

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17**

RIN 1018-AJ03

Endangered and Threatened Wildlife and Plants; Removing the Eastern Distinct Population Segment of Gray Wolf From the List of Endangered and Threatened Wildlife**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Advance notice of proposed rulemaking.

SUMMARY: The U.S. Fish and Wildlife Service (Service or we) announces our intention to conduct rulemaking under the Endangered Species Act of 1973, as amended (Act), to remove the Eastern Distinct Population Segment (DPS) of gray wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife in the near future. Specifically, we intend to propose to delist the gray wolf in the Midwest and Northeastern United States where it is presently listed. If this proposal is finalized, the gray wolf would be delisted in the Eastern Gray Wolf DPS, existing special regulations established under section 4(d) of the Act for the Eastern DPS would be abolished, and future management of this species would be conducted by the appropriate State and tribal wildlife agencies. As published concurrently in this **Federal Register**, the Service also intends to initiate proposed rulemakings to delist gray wolves in the Western Gray Wolf DPS and to remove all nonessential experimental population designations in the northern U.S. Rocky Mountains.

Neither proposed rulemaking would affect the protection currently afforded by the Act to gray wolves in the Southwestern DPS, the nonessential experimental population in the Southwest DPS, or the red wolf (*Canis rufus*), a separate species found in the southeastern United States that is listed as endangered.

DATES: We are not seeking comments on this planned proposed rulemaking at this time. A public comment period, including the opportunity for public hearings and informational meetings, will follow the publication of the proposed rule to remove (or delist) the Eastern Gray Wolf DPS.

ADDRESSES: Gray Wolf Questions, U.S. Fish and Wildlife Service, Federal Building, 1 Federal Drive, Ft. Snelling, MN 55111-40561; Gray Wolf Phone Line—612-713-7337, facsimile—612-713-5292, or the general gray wolf electronic mail address—GRAYWOLFMAL@FWS.GOV. Individuals who are hearing-impaired or speech-impaired may call the Federal Relay Service at 1-800-877-8337 for TTY assistance.

FOR FURTHER INFORMATION CONTACT: Ron Refsnider, phone 612-713-5346. Additional information on gray wolf recovery in the Eastern DPS is available on our World Wide Web site at <http://midwest.fws.gov/wolf>. Direct all questions or requests for additional information to the Service (see **ADDRESSES** above).

SUPPLEMENTARY INFORMATION:**Background**

Published concurrently in today's **Federal Register** is our final rule establishing three Distinct Population

Segments (DPSs) of gray wolves within the conterminous 48 States in accordance with our Policy Regarding the Recognition of Distinct Vertebrate Population Segments Under the Endangered Species Act (61 FR 4722, February 7, 1996) and reclassifying two of these DPSs based on the status of current wolf populations within these DPSs. The Eastern Gray Wolf DPS and Western Gray Wolf DPS are reclassified as threatened while the Southwestern Gray Wolf DPS remains endangered (*see map*). The final reclassification rule summarizes information on the biology and ecology of gray wolves, taxonomy, historical range, previous Federal action, DPS designations, recovery plans, and the recovery progress of gray wolves in the lower 48 States.

This advance notice of proposed rulemaking (ANPR) announces our intent to propose rulemaking to remove the Eastern Gray Wolf DPS from protection under the Act based on evidence, as described in the final reclassification rule, indicating that the gray wolf in the Eastern Gray Wolf DPS is exceeding its recovery goals and objectives and on our preliminary analysis of threats to the DPS. The Eastern Gray Wolf DPS consists of gray wolves within the States of North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, and those gray wolves in captivity that originated from, or whose ancestors originated from, this geographic area.