



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/AES/DCHRS/034145

DEC 12 2007

Terry Cleveland, Director
Wyoming Game and Fish Department
5400 Bishop Boulevard
Cheyenne, Wyoming 82006

Dear Mr. Cleveland:

Thank you for your November 19, 2007 letter to the U.S. Fish and Wildlife Service (Service) concerning the Final Wyoming Gray Wolf Management Plan (2007 Plan), which was approved by the Wyoming Game and Fish Commission on November 16, 2007. After careful review and consideration, we determined that the 2007 Plan will provide adequate regulatory mechanisms for conserving a recovered wolf population in Wyoming after delisting and meets the requirements of the Endangered Species Act (Act). Our determination is conditioned upon the 2007 Wyoming wolf management statute (W.S. 23-1-109 through 115, and enacted in House Bill 213) being fully in effect, and the 2007 Plan being legally authorized by Wyoming statutes.

To make our determination, we reviewed: 1) the 2007 Plan; 2) Governor Freudenthal's November 19, 2007, letter certifying that the trophy game management boundary line has been changed in accordance with Wyoming Statute 11-6-302(b) and 23-1-101(b) in House Bill 213; 3) peer reviews of the 2003 Wyoming Wolf Management Plan (2003 Plan) that we subsequently determined inadequate; 4) the Service's reasons for making that determination on the 2003 Plan (71 FR 43410); 5) peer and public comments on our 2007 delisting proposal (72 FR 6106), including those provided during the reopened comment period on delisting in light of Wyoming's new wolf management plan (72 FR 36939); and 6) review of other relevant information, such as wolf distribution and numbers in Wyoming (72 FR 6106; Fish and Wildlife Service September 21, 2007, Weekly Wolf Report; Service et al. 2007, 2006 Interagency Annual Wolf Report).

When the Service determined that the 2003 Plan did not meet the requirements of the Act, we stated that a Wyoming wolf management plan must be consistent with State of Wyoming statutes, and that three specific parts of the plan should be revised. The following statements are from our January 2004 letter identifying the needed changes: 1) "The 'predatory animal' status for wolves must be changed. The unregulated harvest, inadequate monitoring plan, and unit boundaries...do not provide sufficient management controls..."; 2) "Wyoming state law must clearly commit to manage for at least 15 packs in Wyoming"; and 3) "Wyoming's definition of a wolf pack must be consistent among the three States and should be biologically based." The 2007 Plan adequately addresses all three of these issues. The area of Wyoming designated as "trophy game" now encompasses enough area, and will allow for the regulation and monitoring

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of wolf harvest sufficiently to easily support a recovered wolf population in suitable habitat in northwestern Wyoming. Wyoming has clearly committed to manage for at least 15 breeding pairs and 150 wolves within the State, and 7 of those breeding pairs will be maintained outside the National Park Units in Wyoming. The State has also committed to measure recovery and its management objectives by breeding pairs, as defined by the biologically based standard consistent with that of Idaho and Montana.

I congratulate Wyoming for adopting a wolf management plan that meets the requirements of the Act. Additionally, once all the provisions in Wyoming's 2007 authorizing legislation are in effect and this plan can be implemented, the State's residents will have additional flexibility to protect their livestock and dogs from wolf attack, and the Wyoming Game and Fish Department (Department) will have increased flexibility to resolve conflicts resulting from wolf predation on native ungulate populations under 50 CFR 17.84(n). Furthermore, the 2005 experimental population rule (50 CFR 17.84(n)(11)) authorizes States with Service-approved post-delisting wolf management plans to enter into cooperative agreements with the Service, or into a memorandum of understanding with the Secretary of the Department of the Interior, to assume the day-to-day management of wolves in their States, consistent with the requirements of the Act. Montana Fish, Wildlife and Parks and Idaho Department of Fish and Game have been doing a commendable job of wolf management for almost 3 years under such agreements, and I am confident that Wyoming will manage wolves at the same level of excellence.

Thank you for your continuing efforts to work with us through these difficult and contentious issues. I ask that you convey my personal appreciation to your staff. Please contact me directly at (202) 208-4717 if you would like to discuss this issue further.

Sincerely,



DIRECTOR