

December 31, 2007

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New Mexico Ecological Services Field Office
2105 Osuna NE
Albuquerque, NM 87113

RE: RIN 1018-AV40 Advanced Notice of Proposed Amendment of the Rule
Establishing a Nonessential Experimental Population of the Mexican Gray Wolf in
Arizona and New Mexico

Thank you for the opportunity to comment. Wolf Haven International is a small non-profit wolf sanctuary and conservation organization located in Washington state. We have been a member of the Mexican Wolf SSP since 1995 and we are one of the three U.S. pre-release facilities for the recovery program. Both the original Hawks Nest pack and the Cienega pack were acclimated at our facility.

Wolf Haven has commented extensively in the past on Mexican wolf recovery and the reintroduction project. Changes to the rule managing the project are long over-due and we commend USFWS for starting the process to make those changes. We will reiterate some of the comments we have made in the past as well as comment on specific concerns associated with a potential rule change and issues specifically addressed in the Advanced Notice of Proposed Rulemaking (ANPR).

The two most obvious changes to be made with a new rule are the issues of allowing wolves to disperse outside the BRWRA boundary and allowing for initial releases into the New Mexican portion of the BRWRA. From our comments on the 5-year review:

Immediately modify the final rule to allow wolves that are not management problems to establish territories outside the BRWRA

One of the most consistent recommendations for modifying the Final Rule – aimed at the overall success of the program - has been to remove the restriction requiring non-problematic wolves that linger outside the BRWRA to be captured. The technical section of the 5-year review reiterates this point: “Thus, we recommend that the project modify the final non-essential experimental rule to allow wolves to occur in areas within the southwestern distinct population segment (SWDPS) of the gray wolf where they do not conflict with livestock or humans.”

The proposed change has been discussed extensively in program literature and documents. The technical section points out that dispersal outside the BRWRA will increase with a larger wolf population and with more wild-born pups achieving the age when many wolves disperse. One telling statistic suggests that if a lone (dispersing) wolf travels the average distance noted, and starts at the center of the BRWRA, 66% of the time it will end up outside the BRWRA boundaries.

The administrative section reiterates two of the biggest concerns: “...it hinders the natural dispersal and recolonization of wolves into new areas, thereby slowing recovery” and “...presents serious logistical and staffing concerns since it necessitates the IFT to spend numerous hours and resources removing otherwise non-problematic wolves”.

Immediately modify the final rule and develop authority to conduct releases in the Gila National Forest.

Like the BRWRA boundary restriction, this issue has had a consensus from experts, almost since the inception of the program, some of which the administrative portion of the 5-Year Review outlines:

“The Gila National Forest makes up approximately 75% of the BRWRA and contains much of the best wolf habitat due to the existence of some areas with low or no road densities, good populations of large native ungulates(primarily elk), and no permitted livestock. Currently, the Service is limited to releasing (translocating) only wolves that have had previous wild experience into New Mexico. This restricts the pool of available release candidates and limits the Service’s ability to release wolves for management purposes, such as replacement of lost mates or genetic augmentation. The ability to genetically augment the wild population with wolves that are genetically underrepresented is important in order to increase the overall fitness of the population, thereby aiding recovery of the species.”

Another issue that has been consistently commented on for this reintroduction are concerns that livestock carcasses are being left on public land and causing wolves to habituate to eating livestock, thus increasing the chances that they will start to depredate on livestock. Again from our 5-year review comments:

Require livestock operators on public land to take some responsibility for carcass management/disposal to reduce the likelihood that wolves become habituated to feeding on livestock.

According to the Service’s numbers, while about 50% of depredations are caused by scavengers, about 90% of scavengers become depredators. Therefore, to say that “clear trends either way are difficult to determine”, based on the 50% figure, seems to be very misleading. Is it possible that those 22 wolves that scavenged on livestock carcasses would have never become depredators had they not had the chance to scavenge first? While we accept that management of livestock herds on large grazing allotments can be challenging, shouldn’t permittees be required to be good stewards of public land? In reality, without a change in the law, permittees do not have an incentive to deal with carcasses.

We assume that the recommendations put forth by the AMOC associated with the 5-year review and later approved by USFWS will also be taken under consideration and possibly

incorporated into the new rule. Some of our comments from the AMOC recommendations portion of the 5-year review:

Number 10: Issue permits to private individuals to use authorized non-lethal means to harass wolves engaged in nuisance behavior or livestock depredation, or attacking domestic pets.

Wolf Haven supports non-lethal harassment under the specified conditions with the addition that any incidents are reported to program officials within a specified time. Allowing lethal take of wolves in the act of attacking a dog is an understandable desire. It is an option, however, that as written, could easily be abused. If lethal take of wolves is to be allowed under these circumstances, prompt reporting, a thorough investigation and physical evidence must be required.

Number 11: Allowing take under a variety of circumstances once the wolf population has reached 125 for at least two sequential years.

*We see a range of problems with this recommendation. Using the number of individual wolves to determine the vitality of the population rather than judging population stability by the number breeding pairs or even the number of packs may be inappropriate. There is a good reason that most wolf management decisions in the U.S. have been predicated by breeding-pair numbers rather than number of individual wolves. If, for instance, primarily alpha wolves are removed from the population due to depredations or to help wild ungulate populations, even though the numbers of wolves could initially remain above “management objectives”, pack cohesion and breeding success could be significantly impacted. Future success of the population may be imperiled if **breeding-pair** numbers are not sustained at a certain level.*

b. Allowing “private individuals to take as many wolves as necessary” is a highly subjective statement and open to a wide array of interpretations. This part of the recommendation also does not specify on what type of land “take” will be allowed, i.e. private or public or if “take” must be by landowners, permittees or their agents. This section needs significant clarification before comments can be made.

c. Needless to say, “unacceptable impacts” needs to be well defined before any significant comment can be made on this recommendation.

*The leniency of management outlined in this recommendation was not allowed in the Northern Rocky Mountain wolf population until the wolf population had almost doubled well-specified **recovery** goals and of a sub-species that, while endangered in the region, is well represented in North America. Due to the rarity of the Mexican wolf sub-species, any loss of genetic diversity may be permanent. The limited success of this program has, so far, not shown any room for liberal lethal control. The recommendations in this section seem premature considering the lack of an up-to-date Mexican Wolf Recovery Plan that includes well-defined population recovery goals.*

Number 12: Regarding financial incentives to address nuisance and depredating wolves.

Compensation for depredation has been a key component to the success of wolf recovery in the United States. Wolf Haven strongly encourages this investigation with particular attention paid to the issue of dealing with carcass discovery, monitoring, removal, burial and/or destruction as there has been a strong correlation with scavenging activities and subsequent depredations. We are also in favor of possible compensation to landowners and permittees with documented presence of wolves and those that employ ranching techniques designed to deter predation. Without getting into the grazing issue, however, we are flatly against any modification of grazing fees to buy tolerance or to compensate for “undocumented losses” in the entire MWEPA.

In a past comment, Wolf Haven stated that we were in favor of an expansion of the nonessential experimental zone. Given the low success of the reintroduction project as a whole, we have come to believe that expanding the nonessential experimental zone is inappropriate. Allowing Mexican wolves to disperse and the population to expand into habitat deemed suitable by the wolves themselves is more appropriate for this population than the Northern Rocky Mountains wolf population where unlimited dispersal outside the nonessential experimental area is allowed. Unfortunately, this reintroduction project is not endowed with a large, central protected area such as the Rockies population has in Yellowstone National Park or the vast, relatively inaccessible wild lands of central Idaho. The Mexican wolf population needs the ability to seek out and occupy appropriate territory and remain fully protected while doing so.

One issue that has not been addressed enough in the management of this program is the genetic status of Mexican gray wolves – both as an inbred population and as a rare subspecies. It is particularly obvious that the U. S. Fish and Wildlife Service is not taking recovery of this subspecies seriously. Coming from only seven founding individual wolves, this population must be managed carefully. There are many efforts going on to recover some genetic diversity for the Mexican gray wolf. These efforts will be rendered useless if there is limited opportunity to release wolves bred for that purpose or they are removed for management reasons. While the level of control practiced over the captive population is not possible in the wild, the genetic status and lineage of wild wolves should be carefully considered before management decisions are made. Recent genetic analysis of the population has shown that fitness is dependent on lineage. Genetically valuable wild wolves have been removed or lethally controlled under the auspices of SOP 13. Given the distinct and rare genetic make-up of this subspecies of gray wolf and with the rare opportunity to change the final rule that manages the species reintroduction, reverting their listing back to **endangered at the sub-species level** would be appropriate.

Some of the language in the ANPR, including the title, minimizes the distinctness of this subspecies and the efforts made, both in captivity and by everyone associated with the current reintroduction project, to restore this genetically rare subspecies. While it was probably the case that there was a gradual blending of subspecies across their historic range as they came into contact, Mexican wolves were separated from the northern subspecies as gray wolves were eliminated from the contiguous United States. Their fate as a distinct subspecies was sealed when they were brought back from the edge of extinction by McBride and the early efforts of the Mexican Wolf Recovery Team. This

subspecies is no longer simply “the gray wolf in Arizona and New Mexico”. We envision a time when the historic scenario may happen again – when wolves exist in the U.S. from the Canadian to the Mexican border with a gradual blending between the subspecies. At this time, however, Mexican wolves are distinct and should be treated as such.

While we believe that this rule change is vital to the survival of this reintroduction, reconvening the Mexican Wolf Recovery Team and producing an updated recovery plan may be vital to the future of the species as a functioning part of the American southwest. The ideal scenario would be to have a full Mexican Wolf Recovery Team be involved in the drafting of a new final rule in conjunction with an updated recovery plan. However, time is of the essence for this struggling reintroduction and the BRWRA boundary issue, New Mexican primary releases, livestock carcass handling and the genetic issues should be dealt with as soon as possible.

Thank you again for the opportunity to comment.

For Wolf Haven International,

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