

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

Cooperating Agency Call Notes

July 17, 2023
3:00 – 4:00 pm MST
Microsoft Teams Meeting

Attendees:

Name	Organization
Scott Becker	FWS
Kurt Broderdorp	FWS
Craig Hansen	FWS
Kyle Lemaire	FWS
Liisa Niva	FWS
Adam Zerrenner	FWS
Martin Lowney	Animal and Plant Health Inspection Service (APHIS)
Keith Wehner	Animal and Plant Health Inspection Service (APHIS)
Clay Crowder	Arizona Game and Fish Department (AZGFD)
Les Owen	Colorado Department of Agriculture
Reid DeWalt	Colorado Parks and Wildlife (CPW)
Brian Dreher	Colorado Parks and Wildlife (CPW)
David Klute	Colorado Parks and Wildlife (CPW)
Eric Odell	Colorado Parks and Wildlife (CPW)
Jacqueline Buchanan	Forest Service (FS)
Richard Truex	Forest Service (FS)
Fred Jarman	Garfield County
Matt Canterbury	Jackson County
Amber Swasey	Mesa County
Jeff Comstock	Moffat County
Justin Musser	Montrose County
John Mack	National Park Service (NPS)
Edward Smercina	Rio Blanco County
Justin Shannon	Utah Division of Wildlife Resources (UDWR)
Callie Hendrickson	White River & Douglas Creek Conservation Districts
Jessica Forbes	WSP
Lori Fox	WSP
Margaret Stover	WSP
Dan Thompson	Wyoming Game and Fish Department (WGFD)

Meeting Overview

The Service opened the meeting and noted that the purpose of the meeting was to share key changes made from the DEIS to draft FEIS with the cooperating agencies and to answer their questions before they begin their review of the draft FEIS.

Key Changes from the DEIS to Draft FEIS

The Service summarized key changes made from the DEIS to the draft FEIS:

- The Service adopted a partial ungulate provision that only applies to the tribal reservation lands of the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe in Colorado.
- Several parts of the EIS have been updated for consistency with the final State Plan, including:
 - Several alternative elements were updated.
 - “Pets” were removed, and “dogs” were changed to “working dogs”.
 - “Shoot on sight permits” were renamed to “repeated depredation permits”.
 - In areas with limited site access, language was added to allow more than 24 hours to report take.
- Alternatives considered but dismissed were updated to include suggestions received during the public comment period.
- The affected environment was updated to include the latest information on wolf numbers in Colorado.
- The issues considered but dismissed were updated to address public comments, including a more detailed dismissal of climate change and disease transmission.
- Updates were made to the socioeconomic analysis based on public comments, including:
 - The discussion of existing environment conditions was expanded to discuss livestock losses from predators and other causes and associated economic costs.
 - The impacts analysis was revised based on information provided by commenters to use the Wyoming Wolf Trophy Game Management Area and portions of eastern Washington and eastern Oregon in the Northern Rocky Mountains Distinct Population Segment as geographies of comparison.
 - Wolf counts and depredation data from the most recent five years for which data is available was averaged and used in the equation to estimate depredation in the 21 focal counties and state of Colorado.
 - Based on the three geographies of comparison, a range of depredation estimates was provided under the no-action alternative.
 - Text was added to the impacts analysis to clarify the methodology, data sources, and data limitations.
- The cumulative impacts section was updated to add more information regarding the Mexican wolf.
- The coordination and consultation section was updated to reflect consultation that has occurred with the states and the Tribes since the DEIS was published.
- An appendix was added with the summary of public comments on the DEIS and the Service’s response to those comments.

Questions from Cooperating Agencies

Cooperating agencies asked the following questions and the Service and WSP responded:

- Animal and Plant Health Inspection Service (APHIS) asked whether the ungulate provision would apply to the Brunot Area.

- The Service clarified that the ungulate provision would only apply to Tribal reservation lands, not the Brunot Area.
- White River & Douglas Creek Conservation Districts asked what the reasoning was behind the ungulate provision applying just to Tribes and not to the entire state.
 - The Service noted that the Southern Ute Indian Tribe specifically requested the ungulate provision in their comment letter, while Colorado did not in their comment letter. They also noted that the provision would honor Tribal sovereignty.
- White River & Douglas Creek Conservation Districts asked what the scientific basis for the ungulate provision was.
 - The Service explained that including the ungulate provision for Tribes in Colorado was not scientifically based and was intended to respect Tribal sovereignty. However, before Tribes can implement the ungulate provision, they need to meet criteria outlined in the FEIS and final rule that are science-based and would need approval from the Service that the criteria have been met.
- APHIS asked how costs of depredation were calculated for the socioeconomics section, specifically whether the calculation was made by ranch size rather than number of livestock.
 - WSP explained that the number of cattle and sheep on range was used, excluding livestock on feedlots.
 - APHIS suggested incorporating ranch size into the analysis and WSP encouraged them to provide comments and additional data after reviewing the FEIS.
- Wyoming Game and Fish Department (WGFD) asked about the length of the FEIS document.
 - The document is approximately 150 pages without appendices.
- Garfield County asked whether the overall timeline for the 10(j) rule and EIS were on track.
 - The Service confirmed that while the schedule is condensed, they are on track. The final rule and FEIS need to be cleared through the Service's Regional Office by early August. The Service plans to submit to the Federal Register by November 13 so that the rule and FEIS are finalized by December 15.
- Colorado Department of Agriculture asked whether the cooperating agencies would be able to review a draft of the final rule language.
 - The Service explained that the final rule would remain internal until publication because it would be considered pre-decisional. The Service noted that changes in the provisions of the final rule are captured in the EIS.

Schedule and Next Steps

The Service will send the draft FEIS to the cooperating agencies on 7/18. Comments from the cooperators are due back on 7/24. The Service also asked the cooperating agencies to indicate whether they would like to have a follow-up discussion when they submit their comments.