

Colorado Gray Wolf 10(j) Rulemaking EIS US Fish and Wildlife Service

State Coordination Meeting Notes

August 14, 2023
3:00 – 4:00 pm MST
Microsoft Teams Meeting

Attendees:

Name	Organization
Scott Becker	U.S. Fish and Wildlife Service
Kurt Broderdorp	U.S. Fish and Wildlife Service
Robert Krijgsman	U.S. Fish and Wildlife Service
Brady McGee	U.S. Fish and Wildlife Service
Adam Zerrenner	U.S. Fish and Wildlife Service
Clay Crowder	Arizona Game & Fish Department (AZGFD)
Jim deVos	Arizona Game & Fish Department (AZGFD)
Reid DeWalt	Colorado Parks and Wildlife (CPW)
Eric Odell	Colorado Parks and Wildlife (CPW)
Stewart Liley	New Mexico Department of Game & Fish (NMDGF)
Kim Hersey	Utah Division of Wildlife Resources (UDWR)
Justin Shannon	Utah Division of Wildlife Resources (UDWR)
Jessica Forbes	WSP
Lori Fox	WSP
Margaret Stover	WSP

Schedule Update

The Service sent the FEIS and ROD to their headquarters for review. The Service has also addressed comments from their solicitors and presented to the Office of Information and Regulatory Affairs (OIRA). In order to meet the project schedule and the State of Colorado's timeline, the Service plans to publish ROD and FEIS no later than October 6th. After the NOA and the draft ROD are posted, there will not be a comment period, but there will be a 30 day "cooling period". The Service thanked the states for their comments and cooperation throughout the process.

The Service will also post an NOA for the 10(a)(1)(A) permit. The group discussed the timing of the NOA for the 10(a)(1)(A) permit and NMDGF asked if there would be any delay in issuing the permit after the NOA. The Service explained that the permits are typically published about 10 days after they are signed and that the group could expect the permit to be in place before the January 1st deadline.

The Service reviewed the biological opinion and is revising the document to include New Mexico and Arizona. They suggested that the Service Region 2 revise their biological opinion and permit so that Region 6 and Region 2's permits are reciprocal. The Region 6 permit will emulate the existing Region 2 permit for Mexican wolves so that it includes capture, handling, euthanasia, and scientific recovery.

MOU Update

CPW gave an update on the status of the MOU. The states met the previous week and reviewed the current, pared down version. CPW shared the most recent version of the MOU with the group via email. The MOU will need to undergo review by each state's attorney general. The group discussed whether the Service would sign the agreement. If the Service signs the agreement, their solicitor will need to review the document as well. The Service Region 2 noted the Regional Directors of Region 6 and 2 would likely sign the agreement. The group plans to review the MOU as a group as soon as possible.

Final Rule Language Question

AZGFD asked whether the final 10(j) rule language would be shared with the states and if they could review parts of the rule language where they had concerns with the Service. The Service explained that they cannot share the final 10(j) rule until it is released to the public because it is pre-decisional. The Service noted that they had consolidated some of the comments they received regarding impacts to Mexican wolves and included a response to the comment in the preamble of the rule. They also added language to reiterate the Service's commitment to preserving the genetic integrity of Mexican wolves to address the states' concerns. However, because the Service's action is limited to the 10(j) rule, they could not go into extensive detail.

NMDGF noted that they are satisfied if the changes made in the FEIS are made in the final rule, and if it is reiterated that Mexican wolves and gray wolves should be kept separate. The Service also added language from the Mexican wolf 10(j) rule that pertains to keeping the populations separate. The Service Region 2 also reviewed the rule and confirmed that most of the states' concerns were addressed.