

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

State Coordination Meeting

April 24, 2023
3:00 – 4:30 pm MST
Microsoft Teams Meeting

Attendees:

Name	Organization
Nicole Alt	FWS
Scott Becker	FWS
Kurt Broderdorp	FWS
Brady McGee	FWS
Lauren Toivonen	FWS
Lori Fox	WSP
Margaret Stover	WSP
Clay Crowder	Arizona Game & Fish Department (AZGFD)
Jim deVos	Arizona Game & Fish Department (AZGFD)
Reid DeWalt	Colorado Parks and Wildlife (CPW)
Brian Dreher	Colorado Parks and Wildlife (CPW)
Dave Klute	Colorado Parks and Wildlife (CPW)
Eric Odell	Colorado Parks and Wildlife (CPW)
Stewart Liley	New Mexico Department of Game & Fish (NMDGF)
Justin Shannon	Utah Division of Wildlife Resources (UDWR)

Agenda

The Service opened the meeting and outlined the topics of discussion, including reviewing draft language revisions from AZGFD and NMDGF and discussing the draft agreement.

The Service received a letter from Colorado agreeing to return wolves to Colorado until they reach recovery targets. AZGFD, NMDGF, and UDWR all requested copies of the letter.

CPW shared that their new state director will begin next week.

Draft Language Review

NMDGF shared their screen with the proposed draft language they worked on with AZGFD. The group reviewed changes to the language since the previous call. Key points covered in the draft language that the group discussed included:

- The historical range of the Mexican wolf, including how the recovery of Mexican wolves in the United States is currently occurring in areas approximately 200 miles north of their

core historical range and how the gap between gray wolf and Mexican wolf ranges has narrowed as a result.

- The importance of maintaining genetic isolation of the Mexican gray wolf.

The Service asked NMDGF and AZGFD to avoid use of the word jeopardize because it is a term the Service has a specific definition for and could be misconstrued. The Service asked NMDGF and AZGFD whether there was evidence of more mixing between gray wolves and Mexican wolves prior to extirpation. NMDGF said they have always been quite genetically separate, noting that there has never been a fully black Mexican wolf. AZGFD added that they are the most genetically distinct subspecies based on all available evidence. They explained that the Navajo Nation and the Grand Canyon were geographic barriers to mixing of the two subspecies. NMDGF said that there was historical evidence of Mexican wolves wandering out of their range to the north, but very limited evidence of gray wolves wandering south into Mexican wolves' range. They also explained that there are many Mexican wolf genetic samples that do not indicate genetic interchange with gray wolves.

The group also discussed differences in prey management and availability. NMDGF and AZGFD explained that Mexican wolves' historical diet would have included white-tailed deer and mule deer and that anthropogenic water development has allowed more elk and deer to move into Mexican wolves' current range. The Service summarized the takeaways from the discussion: there has been very limited mixing of the two subspecies historically, now there is much more suitable habitat between the two subspecies' ranges, and that they are closer together than they were historically. The Service suggested adding further discussion of how habitat and prey distribution has changed to the draft language.

NMDGF and AZGFD suggested that the language should recognize the historical separation of the subspecies, note that intermixing of the subspecies would be damaging to Mexican wolves, and that issuing 10(a)1(A) permits would help mitigate the risk of damage. AZGFD, NMDGF, and the Service agreed to work on a transition paragraph in the draft language that stresses the importance of Mexican wolf genetic integrity.

Draft Agreement/MOU Discussion

The group discussed the draft agreement/MOU that NMDGF and AZGFD had drafted. NMDGF said that the agreement was drafted on the premise of assisting Colorado with their wolf recovery effort and protecting Mexican wolf genetic integrity. The Service explained that if the group wants the agreement tied to the 10(j) rule, then the language needs to mention supporting the Colorado wolf recovery effort and the success of the experimental population. Then they discussed adding additional reasoning about preventing impacts to Mexican wolves when the Colorado wolf population establishes successfully.

NMDGF said that the agreement is structured after the MOU for Mexican wolves. They noted that the agreement does not cover on-the-ground management of gray wolves and Mexican wolves and only discusses wolves leaving their respective population boundaries. UDWR asked how the decision to leave out Utah was made. NMDGF said that Mexican wolf genetic integrity was the key point in the agreement but added that they were comfortable with adding language to tie the agreement into supporting the success of Colorado's wolf recovery effort. The Service agreed that the MOU could be overarching and cover all of the states involved. The Service suggested that UDWR should add language and that their argument could be that any wolf that leaves Colorado is no longer contributing to Colorado's recovery effort. UDWR added that they

do not want to weaken the argument for NMDGF and AZGFD. UDWR also brought up Utah serving as a habitat corridor for wolves entering Arizona. The Service noted that the habitat corridor argument would not be very strong if a wolf from Colorado were to disperse into northern Utah, far from the border with Arizona. NMDGF, AZGFD, and UDWR decided to coordinate to add language on the importance of supporting Colorado's wolf recovery effort to justify including Utah in the agreement.

NMDGF brought up wolves on tribal lands. They noted that Tribes would need a point of contact within FWS Region 6 to field calls and assist with developing plans to remove wolves when necessary.

The group decided that there would be one agreement with two purposes, first to support Colorado's wolf reintroduction effort and second to protect the genetic integrity and separation of Mexican wolves. UDWR, NMDGF, and AZGFD planned to work together to adjust the language in the agreement, including the purpose statement.

The Service noted that 10(a)1(A) permits last for 5 years and that the agreement should be adjusted so that renewal and reevaluation would occur on the expiration date of the 10(a)1(A) permit. CPW brought up concerns about the timing of the MOU and what would happen if wolves in Colorado recover quickly and there is still a desire to keep wolves out of neighboring states. AZGFD and NMDGF asked what would happen to Mexican wolves if Colorado's wolf restoration goals were reached before the 5-year permit has expired. AZGFD, NMDGF, and CPW planned to discuss this issue during their meeting the following week.

Next Steps

The group decided that UDWR, CPW, AZGFD, and NMDGF will meet without the Service during the following week's meeting time. During the next meeting with all parties, the group planned to discuss if language would be added to the preamble of the 10(j) rule to discuss impacts to Mexican wolves and returning wolves to help the Colorado wolf recovery effort.

WSP reminded the group to fill out a poll on the date and time of the virtual meeting planned in May with the states and Service leadership.