



**Conserving our natural resources and promoting a sustainable economy**

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27 October 2012

Benjamin Tuggle, Ph.D.  
Regional Director  
U.S. Fish and Wildlife Service  
500 Gold Avenue SW  
Albuquerque, NM 87102

Re: Mexican Wolf Blue Range Reintroduction Project Replacement Release Outline for Arizona 2013; Draft: September 27, 2012.

Dear Dr. Tuggle:

At a public meeting regarding the Mexican Wolf Blue Range Reintroduction Project Replacement Release Outline for Arizona 2013 held in Alpine, Arizona, Mr. Chris Bagnoli of the Arizona Game and Fish Department (AGFD) announced that public comments on the release proposal would be accepted through October 27, 2012. This letter constitutes the collective comments of the undersigned individuals and organizations. While we appreciate the opportunity to comment, we are concerned that many people actively interested in the progress of the Mexican wolf recovery program were not informed about the public meetings, release proposal, and comment opportunity. The US Fish and Wildlife Service (FWS) and partner agencies need to take greater responsibility for an open and transparent system of public notifications through the Mexican wolf news email listserv, monthly status reports, agency websites, and local and regional media services and event calendars.

After a much too long lapse of four years with no new releases of Mexican gray wolves into the Blue Range Wolf Recovery Area (BRWRA), we are pleased that a release of one or two new wolves is being proposed. The release protocols appear guided by accurate supporting data and the best scientific information available. The proposal sufficiently identifies the risks associated with each of the five alternatives presented, and we choose to not comment further on the pros and cons of each alternative. However, the scope of the release proposal is woefully inadequate to foster the population growth necessary to achieve the 100-wolf population objective in the BRWRA. Many more releases are needed.

We are pleased that the release proposal identifies and addresses the critical need for the “genetic rescue” of the wild population of Mexican wolves. While the release of one or

two wolves to enhance the genetic integrity of the wild population is a step in the right direction, it falls far too short of accomplishing meaningful genetic rescue of the BRWRA wolf population. Aggressive and comprehensive implementation of a science-based genetic rescue program has been identified as essential for several years but never fully implemented (Hedrick and Fredrickson 2010).

Hedrick and Fredrickson (2010) note that the process of genetic rescue was initiated in the captive Mexican wolf population over a decade ago with scientifically managed cross-breeding of Mexican wolves from the three pure lineages—McBride, Aragon, and Ghost Ranch. Measurable increases in “fitness” among cross-lineage wolves indicated that successful genetic rescue had been achieved in the captive population. A pool of these more genetically fit wolves was produced in captivity for release to the wild—the second and most critical phase of genetic rescue. In order to overcome the genetic bottleneck of having a very low number of founders, these wolves needed to significantly increase their numbers in the wild in order to express as much genetic variability as possible.

Unfortunately, the FWS squandered the opportunity to release sufficient numbers of the genetically superior captive wolves into the wild population before they became too old. Following a few initial releases of cross-lineage wolves, Hedrick and Fredrickson (2010) note that “mainly because of non-scientific considerations, further releases were greatly reduced in the 4-year period 2005-2008 to only a total of five wolves.” As we noted above, no new wolves have been released since November 2008. Hedrick and Fredrickson (2010) further state that “[A]t this point, both the reintroduced population and the program of genetic rescue are presently at great risk because of the low growth rate of the wild population.” The low growth rate of the wild population stems largely from aggressive management removals of wolves and the failure to release sufficient numbers of wolves from the captive population. Indeed, the FWS’s *Mexican Wolf Conservation Assessment* (2010) concludes that “[T]he Blue Range population...is not thriving” and cites management regulations and inbreeding as two of the threats “hindering the biological progress of the population and the recovery program.”

Having largely missed the first opportunity for genetic rescue, FWS now faces the more daunting prospect of “genetic re-rescue,” which is deemed feasible (personal communication from Rich Fredrickson to David Parsons) but involves the re-assemblage of the three original lineages in captivity and repeating the cross-breeding process. This is part of the justification for the proposal to capture the aging AF858 (one of only a few pure McBride lineage wolves remaining), return her to captivity, and surgically remove her remaining eggs for future artificial reproduction. The capture of one pure McBride lineage wolf and the release of one or two cross-lineage wolves, which constitutes the full extent of this current release proposal, fall far short of a comprehensive science-based genetic “rescue” or “re-rescue” plan and will do little to grow the wild population at the necessary rate.

While FWS has had sufficient scientific information and time to formulate a comprehensive genetic rescue plan, it has not articulated or implemented such a plan to

the significant detriment of the recovery of the critically endangered Mexican gray wolf. That said, it is not too late to change course, but several critical steps must be implemented immediately.

These steps include: develop, adopt, and implement an aggressive genetic rescue/re-rescue plan; revise the Endangered Species Act (ESA) Section 10(j) rule to authorize direct releases of captive-raised Mexican wolves to any geographic location within the designated BRWRA; restore decision authority to FWS for wolf releases; eliminate “presence of livestock” as a rationale for excluding areas from consideration for wolf releases; and resume and expedite recovery planning for the Mexican gray wolf. We address each of these high-priority measures below.

**Genetic Rescue.** The case for immediate implementation of a comprehensive science-based program to enhance the genetic integrity of the wild population has been made above.

**Revise 10(j) Rule.** The FWS policy of not releasing wolves over the objection of a state resulted in a 10(j) Rule (Federal Register 1998) that restricted releases of captive-reared wolves (new releases) to a portion of the BRWRA in Arizona. In 1998, the Governor, Game Commission, and Director of the New Mexico Department of Game and Fish opposed the release of Mexican wolves in New Mexico. Both the Three-Year and Five-Year Reviews (Paquet et al. 2001; AMOC/IFT 2005) acknowledged that this geographic restriction on new releases is “hindering establishment and growth of the population toward the population target of at least 100 wolves.” Notwithstanding that in April 2004 the New Mexico Governor and the Game Commission reversed the State of New Mexico’s previous opposition and requested a rule-change to allow release of wolves from captivity into New Mexico (a position that the State has not rescinded), FWS has not done so. A genetic rescue program cannot be effectively implemented without the authority to conduct releases throughout the entirety of the BRWRA. Recovery area wide releases should have been authorized in 1998 and must be authorized now for effective population growth to achieve the reintroduction population objective in the BRWRA, which is now almost six years behind schedule.

**Restore Decision Authority to FWS.** If it takes place, this will be the first release of new wolves since November 2008. By a decree of the Arizona Game and Fish Commission this proposal is restricted to only the replacement of Mexican wolves illegally killed in Arizona since 2011, which amounts to only two wolves though additional wolves were killed in New Mexico, and many more in both states prior to 2011. To our knowledge, no additional releases are being planned for 2013. Such a tepid release program will not accomplish sufficient population growth or effective genetic rescue. The *Pack Management Plan* which accompanies the release proposal and the assurances made by FWS to the Arizona Game and Fish Department in a letter dated July 23, 2010 which are incorporated by reference into the management plan greatly restrict the management flexibility granted to the FWS under the 10(j) Rule. These management rules read like the twin brother of Standard Operating Procedure 13—a rescinded management policy that resulted in aggressive wolf removal. Far from committing the FWS to science-based

adaptive management, these mechanistic rules abdicate FWS's discretion and prejudge responses to future situations.

Both the ESA and the 10(j) Rule mandate the furtherance of the recovery of the Mexican wolf subspecies and limit the scope of discretionary "take" of Mexican wolves to that which is consistent with recovery. The FWS has admitted that regulatory take of Mexican wolves has precluded the achievement of reintroduction goals to date. In December 2009, the US District Court of Arizona approved a settlement agreement between FWS and several conservation NGO plaintiffs which restored decision authority for all aspects of the Mexican Wolf Recovery Program to FWS and further ordered FWS to make no further decisions pursuant to SOP 13 (Defenders, et al. v. U.S. Fish and Wildlife Service et al., 08-cv-280 D Arizona). We see no evidence in this release proposal that FWS has, in fact and practice, fully abandoned the provisions of SOP 13 or resumed full decision authority for Mexican wolf recovery actions as ordered by the Court. We are honoring the spirit and letter of the settlement agreement by submitting these comments directly to FWS with a copy to Mr. Bagnoli. We urge FWS to exercise full authority over all aspects of the Mexican Wolf Recovery Program immediately.

Presence of Livestock. The suitability of release sites is apparently— and unduly— defined by the presence or absence of livestock. The release proposal emphasizes the favorable release-site attributes of ungrazed forest lands, and potential conflict with livestock within the BRWRA as a potentially negative attribute of the various alternatives. There are plenty of places to release wolves in the BRWRA, but many appear to be excluded simply because of active livestock grazing operations in the project area. This constraint is improper, unscientific, and must be removed from the consideration when evaluating wolf release sites.

It is our firm belief that release sites should be evaluated from the perspective of best available habitat for wolves, and that management of multiple uses on public lands requires accommodation to minimize conflict. FWS, through its work on the Interagency Field Team and via the Interdiction Stakeholder Council, and partners such as AGFD and non profits including Defenders of Wildlife and the Mexican Wolf Fund, have made significant progress in preventing conflicts between livestock and wolves via numerous strategies. Interest in these coexistence techniques has grown markedly in the last two years among livestock owners, as has support for voluntary grazing permit retirement. With the interest, momentum, knowledge and funding now available to prevent conflicts, there is no justification for *de facto* exclusion of areas occupied by cattle. The FWS should be prioritizing the recovery of endangered species, and the land management agencies should be working to ensure a safe and suitable land base on which to do so.

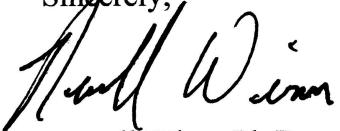
Recovery Planning. The recovery planning process for the Mexican wolf is currently stalled and significantly behind schedule. The last meeting of the Mexican Wolf Recovery Team scheduled for June 6-8, 2012 was cancelled and has not been rescheduled to date. At this point the release of a draft Recovery Plan for public and peer review is not expected until sometime in 2014. Mexican wolves need and deserve better

performance by FWS. We urge the immediate resumption of the Mexican wolf recovery planning process and the most expeditious completion of that process.

In conclusion, the proposed action in the absence of the critical measures identified in this letter will have little effect on short- or long-term recovery goals for the critically endangered Mexican gray wolf.

We appreciate this opportunity to comment on the release proposal and look forward to hearing from you regarding how the FWS will act responsibly to recover this endangered animal.

Sincerely,



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