



HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Water, Wildlife and Fisheries Republican Members  
**From:** Subcommittee on Water, Wildlife and Fisheries staff: Annick Miller x58331  
([annick.miller@mail.house.gov](mailto:annick.miller@mail.house.gov)) and Doug Levine ([doug.levine@mail.house.gov](mailto:doug.levine@mail.house.gov))  
**Date:** Friday, May 3, 2024  
**Subject:** Oversight Hearing on “*How Many Wolves Are Enough? Examining the Need to Delist the Gray Wolf.*”

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The Subcommittee on Water, Wildlife and Fisheries will hold an oversight hearing on “*How Many Wolves Are Enough? Examining the Need to Delist the Gray Wolf,*” **on Friday, May 3, 2024, at 10:00 a.m. CDT at the North Pine Government Center in Sandstone, MN.**

Member offices are requested to notify Thomas Shipman ([Thomas.Shipman@mail.house.gov](mailto:Thomas.Shipman@mail.house.gov)) by 4:30 p.m. on Thursday, May 2, 2024, if their Member intends to participate in the hearing.

## I. KEY MESSAGES

- The gray wolf is an Endangered Species Act recovery success story. Gray wolves should be delisted in the entire lower-48 states and returned to state management.
- The Obama, Trump, and Biden administrations have agreed that the gray wolf species is recovered and should be delisted, but extreme environmental groups and activist judges have stopped the delisting attempts by multiple administrations.
- Recent scientific analysis by the U.S. Fish and Wildlife Service show that the gray wolf population is healthy and can sustain itself.

## II. WITNESSES

- **The Honorable Steve Green**, State Senator, Minnesota State Senate, St. Paul, Minnesota
- **Mr. John Williams**, Wolf Committee Co-Chair, Oregon Cattleman’s Association, Enterprise, Oregon
- **Mr. Jim Hammill**, President, Iron Range Consulting and Services Inc., Crystal Falls, Michigan
- **The Honorable Nathan Nelson**, State Representative, Minnesota State House of Representatives, St. Paul, Minnesota
- **Dr. Nathan Roberts**, Associate Professor for Conservation and Wildlife Management, College of the Ozarks, Point Lookout, Missouri
- **The Honorable Sarah Strommen**, Commissioner, Minnesota Department of Natural Resources, St. Paul, Minnesota (*Declined to testify*)

- **The Honorable Deb Haaland**, Secretary, Department of the Interior, Washington, D.C. (*Declined to testify*)

### III. BACKGROUND

#### Current Wolf Management Framework

Prior to the enactment of the Endangered Species Act (ESA) in 1973, the U.S. Fish and Wildlife Service (Service) had listed some gray wolf subspecies for protection.<sup>1</sup> In 1978, the Service combined these listings and listed the gray wolf species as endangered throughout the lower-48 (referenced hereafter as the “1978 Rule”), but created a separate listing for the gray wolf in Minnesota as threatened.<sup>2</sup> The 1978 Rule specified that “biological subspecies would continue to be maintained and dealt with as separate entities.”<sup>3</sup> As such, the Service implemented gray wolf recovery programs in three regions: the northern Rocky Mountains, the southwestern United States for the Mexican wolf, and the eastern United States (including the Great Lakes States) for the eastern timber wolf.<sup>4</sup>

The Great Lakes region has the largest concentration of gray wolves in the lower-48 states, with approximately 4,200 wolves that inhabit the states of Michigan, Minnesota, and Wisconsin.<sup>5</sup> Under the current management framework, wolves in Minnesota are listed as threatened, whereas wolves in Michigan and Wisconsin are listed as endangered.<sup>6</sup> The recovery plan for the gray wolf in the Great Lakes is clear when it comes to criteria for delisting, a stable or increasing population of wolves in Minnesota and at least 200 wolves outside of the Minnesota population.<sup>7</sup>

According to testimony from Nathan Roberts, a former wildlife biologist at the Wisconsin Department of Natural Resources, “these goals have been met since at least 1994.”<sup>8</sup> He went on to say, “it is remarkable to note that, given the natural life span of wolves, every wolf on the landscape in the Great Lakes



*Figure 1 Picture of a gray wolf in the wild. | Source: Calgary Zoo*

<sup>1</sup> The USFWS listed the first gray wolf subspecies, the eastern timber wolf as endangered in 1967 under the Endangered Species Preservation Act of 1966. In 1973, the USFWS listed the northern Rocky Mountain wolf (*C. lupus irremotus*) as endangered.

<sup>2</sup> “U.S. District Court Vacates Gray Wolf Delisting Rule.” Erin H. Ward. Congressional Research Service. [LSB10697 \(congress.gov\)](#)

<sup>3</sup> [43 FR 9607](#), March 9, 1978

<sup>4</sup> *Id.*

<sup>5</sup> “America’s Gray Wolves Get Another Chance at Real Recovery.” Natural Resources Defense Council. Shelia Hu. April 21, 2022. [America’s Gray Wolves Get Another Chance at Real Recovery \(nrdc.org\)](#).

<sup>6</sup> “U.S. District Court Vacates Gray Wolf Delisting Rule.” Erin H. Ward. Congressional Research Service. [LSB10697 \(congress.gov\)](#).

<sup>7</sup> “Recovery Plan For the Eastern Timber Wolf.” U.S. Fish and Wildlife Service, Region 3. January 31, 1992. <https://www.govinfo.gov/content/pkg/GOVPUB-I49-PURL-LPS37439/pdf/GOVPUB-I49-PURL-LPS37439.pdf>

<sup>8</sup> “Testimony of Nathan Roberts.” House Committee on Natural Resources. March 23, 2023. [testimony\\_roberts.pdf \(house.gov\)](#)

region was born long after recovery goals were met.”<sup>9</sup>

Between 2003 and 2015, the Service published several rules revising the 1978 Rule to incorporate new information and recognize the biological recovery of gray wolves in the northern Rocky Mountains and eastern United States (including the Great Lakes States). These rules were challenged in court and invalidated or vacated, partly on the determination that the Service distinct population segment (DPS) designations were legally flawed.<sup>10</sup>

In 2009, the Service published final rules designating and delisting the western Great Lakes DPS and the northern Rocky Mountain DPS.<sup>11</sup> The Service did not delist the gray wolf in Wyoming after finding the state’s management plan inadequate.<sup>12</sup> The western Great Lakes DPS delisting was challenged by the Humane Society on the grounds that the Service violated the Administrative Procedure Act’s (5 U.S.C. §§ 551–559) notice and comment requirements.

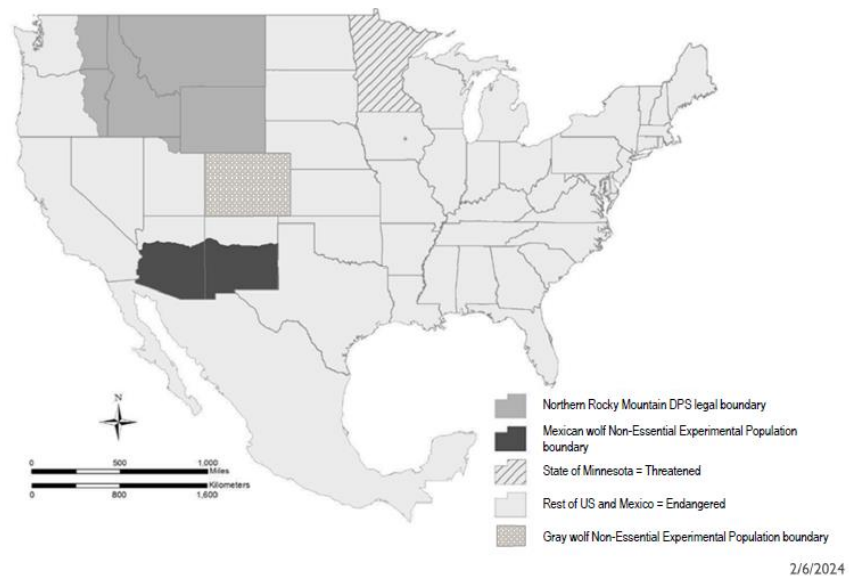


Figure 2 Map showing management framework of gray wolves. | Source: U.S. Fish and Wildlife Service 2/6/24 Congressional Staff Presentation

Ultimately, the Service reached a settlement agreement and withdrew the rule.<sup>13</sup> The northern Rocky Mountain DPS rule was challenged by Defenders of Wildlife and the U.S. District Court for the District of Montana vacated the 2009 northern Rocky Mountain DPS rule after concluding that the ESA does not allow the Service to list a partial DPS.<sup>14</sup> However, in 2011, legislation was signed into law that directed the Service to reinstate the 2009 rule designating and delisting the northern Rocky Mountain DPS without Wyoming.<sup>15</sup>

In 2017, after several years of litigation, the Service delisted the gray wolf in Wyoming. As a result, since 2017 there have been three distinct regulatory frameworks for gray wolf population areas: (1) the northern Rockies Mountains (Idaho, Montana, Wyoming, parts of eastern Oregon, eastern Washington, and northern Utah), where the gray wolf is not listed; (2) in Minnesota, where the gray wolf is listed as threatened; and (3) in all other areas of the lower 48 states where

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> 74 Fed. Reg. 15,070 (Apr. 2, 2009); 74 Fed. Reg. 15,123 (Apr. 2, 2009).

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

<sup>13</sup> *Humane Soc’y of the U.S. v. Salazar*, No. 1:09-CV-1092 (D.D.C. July 2, 2009) (settlement order).

<sup>14</sup> *Defenders of Wildlife v. Salazar*, 812 F. Supp. 2d 1205, 1207 (D. Mont. 2009).

<sup>15</sup> Public Law 112-10, Department of Defense and Full-year Continuing Appropriations Act of 2011, Section 1713.

the gray wolf is listed as endangered.<sup>16</sup> In November 2020, the Trump administration finalized a rule that delisted the gray wolf, except for the Mexican wolf, and returned management to each of the lower-48 states.<sup>17</sup>

The 2020 rule was challenged by Defenders of Wildlife, WildEarth Guardians, and other environmental groups. In February 2022, the U.S. District Court for the Northern District of California vacated the rule.<sup>18</sup> The court found that the Service had failed to show that gray wolf populations could be sustained outside the core populations in the western Great Lakes and northern Rocky Mountains.<sup>19</sup> This ruling reinstated ESA protections for the gray wolf in the lower 48 states. However, this decision does not impact the northern Rockies Ecosystem, as they were legislatively delisted.<sup>20</sup> The Biden administration's Department of Justice appealed the ruling.<sup>21</sup>



Figure 3 Analysis Area for the Western United States Species Status Assessment. | Source: U.S. Fish and Wildlife Service 2/6/24 Congressional Staff Presentation.

## **February 2024 Announcement from the Service on Gray Wolves**

On February 2, 2024, the Service announced that it was denying two petitions to relist the gray wolf in the Northern Rockies Ecosystem and to list in the entire western United States. The

<sup>16</sup> “U.S. District Court Vacates Gray Wolf Delisting Rule.” Erin H. Ward. Congressional Research Service. [LSB10697 \(congress.gov\)](https://www.congress.gov/legislation/116/10697)

<sup>17</sup> 85 Fed. Reg. 69,778 (Nov. 3, 2020).

<sup>18</sup> “U.S. District Court Vacates Gray Wolf Delisting Rule.” Erin H. Ward. Congressional Research Service. [LSB10697 \(congress.gov\)](https://www.congress.gov/legislation/116/10697)

<sup>19</sup> U.S. District Court Northern District of California. *Defenders of Wildlife, Et. Al. v. U.S. Fish and Wildlife Service, Et Al.* February 10, 2022.

<sup>20</sup> “Judge restores gray wolf protections.” Michael Doyle. E&E News. February 10 2022. [Judge restores gray wolf protections - E&E News \(eenews.net\)](https://www.eenews.net/stories/0210220001)

<sup>21</sup> “Shocking News as U.S. Department of Justice Appeals Restoration of Gray Wolf Protections in Most of the Lower 48 States.” Lauren Lewis. World Animal News. May 2, 2022. <https://worldanimalnews.com/breaking-disheartening-news-as-u-s-department-of-justice-appeals-restoration-of-gray-wolf-protections-in-most-of-the-lower-48-states/>

analysis conducted by the Service concluded that “wolves are not at risk of extinction in the Western United States now or in the foreseeable future.”<sup>22</sup>

The first petition, submitted by the Center for Biological Diversity, the Humane Society of the United States, Humane Society Legislative Fund, and the Sierra Club was received on by the Service on June 1, 2021.<sup>23</sup> This petition requested an emergency endangered or threatened listing of the northern Rockies Ecosystem. The petition included an alternative option to create a new Western DPS that includes all of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, and if the Service so chose, Arizona and New Mexico north of Interstate-40.

The second petition requesting that gray wolves in Idaho, Montana, Wyoming, Utah, Oregon, Washington, Colorado, California, Nevada, and Northern Arizona be listed as an endangered species was received on July 29, 2021, and was submitted by the Western Watersheds Project and 70 other organizations.<sup>24</sup>

On September 17, 2021, the Service published a 90-day finding that both petitions contained substantial information and that petitioned actions may be warranted.<sup>25</sup> This finding initiated a 12-month species status assessment of the gray wolf in the western United States. On August 9, 2022, the Service was sued to compel the completion of the 12-month review.<sup>26</sup> On March 31, 2023, the parties entered into a settlement agreement under which the Service agreed to publish a determination on whether a listing of the northern Rocky Mountains DPS or a western United States DPS was warranted by February 2, 2024.<sup>27</sup>

Through the scientific analysis conducted on each petition, the Service determined that the northern Rocky Mountains DPS was no longer a valid DPS and that the western United States was a valid DPS.<sup>28</sup> However, the Service determined that the gray wolf population in the western United States DPS does not meet the definition of an endangered or threatened species, therefore finding that a listing was not warranted.<sup>29</sup> However, the findings were not action-forcing. Therefore, the legal status of the gray wolf did not change based on the findings.<sup>30</sup>

Additionally, the Service determined that wolves in the western United States had a healthy abundance, retained genetic diversity, had the ability to respond to high-mortality events, and maintained adaptive capacity.<sup>31</sup> The Service also acknowledged that the vast majority of wolves in the western United States are located in areas where they have already been delisted. This shows the effectiveness of state management.

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<sup>22</sup> “Service Announces Gray Wolf Finding and National Recovery Plan.” U.S. Fish and Wildlife Service. February 2, 2024. [Service Announces Gray Wolf Finding and National Recovery Plan | U.S. Fish & Wildlife Service \(fws.gov\)](#)

<sup>23</sup> [89 FR 8391](#)

<sup>24</sup> *Id.*

<sup>25</sup> [86 FR 51857](#)

<sup>26</sup> [89 FR 8391](#)

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> “Service Announces Gray Wolf Finding and National Recovery Plan.” U.S. Fish and Wildlife Service. February 2, 2024. [Service Announces Gray Wolf Finding and National Recovery Plan | U.S. Fish & Wildlife Service \(fws.gov\)](#)

<sup>31</sup> [89 FR 8391](#)



an oversight letter to the Service seeking more information on the initiative.<sup>39</sup> To date, the Committee has not received a response.

### **Impact of Wolves on Livestock and other Wildlife Species**

Gray wolves are considered an apex predator, which have few competitors for prey and are at the top of the natural food chain. Gray wolves' primary food sources are elk, deer, moose, and other ungulate species. However, in areas where livestock ranching is prevalent, cattle and sheep are another source of food for wolves. The impacts of direct lethal predation by wolves, as well as the effects of the presence of wolves on livestock, can have dire consequences for impacted ranchers and their operations.

In areas where ranching operations coexist with wolf populations, ranchers often report conflicts such as the direct killing of livestock by wolves, calves being trampled while the mother cow is fighting wolves, increased injury to livestock, and increased stress on livestock due to the presence of wolves. All of these incidents have both direct and indirect costs for ranchers. Direct costs include the cost of medical care for or the loss of livestock, while indirect costs include the impacts on the health of livestock, such as loss in weight and calving capacity due to wolf-induced stress.<sup>40</sup>

A 2017 study conducted by Oregon State University found that cattle that are exposed to wolves often experience post-traumatic stress disorder-like (PTSD) conditions.<sup>41</sup> According to Reinaldo Cooke, the animal scientist who led the study, "wolf attacks create bad memories in the herd and cause a stress response known to result in decreased pregnancy rates, lighter calves, and greater likelihood of getting sick."<sup>42</sup> The study found that cattle that were exposed to wolves expressed a stress response in biomarkers in their blood and brain cells linked to PTSD in humans and other mammals. The cattle in the study that had never been exposed to wolves before showed no such signs in their blood and no signs of outward agitation, according to the study.<sup>43</sup>

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<sup>39</sup> "Letter to USFWS Director Martha Williams from Bruce Westerman and members of the Natural Resources Committee requesting more information on the gray wolf national dialogue."

[https://naturalresources.house.gov/uploadedfiles/2024.02.01\\_hnr\\_letter\\_to\\_fws\\_on\\_gray\\_wolf.pdf](https://naturalresources.house.gov/uploadedfiles/2024.02.01_hnr_letter_to_fws_on_gray_wolf.pdf)

<sup>40</sup> "Wolves – A Primer for Ranchers." J. Williams, D.E. Johnson, P.E. Clark, L.L. Larson, and T.J. Roland. Oregon State University Extension Service. March 2017. [Wolves—A Primer for Ranchers | OSU Extension Service \(oregonstate.edu\)](https://www.oregonstate.edu/extension/wolves)

<sup>41</sup> *Journal of Animal Science*, Volume 95, Issue 3, March 2017, Pages 1154–1163, <https://doi.org/10.2527/jas.2016.1250>

<sup>42</sup> "Wolf attacks have long-term impact on cowherd." Chris Branam. Beef Magazine. May 18, 2017. [Wolf attacks have long-term impact on cowherd \(beefmagazine.com\)](https://www.beefmagazine.com/news/2017/05/18/wolf-attacks-have-long-term-impact-on-cowherd/)

<sup>43</sup> *Journal of Animal Science*, Volume 95, Issue 3, March 2017, Pages 1154–1163, <https://doi.org/10.2527/jas.2016.1250>

Ranchers are eligible to receive compensation for livestock lost to wolf depredations through several government programs. These include the Livestock Indemnity Program (LIP) through the U.S. Department of Agriculture and the Wolf Livestock Loss Demonstration Program through the Service. However, in their Fiscal Year 2025 Budget Request, the Service proposed to eliminate funding for the Wolf Livestock Loss Demonstration Program, stating, "...the Service is focused



Figure 5 Rancher herding cattle | Source: Cowboy State Daily

on preventing extinction and recovery of species that have not yet met their recovery objectives.”<sup>44</sup> In addition, these programs only compensate ranchers when it is proven that a wolf directly kills livestock and may not compensate for the full value of the animal. For example, LIP payments are equal to 75 percent of the average fair market value of the livestock.<sup>45</sup> There is currently no compensation mechanism to offset the cost to ranchers for the health impacts on livestock caused by wolves.

Wolves not only impact livestock, but also can have population level effects on wild species, such as deer, moose, and elk. In fact, one of the main rationales given for reintroducing wolves into the Western United States in 1995 was to manage deer and elk populations more effectively and bring balance to ecosystems, especially in Yellowstone National Park.<sup>46</sup> However, this calculus did not and does not account for wolves' impacts on working landscapes outside of more controlled environments, such as national parks.

Studies done by states and game and fish agencies, such as the Minnesota Department of Natural Resources (DNR), show that wolves are detrimental to other wildlife species. For example, in 2020 the Minnesota DNR published a report showing that moose numbers in the state had decreased by more than half over a 15-year period.<sup>47</sup> In that report, Minnesota DNR found that wolves accounted for two-thirds of moose calf mortality, “limiting the recruitment of new moose into the population.”<sup>48</sup> That same report stated that, combined with other factors such as severe winter weather, wolves can contribute greatly to local declines in deer populations.

Other population-level effects on animal populations associated with wolves have occurred in the Western United States. For example, when wolves were introduced into the Yellowstone

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<sup>44</sup> “Fiscal Year 2025 Budget Justification.” U.S. Fish and Wildlife Service. March 11, 2023. [FY 2025 Budget Justification and Performance Information FWS](#). Pg. ES-26.

<sup>45</sup> “Livestock Indemnity Program.” Farm Service Agency. [Livestock Indemnity Program \(LIP\) \(usda.gov\)](#)

<sup>46</sup> “Wolf Reintroduction Changes Ecosystem in Yellowstone.” Brodie Farquhar. Yellowstone National Park. June 22, 2023. [Wolf Reintroduction Changes Yellowstone Ecosystem \(yellowstonepark.com\)](#)

<sup>47</sup> “Balancing Minnesota’s wolves, deer and moose.” Minnesota Department of Natural Resources. 2020. [Balancing Minnesota's wolves, deer and moose \(state.mn.us\)](#)

<sup>48</sup> *Id.*



ecosystem in 1995, the Northern Yellowstone elk herd was nearly 20,000; that number decreased to less than 4,000 by 2017.<sup>49</sup>

### **Recent Congressional Action on Wolf Management**

In the 118<sup>th</sup> Congress, the House of Representatives has taken several actions towards delisting the gray wolf in the lower-48 states. On April 28, 2023, the House Committee on Natural Resources favorably reported H.R. 764, the “Trust the Science Act,” by a vote of 21-16.<sup>50</sup> The bill requires the Service to reissue the 2020 rule delisting the gray wolf in the lower-48 states. Identical language to H.R. 764 was also included in the base text of H.R. 4821, the Fiscal Year 2024 Interior, Environment, and Related Agencies Appropriations Act, which passed the House of Representatives by a 213-203 vote on November 3, 2023.<sup>51</sup>

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<sup>49</sup> “Informing the ‘Misinformed’ about Wolves.” M. David Allen. Rocky Mountain Elk Foundation. August 25, 2017. [Informing the ‘Misinformed’ about Wolves | Rocky Mountain Elk Foundation \(rmeef.org\)](#)

<sup>50</sup> “Full Committee Markup.” House Committee on Natural Resources. April 27, 2023. [Full Committee Markup | House Committee on Natural Resources](#)

<sup>51</sup> H.R. 4821, “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024.” [H.R.4821 - 118th Congress \(2023-2024\): Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024 | Congress.gov | Library of Congress](#)