

From: [Trina Vigil](#)
To: [Justin Shoemaker](#); [John Guinotte](#)
Subject: FW: Wolverine Species Status Assessment Update
Date: Tuesday, June 13, 2017 3:05:20 PM
Attachments: [20170613135725.pdf](#)
Importance: High

This came back and needs to be resubmitted to RD office by tomorrow morning. Please confirm that you received this email.

Trina Vigil
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From: Annette Naylor [mailto:annette_naylor@fws.gov]
Sent: Tuesday, June 13, 2017 3:02 PM
To: Trina Vigil
Subject: Wolverine Species Status Assessment Update
Importance: High

Hi Trina,

This came back with several edits from the RD's office. **Stephanie said the edits must be completed and returned to the RD's office first thing tomorrow morning.**

Some of the edits may need clarification from Justin. Brady McGee made the changes in RD office and said if any questions, please call him at 303-236-4336.

Thanks!

Jill

Jill Naylor

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BRIEFING MEMORANDUM FOR THE REGIONAL DIRECTOR

DATE: June 12, 2017

FROM: Michael Thabault, Assistant Regional Director, Ecological Services

SUBJECT: Wolverine Species Status Assessment Update

To inform the Regional Director of the progress made on the North American wolverine (wolverine) Species Status Assessment (SSA) Report and the key information that will be of interest to the eventual wolverine listing decision. A briefing is scheduled for June 15.

BACKGROUND

In compliance with a ^{Montana District} Court order that ^{is (Court)} ~~remanded~~ ^{vacated} our previous withdrawal of a proposed rule to list the contiguous U.S. Distinct Population Segment (DPS) of the wolverine (79 FR 47522; August 13, 2014), we will prepare either a revised proposed rule to list or a revised withdrawal of the previous proposed rule (78 FR 7864; February 4, 2013). In October 2016, we published a notice to announce the vacature of the withdrawal rule to the public, ^{that} ~~announce~~ ^{reinstatement} the proposed status ~~since the judge's ruling~~ and to reopen the public comment period on the February 4, 2013 proposed rule to list the wolverine as a threatened species. ^{Regional Director} ^{18,} ^(81 FR 71670) ^{Federal Register}

DISCUSSION

Highlighted in Judge Christensen's ^{of} Court order ~~remanding~~ ^{spell out 1st use} the withdrawal were the Service's determinations regarding: (a) the threat posed to the wolverine by the effects of climate change at the reproductive denning scale, (b) the threat posed to the wolverine by small population size and lack of genetic diversity, and (c) application of the SPR Policy to the wolverine. In our SSA ^{U.S. Fish and Wildlife} Report we are reviewing previously considered ^{information} and new information to ^{that this is okay} inform these points to ensure we are using the best available science upon which to base our listing decision.

Range of the Species – ^{Based on} using both previously considered and new information, we have revised our approach to delineate the range of the wolverine across North America and in the contiguous United States to more accurately represent the species' range. ^{that were} ^{how? expanding? acreage? adding States? Counties?}

Trapping Data – we have ^{collected} additional trapping data not available to us in 2014 to inform the range of the species and the effect of trapping in Canada (British Columbia and Alberta) ^{this information is directly relevant to informing our DPS determination} ^{which we are using}

NOAA/CU snow persistence model – High resolution snow pack models have been developed for Glacier and Rocky Mountain National Parks. These areas bracket the DPS range for the wolverine in the contiguous United States. ^{Most} The majority of model scenarios indicate significant future snow persistence through April and May for 1) elevations currently used for denning in Glacier National Park and 2) the inferred elevations where wolverines would be expected to den in Rocky Mountain National Park. ^{add of}

New denning information – we have received ^{including} several peer-reviewed publications ^{new} and other information from wolverine researchers that was not available to us in 2014 documenting natal den sites and den site conditions that provide ^{This new information} new insight into the timing and location of wolverine den sites. ^{Additional} natal den sites have been documented in locations outside of areas previously predicted by Copeland et al. (2010) snow model in North America and in Scandinavia.

Population Viability Analysis (PVA) underway – we are coordinating with USGS to develop a PVA to inform minimum viable population size and to develop future scenarios that model the potential effects of demographic and habitat parameters on the wolverine population in the contiguous United States. ^{such as documentation of natal den sites in locations outside of areas previously predicted by Copeland et al.'s (2010)}

Genetics – ^{Regarding} The court stated that in our 2014 withdrawal we failed to articulate how our statements regarding the following did not constitute adverse effects to wolverine: ^{spell out 1st use}

- Apparent loss of connectivity between Rocky Mountains and Canada prevented influx of genetic material needed to maintain or increase the genetic diversity in contiguous U.S. ^{spell out}
- Effective population size is too low to support the subpopulations in contiguous U.S.
- Genetic drift has already occurred in subpopulations in contiguous U.S. as compared to Canada, and a continued loss of genetic diversity may lead to inbreeding depression and inability of wolverines in contiguous U.S. to persist.

To address these concerns we need to ^{the re} evaluate ^{these} our analysis in previous rules in which we concluded that there is “good evidence” that genetic diversity is lower in wolverines in the contiguous U.S. as compared to Canada and Alaska. We also need to determine whether there is a threat for inbreeding depression based on small population size. In addition to ^{concerning issues as such we} informing these points, knowledge gained through a more thorough and complete analysis of the genetic structure of wolverine populations throughout North America would better inform our ^{listing} DPS determination.

NEXT STEPS

We plan to present the final SSA Report, with peer and partner review incorporated, to the RD and decision team by December 2017.

ATTACHMENTS

See attached for a schedule outlining steps and timelines for preparation of the North American wolverine SSA Report and listing decision documents.

Wolverine Listing Determination Timeline
6/12/17 version

Task	Responsible Parties	Dates	Length of time
<i>Species Status Assessment (SSA) Phase</i>			
FR notice opening comment period on 2013 proposed listing rule	MTFO	Oct 18 2016 <i>^</i>	done
DIP letters sent out to States and partners	MTFO	Oct 2016?	done
Public comment period, input from States, partners, etc.		Oct 18-Nov 17, 2016?	30 days, done
Conduct science analysis (SSA)	SSA core team	By Sept 15, 2017	in process
Draft SSA report	Betty Grizzle (FO Lead Bio)	By Oct 7 <i>year</i>	in process
SSA core team meeting in Denver	Core team, R6 management and decision support staff	Feb 15-16 <i>year</i>	2 days, done
SSA report check-in w/ RD	SSA core team, management	June 15 <i>year</i>	1 hr briefing
Peer review planning and contracting	Justin Shoemaker (ULT lead), Caitlin Snyder (ULT assist)	Aug - Oct <i>✓</i>	2 months to get contracted peer reviewers in place
SSA report core team review	SSA core team	Oct 7-14	1 week
Edit SSA report based on core team review	Betty Grizzle	Oct 14-Oct 21	1 week
SSA report to peer reviewers and partners*	Justin Shoemaker, Jodi Bush (MTFO Project Leader)	Oct 21-Nov 21	1 month
Edit and finalize SSA report	Betty Grizzle	Nov 21-Dec 19	4 weeks
<i>Listing Decision Analysis Phase</i>			
SSA report to recommendation team	Justin Shoemaker, Jodi Bush	Dec 19	At least 2 weeks prior to recommendation team meeting
Decision meeting	RDs or delegates, ARDs, other management, SSA core team	First or second week of Jan 2018	2 days
Draft decision summary for the record or certify decision meeting notes	R6 RD or delegate	early Jan 2018	3 days (after recommendation team meeting)
<i>Process for final withdrawal of proposed listing (if decision is to not list) - or revised proposed listing rule (if decision is to list)</i>			
Draft final withdrawal (not-warranted) FR notice or revised proposed listing rule (and if necessary, proposed 10(j), 4(d))	Justin Shoemaker and Betty Grizzle	Jan 15-Feb 12	4 weeks
Core team reviews FR notice,	SSA core team,	Feb 12-Feb 26	2 weeks

*Includes States, Tribes, Federal Agencies

make revisions	Justin Shoemaker		
Regional Office Surnames and concurrence	Marjorie Nelson, Mike Thabault, Matt Hogan, Noreen Walsh, and concurring regional RDs/ARDs or delegates	Feb 26-March 12	2 weeks
SOL surname	DOI SOL	Feb 26-March 12	2 weeks
PPM	PPM	Feb 26-March 12	2 weeks
Revise based on RO/SOL/PPM comments	Justin Shoemaker and Betty Grizzle	March 12-March 21	10 days
HQ review	Sarah Quamme, Bridget Fahey	March 21-	2 weeks (submit 6 weeks prior to FR submittal date)
Asst. Director for ES Surname	Asst. Director for ES	April 4	5 business days
FWS Director Surname	Director of FWS	April 11	5 business days
Fish, Wildlife, and Parks Surname	FWP	April 18	10 business days
Executive Secretary Surname	Executive Secretary's Office	May 2	3 business days
Deliver to FR	HQ	May 7	
Publication of withdrawal or proposed rule	Federal Register	May 14	
Public comment period on revised proposed listing (only if decision is to list)		May 14-June 12	30 days (may need to be 60 days, if so will revise)
<i>Process for final listing Federal Register document</i>			
Comment and response strategy meeting – develop plan to review and address comments received	SSA core team, management	Mid May (TBD)	half day
Review and address public comments on proposed listing	SSA core team, support staffing as needed from R6 RO	June 12-July 16	1 month
Meeting with decision team to discuss public comment and any new info, revisit decision	Marjorie Nelson, Mike Thabault, Matt Hogan, Noreen Walsh, and concurring regional RDs/ARDs or delegates	Early July 2018	half day
Draft final listing FR doc (if necessary 10(j), 4(d))	Justin Shoemaker and Betty Grizzle	by July 16	2 months from proposed listing publication
SSA core team reviews FR notice, make revisions	SSA core team	July 16-July 23	1 week
Regional Office Surnames and concurrence	Marjorie Nelson, Mike Thabault, Matt Hogan, Noreen Walsh, and	July 23-Aug 6	2 weeks

*Includes States, Tribes, Federal Agencies

	concurring regional RDs/ARDs or delegates		
SOL surname	DOI SOL	July 23-Aug 6	2 weeks
PPM	PPM	July 23-Aug 6	2 weeks
Revise based on RO/SOL/PPM comments	Justin Shoemaker and Betty Grizzle	Aug 6-Aug 13	1 week
HQ review	Sarah Quamme, Bridget Fahey	Aug 7	6 weeks prior to FR date (may need to start this review concurrent w/ RO,SOL, PPM revisions)
AES Surname	Assistant Director Ecological Services	Aug 21	5 business days
FWS Director Signature	Director of FWS	Aug 28	5 business days
Fish, Wildlife, and Parks Surname	FWP	Sep 5	10 business days
Executive Secretary Surname	Executive Secretary's Office	Sep 19	3 business days
Deliver to FR	HQ	Sep 24	
Publication of final rule	Federal Register	Sep 28, 2018	Note: We've committed to final rule in FY 18 in the work plan

*Includes States, Tribes, Federal Agencies

