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September 3, 2013

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Honorable Daniel Ashe, Director
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240-0001

Subject: Stakeholder concerns about pending Service proposals to delist gray wolves, relist the Mexican wolf, revise the rule establishing the Mexican wolf in Arizona-New Mexico as a nonessential experimental population and to draft an Environmental Impact Statement on the proposed revision to the Mexican wolf nonessential experimental population rule

Dear Director Ashe:

Our organization is a stakeholder in Mexican wolf recovery efforts and we write to you today with great concern about U.S. Fish and Wildlife Service (Service) proposals regarding gray wolves. These Service proposals include delisting gray wolves and redefining Service efforts to: (a) recover the Mexican wolf through relisting; (b) modify its current legal status and approach to Mexican wolf reintroduction in the Southwest; and (c) comply with the National Environmental Policy Act (NEPA) and with the Endangered Species Act (ESA). These actions are addressed by the following:

1. Proposal to delist the gray wolf and relist the Mexican wolf. Comment period opened June 13, closes September 11.
2. Proposal to revise the nonessential experimental population designation of the Mexican wolf. Comment period opened June 13, closes September 11.
3. Notice of Intent to prepare an EIS for the proposed revision to the nonessential experimental population of the Mexican wolf. Comment period opened August 5, closes September 19.
4. Development of a new Recovery Plan for the Mexican wolf. Initiated in 2008. In proposing delisting, relisting and development of an EIS, the Service makes frequent mention of the Recovery Team's work guiding the Service. Yet, the full Recovery Team has not met to discuss its work since November 2011; the Science Subgroup of the Team never reached consensus on its draft guidance to the Service and has not met since December 2012; and a draft Recovery Plan has yet to be released to the public.
5. Development of a management plan for Mexican wolves outside the nonessential experimental population area. Initiated in 2010. No action since February 2013, when the Service withdrew its draft extra-limital plan. However, the plan is referenced in various Service documents pertaining to Issues 1-4 above, as information the Service will consider as it moves forward on those issues.

Our organization will submit detailed comment on these proposed actions during the appropriate written comment period, but we wish to state our collective major concerns so that you might consider them as the Service moves forward. Our concerns are as follows:

1. The Service must restructure and extend for a minimum of 90 days the public comment periods on these five issues to provide the public with adequate time, opportunity and information to appropriately evaluate each of these issues in the context of the other four. Service Policy on compliance with the National Environmental Policy Act (NEPA), set forth in Chapter 1 of 550 FW 1, affirms on page 1 that scoping be conducted with announcement of a proposed EIS. At pages 17-18 (D.2.3.B-C), the Service policy speaks to the intended breadth of public scoping and the mandate to carefully consider the affected public and to provide reasonable notice of public comments and due dates. Further, the policy states at page 33 (H) that “public participation is to be an integral and required part of the NEPA process.
2. The Service, per policy, must provide appropriate public meetings (throughout the affected areas of Arizona and New Mexico) through which the public can engage directly with the Service in discussing the relevant issues and their concerns.
3. The Service must develop and consider, and allow the public to review and consider, current information on the full range of possible economic impacts throughout the States of Arizona and New Mexico, not just within a narrower portion of both states.
4. The Service must describe the potential effects, both positive and negative (regarding wolf protection, management and on human activities on the landscape), of changing the current boundaries of the Mexican Wolf Experimental Population Area and of changing any formal or informal management zones within or immediately outside that area within the States of Arizona and New Mexico.
5. The Service must describe how wolf management on Tribal and non-Tribal lands in both Arizona and New Mexico will be coordinated to ensure that neither positive nor negative impacts of wolf reintroduction will fall disproportionately on Tribes or on non-Tribal interests.
6. The Service must describe how, moving forward, Mexican wolf reintroduction will contribute to achieving Mexican wolf recovery and delisting, including quantitative statement of reintroduction, downlisting and recovery/delisting population objectives and estimated timeframes.
7. The Service must describe how Mexican wolf recovery efforts in the United States will mesh with parallel efforts on Mexico with regard to achieving reintroduction, downlisting and recovery/delisting objectives and estimated timeframes.
8. The Service must clarify whether Mexican wolves within or originating from the current and proposed Nonessential Experimental Population Area have a legal status of endangered or of threatened.

9. The Service must describe how State wildlife management authorities pursuant to State Law and to Section 6 of the ESA will be respected through delisting the Mexican wolf and revising the Nonessential Experimental Population Rule through which reintroduction occurs.
10. The Service must describe how State and Tribal wildlife agencies, and cooperating Federal agencies will be permitted under Section 10 of the ESA to conduct management of Mexican wolves within their respective jurisdictions.
11. The Service must clarify its legal position with regard to ordinances and resolutions put forth by local or state governments that conflict with Federal laws, rules, regulations and policies pertaining to the Mexican wolf.
12. The Service must describe how Mexican wolves in the United States will be managed to ensure that the population (collectively and locally) does not expand to the point at which unacceptable impacts on hunter opportunities for big game species are not inappropriately constrained. The Service must also identify what financial resources it will contribute to enable State and Tribal wildlife agencies to maintain population surveys adequate to reliably estimate wolf and primary prey populations and to establish reliable measures of wolf impacts on such prey populations that might trigger permitted take of wolves.
13. The Service must describe the methods by which it will enable (and fund) measures to measure, prevent and mitigate losses of livestock or other property to Mexican wolf depredation.
14. The Service must commit resources of time, money and staff to work with State and Tribal wildlife agencies and other stakeholders as they develop alternatives to the wolf reintroduction and management proposals put forth by the Service.

We believe that the Service, at the Washington as well as the Region 2 level, must address each of these concerns to afford the public and cooperating agencies a meaningful opportunity to comment on the Service-proposed and pending actions.

We appreciate your consideration of this letter and anticipate receiving a timely, substantive response. Given the pending deadlines, we respectfully request a response by September 9, 2013.

Respectfully,

GILA COUNTY BOARD OF SUPERVISORS

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Tommie C. Martin, Vice-Chairman
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