

Proposed listing of the wolverine under the endangered species act

Kootenai Valley Resource Initiative

April 1, 2013



U.S. Fish and Wildlife Service

Northern Idaho Field Office

Since 1994, wolverine subject of endangered species act consideration

- 1994: Petitioned to list wolverine
- 1995: Finding that petition not substantial
- 2000: New petition
- 2003: Finding that petition not substantial. Then a lawsuit.
- 2006: Court ruled 2003 finding was in error
- 2008: Finding of “not warranted” for listing
- 2008: Lawsuit to reconsider “not warranted” finding
- 2009: Settlement agreement to reconsider
- 2010: Finding of “warranted” for listing, but precluded due to higher priorities.
- 2011: “MDL” and settlement schedule (many species)
- 2013: The proposal we have today to list as threatened & experimental.



What does the ESA say?

The Secretary shall...determine whether any species is an endangered species or a threatened species because of any of the following factors:

- A. The present or threatened destruction, modification, or curtailment of its habitat or range;
- B. Overutilization for commercial, recreational, scientific, or educational purposes;
- C. Disease or predation;
- D. The inadequacy of existing regulatory mechanisms; or
- E. Other natural or manmade factors affecting its continued existence.

(see Federal Register starting on page 7874)



Proposed Wolverine Listing

- Threats identified (factors A, B, and E):
 - Habitat loss due to climate warming
 - Small population size and associated effects to genetics and demography
 - Harvest (e.g., trapping) (*Montana has the only open trapping season*)
- Other risk factors such as land management, development, winter recreation, timber harvest, were not threats
- Approximately 94 percent of habitat Federal land



Proposed Wolverine Listing

- Wolverines proposed for listing as “Threatened” species in contiguous United States (DPS)
 - Listing applies “where found”
 - Currently occupied range includes
 - WA – North Cascades
 - ID, MT, WY – northern Rockies (also Oregon Wallowas)
 - CA – Sierra Nevada, one lone male
 - CO – southern Rockies, one lone male
 - Prohibitions of the Act would apply to wolverines found naturally outside these areas, ex. UT, NV, OR, NM

Special Rule Section 4(d)

- Proposed special rule would tailor the prohibitions of the Act to address the threats to the species.
- Climate warming would not be addressed by listing
- Intentional take would be prohibited
- Incidental take due to trapping targeting other species would also be prohibited
- No other prohibitions under the Act
 - Incidental Take for land management, recreation, development, and other activities would not be prohibited



Experimental Population

- Proposed Nonessential Experimental Population (“NEP”) under section 10(j)
- Area covered under NEP includes wolverine habitat in CO, southern WY, and northern NM
- Protections of the Act in NEP similar to outside, except that IT from trapping not prohibited
- State of CO is evaluating whether or not to implement reintroduction program following NEP finalization



Critical Habitat

- Critical habitat was deemed “not determinable” at this time
- Gives us 1 year to develop a CH proposal



- For more information:

<http://www.fws.gov/mountain-prairie/species/mammals/wolverine/>

- To comment electronically (federal rulemaking portal)

<http://www.regulations.gov>

Keyword: *Docket No. FWS-R6-ES-2012-0107.*

Click on “*Proposed Rules*” in the search panel, left side of the screen, under the “Document Type” heading.

- By hard copy U.S. Mail:

Public Comments Processing, Attn: FWS-R6-ES-2012-0107

Division of Policy and Directives Management

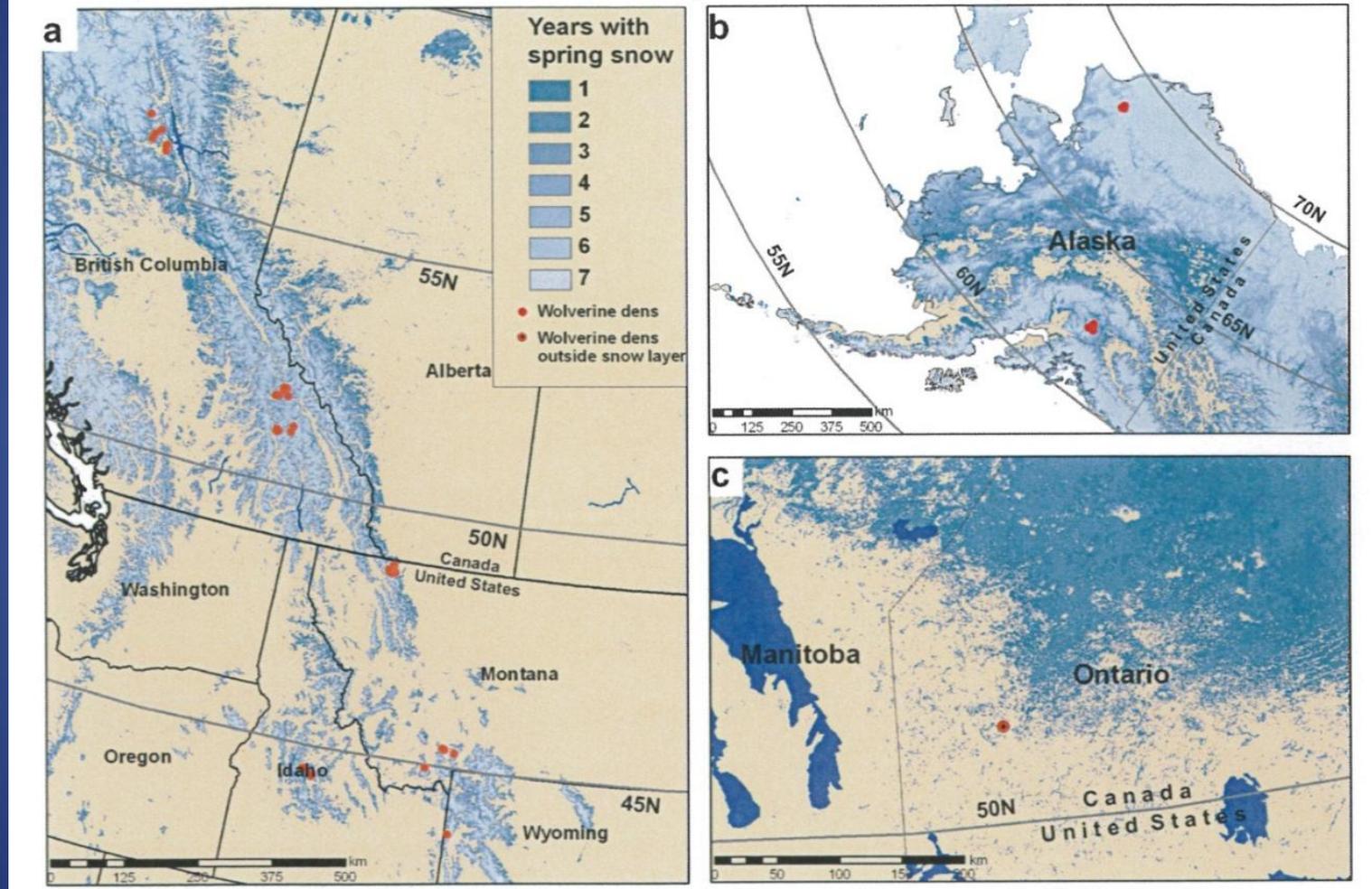
U.S Fish and Wildlife Service

4401 N. Fairfax Drive, MS 2042-PDM

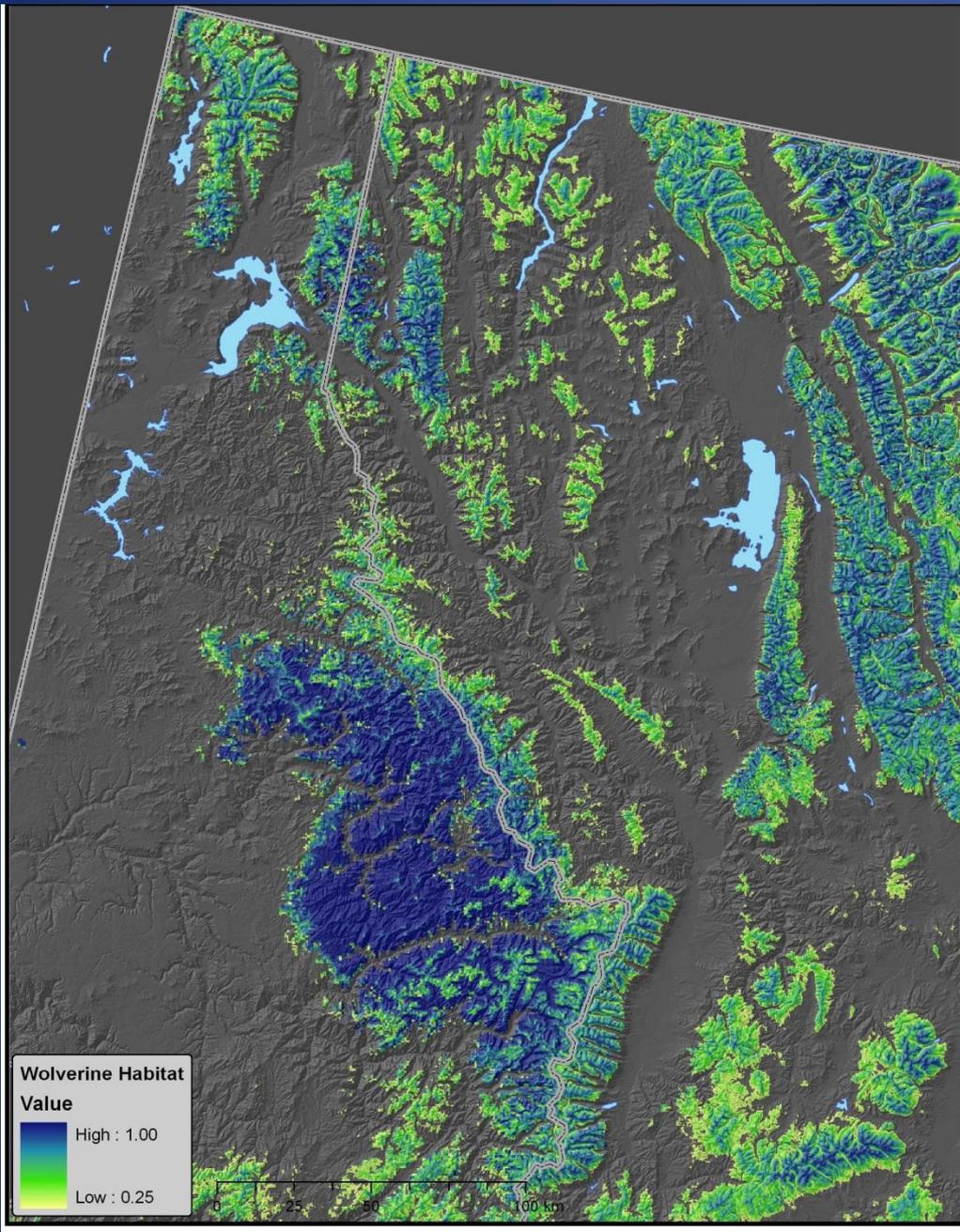
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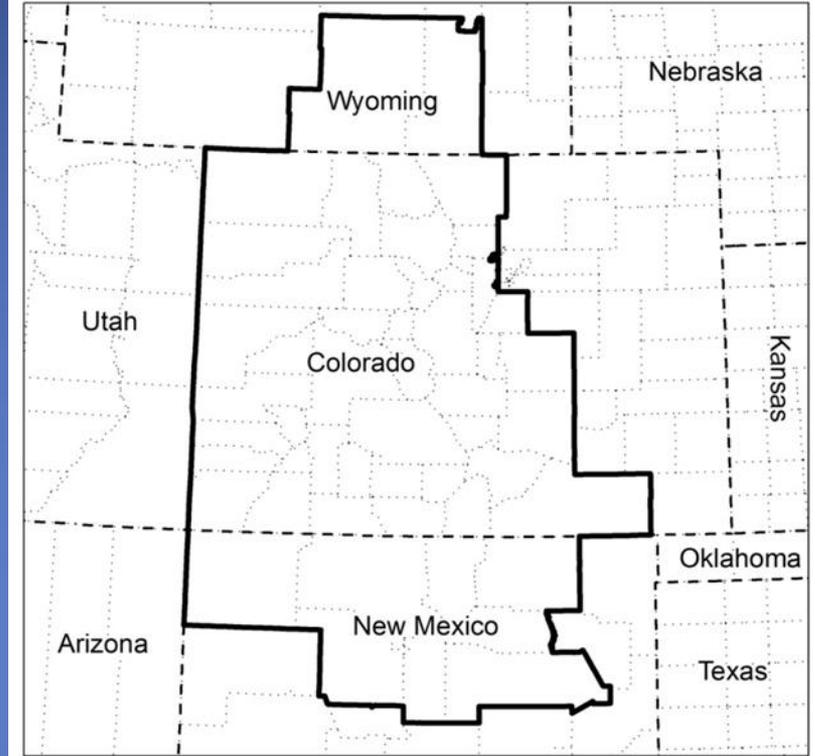
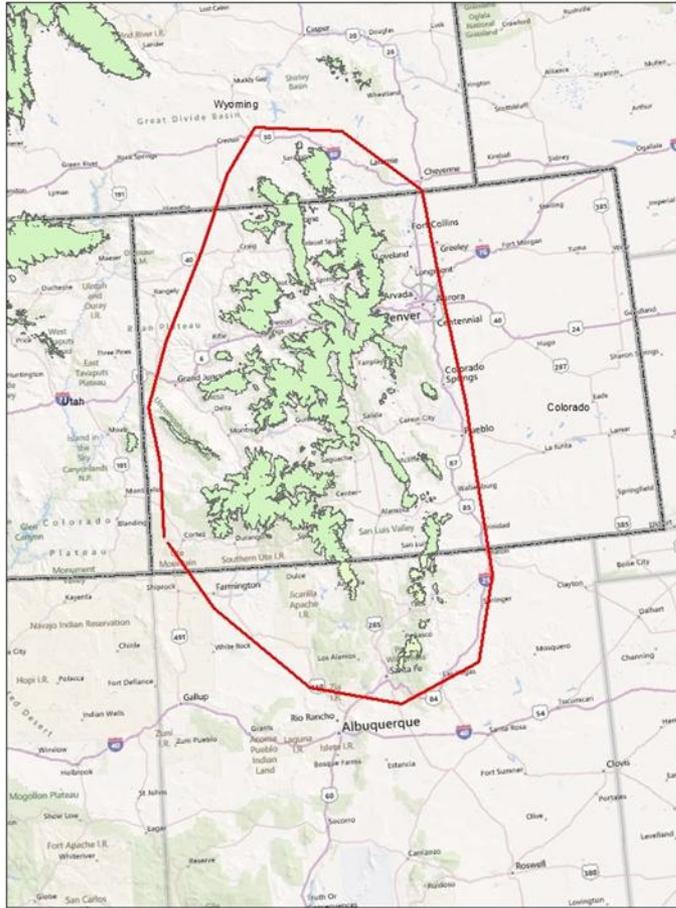
Fig. 2. Distribution of wolverine dens in North America overlaid on the spring snow coverage in (a) the Rocky Mountains of British Columbia, Canada, and the western US; (b) Alaska, US, and (c) Ontario, Canada. The gradient in the spring snow coverage represents the number of years out of seven (2000–2006) in which snow cover was present from 24 April to 15 May.



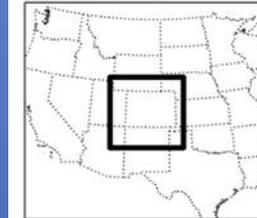
Source: Copeland et al. 2010, pg. 236.



Source: Bob Inman 2007, pg. 53 Primary wolverine habitat in northern Idaho. Greater Yellowstone Wolverine Program, Cumulative Report.



Locator Map



- Experimental population boundary
- States
- Counties

Nonessential Experimental Population Area