

Federal wolves at the door

[History](#)



Management of Endangered Species Protection for endangered animal species is provided under the 1973 Endangered Species Act. The Act prohibits the collection, hunting or sale of any animal listed as endangered or threatened without a permit. The federal legislation is preferred over individual state legislation for two main reasons. The first is because endangered species are often found on federal public land that straddles more than one state. States do not have uniform regulatory minimums, thus the laws of an individual state cannot effectively regulate these boundary areas. The state laws could be detrimental to a population of endangered species in the adjacent state.

The federal Endangered Species Act however protects a threatened or endangered species throughout its breeding range. The second reason for the preference of national legislation is that state's regulations may be inadequate to protect the endangered species. For instance, the regulatory mechanisms in Idaho, home of the northern Rockies gray wolves, are considered inadequate for two key reasons (Alderman 1232). One, the wolf management plans of the state are non-binding in nature and thus difficult to enforce because state residents are not bound to comply with them. Two, unregulated killing of wolves is allowed under the Idaho defence of property laws if it is for the protection of domestic animals. Further, an upper limit has not been set for the number of wolves that can be killed in defence of domestic animals (Alderman 1222). Although opinion is divided on whether the states should be allowed to regulate and administer endangered species that inhabit their jurisdictions, the Endangered Species Act remains the reference point for the protection of endangered species.

Works Cited

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Alderman, Jesse. “Crying Wolf: The Unlawful Delisting of Northern Rocky Mountain Gray Wolves from Endangered Species Act Protections.” *Boston College Law Review* 50. 2 (2009): 1195-1241. Web. 3 Nov. 2012.