

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

State Coordination Meeting Notes

June 1, 2023
8:00 – 9:00 am MST
Microsoft Teams Meeting

Attendees:

Name	Organization
Nicole Alt	U.S. Fish and Wildlife Service
Scott Becker	U.S. Fish and Wildlife Service
Kurt Broderdorp	U.S. Fish and Wildlife Service
Brady McGee	U.S. Fish and Wildlife Service
Liisa Niva	U.S. Fish and Wildlife Service
Lauren Toivonen	U.S. Fish and Wildlife Service
Clay Crowder	Arizona Game & Fish Department (AZGFD)
Jim deVos	Arizona Game & Fish Department (AZGFD)
Reid DeWalt	Colorado Parks and Wildlife (CPW)
Stewart Liley	New Mexico Department of Game & Fish (NMDGF)
Kim Hersey	Utah Division of Wildlife Resources (UDWR)
Jessica Forbes	WSP
Lori Fox	WSP
Margaret Stover	WSP

EIS and Rule Update

The Service is continuing to work on responses to public comments and peer review comments. They noted that most of the changes from comments were editorial rather than substantive. The Service is continuing to make decisions with their leadership on issues like the ungulate provision. WSP has been working on revisions to the cumulative impacts section of the EIS based on the draft language provided by the states. The group plans to review these EIS changes during the following call on 6/5.

Draft Agreement

CPW is reviewing the draft agreement and proposed having a meeting with all the states to discuss the agreement. The states plan to present and discuss the draft agreement with the group during the meeting on 6/12.

NMDGF asked whether it would be critical to have the agreement in place before the Service issues a 10(a)1(A) permit. NMDGF worried that the agreement could take a longer time and wondered if the 10(a)1(A) permit could be issued first and mention the forthcoming agreement. AZGFD noted that the 10(a)1(A) permit is the most important document to protect Mexican wolves. NMDGF noted that the 10(a)1(A) permit, not the agreement itself, gives them the ability

to capture and return wolves. The Service agreed that issuing the 10(a)1(A) permit at the same time as the 10(j) rule would be important. They wondered whether CPW's letter saying that they would accept returned wolves would be adequate before the agreement is in place. The Service said that ideally, the agreement, the 10(a)1(A) permit, and the 10(j) rule are all put in place simultaneously so that there is less confusion over who could capture wolves and whether they could be released back into Colorado promptly. The group decided to aim to have them in place simultaneously.

Other Decisions and Announcements

AZGFD and NMDGF proposed having a meeting during the Western Association of Fish & Wildlife Agencies (WAFWA) meeting in Santa Fe, NM. The group decided on a tentative meeting time of Wednesday, July 12 from 3:30 – 5:00pm. The Service will ask for someone from their regional leadership team to attend the event and will obtain approval for Liisa Niva to attend as well.

AZGFD asked about the schedule for the FEIS and what the Service would do with comments received after the FEIS is released. The FEIS will be released in early October, along with the draft ROD and that the final rule would be released in early November. The Service will review any comments received during the 30-day waiting period after the FEIS is released and will develop a matrix with responses, typically referring to responses developed for comments received during public review of the DEIS. The Service does not typically receive novel or new substantive comments after the FEIS is released, but if they are received then the Service would respond to those comments and make changes if necessary.

AZGFD asked who from the Service would sign the rule and FEIS. The regional director signs the rule and the ROD, the FEIS has to be cleared by the appropriate departments, and Liisa Niva will likely sign the biological opinion.

The group decided to cancel the call on 6/19 because of the federal holiday. Nicole Alt's last day in her current role is 6/2.