for a confirmed loss (up to \$2,000). They will also pay a livestock producer 50% for a probable, but unconfirmed, wolf depredation incident. Please see the Defenders of Wildlife website, [www.defenders.org](http://www.defenders.org), for additional information.

**24) Who do I contact for additional information?**

Ed Bangs is the Western Wolf Recovery Coordinator for the Service and serves as the primary point of contact. When Ed Bangs is not available, ask for Joe Fontaine. Both can be reached in Helena, Montana, at 888-264-0103 (toll free number).

In **Idaho**, you can contact:

Carter Niemeyer, the Service's Idaho Wolf Recovery Coordinator, at 208-378-5639.

Mark Collinge, the Wildlife Services Director, at 208-378-5077.

Curt Mack, the Idaho wolf recovery lead, Nez Perce Tribe, at 208-634-1061.

In **Eastern Washington**, you can contact:

The Service's Spokane Office, at 509-891-6839.

The Wildlife Services State Office, at 360-753-9884.

In **Western Washington**, you can contact:

The Service's Lacey Office, at 360-753-9440.

The Wildlife Services State Office, at 360-753-9884.

In **Oregon**, you can contact:

The Service's LaGrande Office, at 541-383-7146.

The Wildlife Services State Office, at 503-326-2346.

In **Nevada** you can contact:

Ed Bangs or Joe Fontaine, at 888-264-0103 (toll free number).

The Wildlife Services State Office, at 775-784-5081.

In **California**, you can contact:

Ed Bangs or Joe Fontaine, at 888-264-0103 (toll free number).

The Wildlife Services State Office, at 916-979-2675.