

From: [Niva, Liisa M](#)
To: epa4apachetribek@gmail.com
Cc: [Foster, Westley P](#); [Powell, Cassie J](#)
Subject: USFWS to publish final 10j rule and ROD in support of Colorado wolf reintroduction
Date: Monday, November 6, 2023 5:53:34 PM

Hello, Wamblee Smith -

On November 7, 2023, the U.S. Fish and Wildlife Service will announce the availability of the final 10(j) rule and Final Record of Decision (ROD) to establish a nonessential experimental population of gray wolves in Colorado. The final 10(j) rule becomes effective on December 8, 2023, 30 days from publication in the Federal Register (November 8, 2023).

Following the November 2020 passage of a statewide ballot initiative to reintroduce wolves in Colorado, at the request of Colorado Parks and Wildlife (CPW), the Service has finalized a rule to establish an experimental population of gray wolves (*Canis lupus*) in Colorado under section 10(j) of the Endangered Species Act. The Service's action is limited to the designation of the experimental population and associated management flexibilities under the proposed rule – the introduction of gray wolves is an action being undertaken by Colorado Parks and Wildlife (CPW).

The final 10(j) rule and final ROD reflect the input of stakeholders and the public received throughout the scoping and public comment process, as well as feedback from cooperating agencies. There are no substantial changes between the draft ROD and final EIS published in September 2023. The Service is designating a nonessential experimental population of gray wolves to provide additional management flexibility for CPW and Tribes to address potential conflicts between wolves and humans, and wolves and domestic animals. This designation of a nonessential experimental population allows reintroduced wolves to be managed by hazing, removal, or relocation by CPW, Tribes, or designated agent(s) for domestic animal depredations.

The final rule also includes a provision to allow take of the gray wolves that significantly impact ungulate populations, as defined in the 10(j) rule, on Tribal reservation lands of the Ute Mountain Ute and Southern Ute Indian Tribes within Colorado. The State of Colorado is in active discussion with surrounding states about their plan to handle gray wolves that leave the state. The Service supports these efforts and anticipates continued close coordination with Colorado and the surrounding states. This support from the Service includes additional authorities to capture and relocate gray wolves that leave Colorado under a pending 10(a)(1)(A) permit. The Service published the draft 10(a)(1)(A) permit in September and anticipate finalizing it in the coming weeks.

More information can be found on the Service's Colorado wolf website (<https://www.fws.gov/coloradowolf>). Please contact me if you have any questions.

Best,
Liisa

Liisa M. Hernández Niva (she/her/hers; hear my name pronounced [here](#))
Acting Field Office Supervisor || Colorado Ecological Services Field Office || U.S. Fish & Wildlife Service || Denver,
CO
Mobile (calls & texts): 303/905-4543