

From: [Zerrenner, Adam](#)
To: [Hansen, Craig](#); [Niva, Liisa M](#); [Broderdorp, Kurt](#); [Becker, Scott A](#)
Subject: Re: [FOR FO SURNAME] DCN FR 5308 | Updates and Yellow Surname Sheet
Date: Monday, July 17, 2023 2:36:17 PM
Attachments: [image.png](#)
[image.png](#)
[Outlook-pmefvr0n.png](#)
[Outlook-mfxqvduq.png](#)
[Outlook-h1bjibze.png](#)
[Outlook-mh5ommpi.png](#)
[image.png](#)
[image.png](#)

I am deferring to Kurt on both, but it seems like lethal is appropriate and should be kept as is.

The second comment or citation is the FWS manual citation referenced earlier, Service 2016 '510 FW1'. And it does seem that Indian Lands are the same as Tribal Lands. Should probably note that in the text so the reader understands.

From: Hansen, Craig <Craig_Hansen@fws.gov>
Sent: Monday, July 17, 2023 3:27 PM
To: Niva, Liisa M <Liisa_Niva@fws.gov>; Broderdorp, Kurt <kurt_broderdorp@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Becker, Scott A <scott_becker@fws.gov>
Subject: Re: [FOR FO SURNAME] DCN FR 5308 | Updates and Yellow Surname Sheet

Hi, again:

I see two outstanding comments on the final rule:

Public Comments

Comment: Commenters both supported or opposed the provisions of the rule that would allow for the lethal control of gray wolves. Some commenters asked that we prohibit most forms of lethal take of gray wolves in the NEP, while some supported lethal take only in defense of human life. Additionally, some commenters requested that the allowable take be more liberal and others felt that **lethal** control can lead to less public respect and tolerance of wolves and may encourage more poaching. Some commenters recommended several nonlethal measures to manage depredated wolves.

 **Liisa Niva** 3 hours ago
Should this be non-lethal control?
[Reply](#) [Resolve](#)

and

Tribal Land—Indian lands – any lands where title is either held in trust by the United States for the benefit of an Indian tribe or individual Indian or held by an Indian tribe or individual Indian subject to restrictions by the United States against alienation (i.e., sale or transfer) 510 FW1, Exhibit 1.

Unacceptable impact—Tribally-determined decline in a wild ungulate population or herd, where wolf predation is a major cause of the population or herd not meeting established Tribal management goals on Tribal land. The Tribal determination must be peer-reviewed and reviewed and commented on by the public, prior to a final, written determination by the Service that an unacceptable impact has occurred, and that wolf removal will benefit the affected ungulate herd or population.

Working dogs—Guard or herding dogs typically used in livestock production.



Craig Hansen

What is this citation? Need to be careful about incorporation by reference, especially in the reg text.

Craig Hansen

This needs to be consistent with other in line citations, so a reader can look at the literature cited list and figure it out. If it's our manual, I suppose (Service XXX, p. XX) or something.

Craig Hansen

So Tribal Land and Indian lands are the same thing? It's like two names for the same definition right now and is somewhat confusing.

Craig Hansen

@Broderdorp, Kurt

I need to start circulating this NLT COB today. Thank you!

Craig.

From: Hansen, Craig <Craig_Hansen@fws.gov>

Sent: Monday, July 17, 2023 10:58 AM

To: Niva, Liisa M <Liisa_Niva@fws.gov>; Broderdorp, Kurt <kurt_broderdorp@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Becker, Scott A <scott_becker@fws.gov>

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Correct, FEIS: By the time the final rule publishes, we will have already announced the final environmental impact statement and the draft record of decision, so if we refer to those in the final rule (which we shouldn't all that much), it should be FEIS.

From: Niva, Liisa M <Liisa_Niva@fws.gov>

Sent: Monday, July 17, 2023 10:55 AM

To: Hansen, Craig <Craig_Hansen@fws.gov>; Broderdorp, Kurt <kurt_broderdorp@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Becker, Scott A <scott_becker@fws.gov>

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THANK YOU, CRAIG!!!

Reviewing final docs now.

In the 10j rule, we should be referring to the draft Final EIS, not the DEIS, correct? Have a few other changes in there, too (updating contact info, for example).

From: Hansen, Craig <Craig_Hansen@fws.gov>

Sent: Monday, July 17, 2023 8:36 AM

To: Broderdorp, Kurt <kurt_broderdorp@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Niva, Liisa M <Liisa_Niva@fws.gov>; Becker, Scott A <scott_becker@fws.gov>

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Okay, The format doesn't seem correct to me, so perhaps it needs to be in parentheses, but there can't be a citation or quotes in the definition in the regulatory text. Both need to be fixed.

From: Broderdorp, Kurt <kurt_broderdorp@fws.gov>
Sent: Monday, July 17, 2023 8:35 AM
To: Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Hansen, Craig <Craig_Hansen@fws.gov>; Niva, Liisa M <Liisa_Niva@fws.gov>; Becker, Scott A <scott_becker@fws.gov>
Subject: Re: [FOR FO SURNAME] DCN FR 5308 | Updates and Yellow Surname Sheet

The citation is correct, and the definition is from our Manual.

From: Zerrenner, Adam <Adam_Zerrenner@fws.gov>
Sent: Monday, July 17, 2023 7:10 AM
To: Hansen, Craig <Craig_Hansen@fws.gov>; Niva, Liisa M <Liisa_Niva@fws.gov>; Broderdorp, Kurt <kurt_broderdorp@fws.gov>; Becker, Scott A <scott_becker@fws.gov>
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Thank you Craig!

I am pretty sure this is the citation below - <https://www.fws.gov/policy-library/510fw1>

I have also went in the surname doc and surnamed.

Adam

From: Hansen, Craig <Craig_Hansen@fws.gov>
Sent: Sunday, July 16, 2023 7:25 PM
To: Niva, Liisa M <Liisa_Niva@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Broderdorp, Kurt <kurt_broderdorp@fws.gov>; Becker, Scott A <scott_becker@fws.gov>
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Greetings, Core Team:

I have assembled the package here: [20230404_FR5308_Final_CO_Wolf_10j](#) and will also update DTS when ready.

- I still need to update and finalize the CBP, the IM, Special Handling Letters, and the DOI NTR, which I will do tomorrow morning before circulating the package.

FINAL RULE: I have made mostly editorial edits to the final rule, mostly concentrated on the

Summary of Changes and **Response to Comments** sections. I made only minor edits to the rest of the document:

- The [Track-Changes](#) version is here:

[20230518_Final_Rule_CO_Wolf_10j_v1.docx](#)

I do have one comment on a citation in the new ungulate Provision regarding the definition of Tribal Land on p. 52 and p. 76:

<p><i>Tribal Land</i>—“Indian lands – any lands where title is either held in trust by the United States for the benefit of an Indian tribe or individual Indian or held by an Indian tribe or individual Indian subject to restrictions by the United States against alienation (i.e., sale or transfer)” 510 FW1, Exhibit 1.</p> <p><i>Unacceptable impact</i>—Tribally-determined decline in a wild ungulate population or herd, where wolf predation is a major cause of the population or herd not meeting</p>	<p>CH Craig Hansen What is this citation? Need to be careful about incorporation by reference, especially in the reg text.</p>
<p><i>Tribal Land</i>—“Indian lands – any lands where title is either held in trust by the United States for the benefit of an Indian tribe or individual Indian or held by an Indian tribe or individual Indian subject to restrictions by the United States against alienation (i.e., sale or transfer)” 510 FW1, Exhibit 1.</p> <p><i>Unacceptable impact</i>—Tribally-determined decline in a wild ungulate population or herd, where wolf predation is a major cause of the population or herd not meeting</p>	<p>CH Craig Hansen Can this go in the reg text? This would be an incorporation by reference, which we should not do.</p>

NOA FOR NEPA: I also updated the NOA for the final EIS and draft ROD that the contractor provided.

- [20230715_NOA_for_FEIS_DROD_v2.docx](#)

FOR YOUR DIGITAL SURNAME: When you are ready, please surname the **Yellow Surname Sheet** by clicking in your respective signature box:

- [20230716_Yellow_Surname_Sheet_v1.pdf](#)

You may need to open this PDF in the Adobe DC app, rather than a browser window, in order to sign.

If needed, I'll be in touch again in the morning, otherwise, I expect to open routings in DTS as soon as I update the files.

Many thanks,

Craig.



Craig Hansen

U.S. Fish & Wildlife Service, Region 6
Ecological Services - Branch of Classification & Recovery
Recovery Coordinator / Fish & Wildlife Biologist
Phone: (303) 236-4749 **Fax:** (303) 236-0027
Email: craig_hansen@fws.gov



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