

Ute Mountain Ute – U.S. Fish and Wildlife Service Introductory Meeting

02/03/2023

Minutes Amended: 02/08/2023

Minutes by Susan Davis, PaleoWest

Attendees:

David Stoner, Ute Mountain Ute
Peter Ortego, Ute Mountain Ute
Nicole Alt, U.S. Fish and Wildlife Service
Kurt Broderdorp, U.S. Fish and Wildlife Service
Lauren K. Toivonen, U.S. Fish and Wildlife Service
Scott Becker, U.S. Fish and Wildlife Service
Lori Fox, WSP USA
Jessica Forbes, WSP USA
Kaitlyn Davis, PaleoWest

Meeting Convened: 09:00 AM MST

Introductions

- Ute Mountain Ute
 - David Stoner: Natural resource director. Ute Mountain Ute in a unique position, having a mix of trust and fee land. One of the ranches (Pinecrest Ranch) owned by the tribe on fee land (Blue Mesa, between Montrose and Gunnison) is within a proposed reintroduction area of a breeding pair.
 - Peter Ortego: Head of the legal department for the tribe. Interested in the jurisdiction between federal organization and the state.
- U.S. Fish and Wildlife Service (USFWS)
 - Nicole Alt: Colorado Ecological Services Supervisor for USFWS.
 - Lauren Toivonen: Fish & wildlife biologist in Bismark, ND office.
 - Scott Becker: Region 6 Wolf Coordinator. Works on managing wolves for both state and federal wildlife agencies.
 - Kurt Broderdorp: Senior wildlife biologist, working on rule-writing and NEPA review.
- WSP Team
 - Lori Fox: Interface with Colorado on NEPA side on impacts of the 10(j) rule.
 - Jessica Forbes: Deputy project manager for EIS, helping with public outreach.
- PaleoWest
 - Susan and Kaitlyn Davis

Goals of the Meeting

- Opportunity for Ute Mountain Ute to ask any questions they have for U.S. Fish and Wildlife Service regarding the project.
- Opportunity for Ute Mountain Ute to provide insight onto what they would like U.S. Fish and Wildlife Service to take into account moving forward.
- Discuss how Ute Mountain Ute would like to be involved in the project moving forward.

State and Federal Jurisdiction

- Wolves are currently federally listed as endangered, so there are few authorized options for take of the species regarding conflict situations. State rule will provide management flexibility to allow take in certain situations. Rule is designed to be able to provide the Service or designated agents the ability to implement provisions of the plan.
 - Proposed 10(j) rule allows the Service to authorize designated agents, which could include tribes.
 - Right now, there are no USFWS field personnel in Colorado, so the designated agent status is going to be important to assist with the day-to-day management of wolves.
- On reservation assets are wildlife and livestock. How does USFWS propose to implement trust responsibility to protect tribe's assets?
 - Rule is designed to allow landowners to defend livestock in certain situations: when wolf is actively attacking livestock; or a permit can be issued when wolves are known to be in the area with evidence of depredation.
 - Cannot go into the area and preemptively remove any wolves. Rule gives landowners options to minimize conflict risk. Experimental agent designation gives more flexibility to deal with conflicts, should they arise.

Tribal Concerns

- If the tribe wants to have its own management plan, what's the timeline for them to draft their plan? Comment period for the State management plan ends February 22.
 - Tribal management plan does not need to be completed before the 10(j) rule is done, and doesn't need to be completed before the state management plan is done.
 - Regardless of whether tribal management plan is done, they will have the opportunity to deal with conflict in the interim.
 - Examples of tribal management plans are available for reference. Key topics the plans will need to address: How will take be regulated, and how will tribes deal with conflicts?
- Tribes are only mentioned in a few spots in the Colorado management plan, and in vague terms.

- Tribes want to have more control over trust and fee land, as well as Brunot Area and Blue Mesa. They want to have their own plan in place should the wolf be delisted again.
 - Even if wolf is delisted, there is a chance the species will be relisted. If wolves are relisted, management will return to state management plan.
 - Management plan considers that wolves will likely bounce on and off the list in the near future. If wolves are relisted, they will be managed under the 10(j) rule.
- Wolves won't be released within 60 miles of borders. Is it realistic that they'll stay within that 60 mile range?
 - Wolves can disperse over incredibly long distances, but average dispersal distance is about 60 miles after reintroduction. Reintroduced wolves will be high profile animals and will be managed closely to prevent them from crossing borders.
 - Are there ecological islands for wolves in Colorado? Wolves are habitat generalists. State is hoping that wolves will target native prey, rather than livestock. Distribution and abundance of prey is going to dictate where wolves end up in Colorado. Models have been run to predict where conflicts are more likely to occur, but there are limits on predictability of wolf behavior.
- Are there any kinds of barriers that can be put up to prevent wolves from entering large areas?
 - Barriers are more effective on a smaller scale and can be costly.
 - There are grants/compensation programs available to assist with those costs – Scott can send information; David is interested in receiving more information on these programs to distribute to ranchers and other tribal members.
 - Because wolves are territorial, marking the area would likely be more effective over a large area, but maintaining that marking would also be costly and time consuming.
 - Sheep operations are a little easier to manage, since they're kept in a smaller area.
 - Range riders can be helpful for cattle operations.
- Ute Mountain Ute has an abundant herd of elk, and hunting is an integral part of their culture.
- Ute Mountain Ute have also been in touch with the Southern Ute tribe, who are drafting an MOU.
- Clarification: If tribes see wolf actively engaged in livestock predation, what are their options?
 - At this point in time, only preventative, non-injurious options available.
- What happens when a wolf leaves Colorado?
 - Right now, wolf will get captured and returned to Colorado, not near tribal lands.
- Is there any kind of training available for tribes on how to identify the presence of wolves, how to confirm a wolf kill?

- Under state plan, State wildlife officer has to confirm kill before compensation is available.
- Tribe does have a wildlife department, and it might be good to hire someone focused on wolf conflicts. It will be up to tribes to decide if they want to run their own compensation/investigation program, or work with the state compensation program.
- Example: In Montana, program requires it be available to everyone in state. In other places, state compensation only covers state lands – not tribal lands. No tribes Scott is aware of that have their own compensation program.
- Trainings can be made available. Many tribes have MOU with CPW to assist with wolf kill confirmations. David is interested in learning more about basic training opportunities on how to identify and prevent wolf conflicts.
- Hoping that the draft rule will come out in the next couple of weeks, and state would like another meeting with the tribes to go over the language after the draft rule is released. For now, Peter and David are the two primary points of contact with Ute Mountain Ute.
 - Tribal counsel will ultimately make the decisions, but they're relying on David to sort and condense the information for them to digest.
 - In David's experience with wolf introductions/management, wolves helped mitigate damage to riparian areas caused by wild game and livestock grazing, and there was limited evidence of livestock loss due to wolves (one confirmed wolf kill of livestock over 14 years).

Action Items

- Scott and David will stay in contact about trainings and information on grant programs.
- David and Peter will have internal discussions on what they want their management program to look like, and they can then reach out to the Service to get feedback or ask questions.
 - There isn't a formal approval process for a tribal management plan, but under the rule as currently written, an agreement will be made to designate the tribe as authorized agents.
- When the rule is released, a new call will be scheduled to go over the language.
- David would like to try and set up a follow up meeting in a few weeks (preferably before the release of the draft rule) to include members of the tribal council. He'll discuss potential meeting times for the week of February 13 and communicate those to Kaitlyn to schedule a meeting.

Meeting Adjourned: 10:10 AM MST