

112TH CONGRESS  
1ST SESSION

# H. R. 1819

To amend the Endangered Species Act of 1973 to provide for State management of population segments of gray wolves in the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2011

Mrs. MILLER of Michigan (for herself, Mr. FLAKE, Mr. MATHESON, Mrs. LUMMIS, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. KLINE, and Mr. BENISHEK) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Endangered Species Act of 1973 to provide for State management of population segments of gray wolves in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Wildlife Manage-  
5 ment Act of 2011”.

1 **SEC. 2. STATUS OF POPULATION SEGMENTS OF GRAY**  
2 **WOLVES.**

3 (a) Section 4 of the Endangered Species Act of 1973  
4 (16 U.S.C. 1533) is amended by adding at the end the  
5 following:

6 “(j) STATUS OF GRAY WOLVES.—

7 “(1) STATUS OF NORTHERN ROCKY MOUNTAIN  
8 DISTINCT POPULATION SEGMENT.—

9 “(A) IN GENERAL.—Notwithstanding any  
10 other provision of law (including regulations),  
11 any gray wolf that is located in any State that  
12 is within the range of the Northern Rocky  
13 Mountain distinct population segment or any-  
14 where in the State of Nevada or Colorado shall  
15 not be treated as an endangered species or  
16 threatened species and shall not be subject to  
17 this Act, except as provided in subparagraph  
18 (B).

19 “(B) STATE MANAGEMENT AUTHORITY.—

20 “(i) Each of the States that is within  
21 the range of the Northern Rocky Mountain  
22 distinct population segment, and each of  
23 Nevada and Colorado, may manage all  
24 gray wolves within its boundaries for so  
25 long as there are at least 450 gray wolves

1 in the Northern Rocky Mountain distinct  
2 population segment.

3 “(ii) If the number of gray wolves in  
4 such segment is less than 450 gray wolves,  
5 as demonstrated by the Secretary of the  
6 Interior, gray wolf populations within the  
7 Northern Rocky Mountain distinct popu-  
8 lation segment shall be temporarily treated  
9 as an endangered species or threatened  
10 species, as determined by the Secretary,  
11 and clause (i) shall not apply, until the  
12 Secretary determines that the number of  
13 gray wolves in such segment is equal to at  
14 least 450 during 2 consecutive years.

15 “(2) STATUS OF WESTERN GREAT LAKES DIS-  
16 TINCT POPULATION SEGMENT.—

17 “(A) IN GENERAL.—Notwithstanding any  
18 other provision of the law (including regula-  
19 tions), any gray wolf that is located in any  
20 State that is within the range of the Western  
21 Great Lakes distinct population segment shall  
22 not be treated as an endangered species or  
23 threatened species and shall not be subject to  
24 this Act, except as provided in subparagraph  
25 (B).

1 “(B) STATE MANAGEMENT AUTHORITY.—

2 “(i) Each of the States that is within  
3 the range of the Western Great Lakes dis-  
4 tinct population segment may manage all  
5 gray wolves within its boundaries for so  
6 long as the number of gray wolves within  
7 its boundaries is—

8 “(I) for Minnesota, at least  
9 1,200;

10 “(II) for Michigan, at least 150;  
11 and

12 “(III) for Wisconsin, at least  
13 150.

14 “(ii) If the number of gray wolves in  
15 such a State is less than the number speci-  
16 fied for the State in clause (i), as dem-  
17 onstrated by the Secretary of the Interior,  
18 gray wolf populations in that State that  
19 are part of the Western Great Lakes dis-  
20 tinct population segment shall be tempo-  
21 rarily treated as an endangered species or  
22 threatened species, as determined by the  
23 Secretary, and clause (i) shall not apply  
24 with respect to that State, until the Sec-  
25 retary determines that the number of gray

1           wolves in such State is equal to at least  
2           that number during 2 consecutive years.

3           “(3) STATUS OF ARIZONA AND NEW MEXICO  
4       GRAY WOLF.—

5           “(A) IN GENERAL.—Notwithstanding any  
6       other provision of the law (including regula-  
7       tions) any gray wolf that is located in Arizona  
8       or New Mexico shall not be treated as an en-  
9       dangered species or threatened species and shall  
10      not be subject to this Act, except as provided in  
11      subparagraph (B).

12          “(B) STATE MANAGEMENT AUTHORITY.—

13           “(i) Each of the States of Arizona  
14      and New Mexico may manage all gray  
15      wolves within its boundaries for so long as  
16      the combined total number of gray wolves  
17      in those States is at least 100 gray wolves.

18           “(ii) If the combined total number of  
19      gray wolves in those States is less than the  
20      number specified in clause (i), as dem-  
21      onstrated by the Secretary of the Interior,  
22      gray wolf populations in those States shall  
23      be temporarily treated as an endangered  
24      species or threatened species, as deter-  
25      mined by the Secretary, and clause (i)

1 shall not apply with respect to those  
2 States, until the Secretary determines that  
3 the combined total number of gray wolves  
4 in those States is equal to at least that  
5 number during 2 consecutive years.

6 “(4) DEFINITIONS.—In this subsection:

7 “(A) GRAY WOLF.—The term ‘gray wolf’  
8 means any taxonomic group traditionally associ-  
9 ated with the gray wolf, including *Canus lupus*,  
10 *Canus lupus lycaon*, and *Canus lupus baileyi*,  
11 regardless of specific taxonomy of any par-  
12 ticular gray wolf variety as a species, sub-  
13 species, or other designation.

14 “(B) NORTHERN ROCKY MOUNTAIN DIS-  
15 TINCT POPULATION SEGMENT.—The term  
16 ‘Northern Rocky Mountain distinct population  
17 segment’ means the distinct population segment  
18 of gray wolf described by the United States  
19 Fish and Wildlife Service in the final rule enti-  
20 tled ‘Endangered and Threatened Wildlife and  
21 Plants; Final Rule Designating the Northern  
22 Rocky Mountain Population Segment of Gray  
23 Wolf as a Distinct Population Segment and Re-  
24 moving the Distinct Population Segment From  
25 the Federal List of Endangered and Threat-

1 ened Wildlife’ (73 Fed. Reg. 10514 (February  
2 27, 2008)).

3 “(C) WESTERN GREAT LAKES DISTINCT  
4 POPULATION SEGMENT.—The term ‘Western  
5 Great Lakes distinct population segment’  
6 means the distinct population segment of gray  
7 wolf described by the United States Fish and  
8 Wildlife Service in the Final Rule to Delist  
9 Gray Wolf Western Great Lakes Distinct Popu-  
10 lation Segment, as published February 8, 2007  
11 (72 Fed. Reg. 6052).”.

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