

**U.S. Fish & Wildlife Service**  
*Southwest Region*  
**December 2014**

### **Fact Sheet #3**

## **Final Environmental Impact Statement (EIS) for the *Proposed Revision to the Regulations for the Nonessential Experimental Population of the Mexican Wolf (Canis lupus baileyi)* and Draft Record of Decision (ROD)**



### **Background and Scoping**

We began reintroducing Mexican wolves into the Blue Range Wolf Recovery Area (BRWRA) within the Mexican Wolf Experimental Population Area (MWEPA) in 1998, under the authority of the Endangered Species Act and our final rule for the *Establishment of a Nonessential Experimental Population of the Mexican Gray Wolf in Arizona and New Mexico* (1998 Final Rule). On June 13, 2013 we published a proposed rule, *Proposed Revision To the Nonessential Experimental Population of the Mexican Wolf* (78 FR 35719) in the Federal Register to revise our existing 1998 Final Rule. A Notice of Intent to prepare an Environmental Impact Statement (EIS) for the *Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (Canis lupus baileyi)* was published in the Federal Register on August 5, 2013 (78 FR 47268). We received over 7000 comments during scoping. Substantive comments were considered in making revisions to the proposed rule and the preparation of the Draft EIS (DEIS).

### **Our Revised Proposed Rule and our Draft Environmental Impact Statement**

On July 25, 2014 we published a Notice of Availability (NOA) for the proposed rule *Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf* in the Federal Register and announced the availability of the DEIS for the *Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (Canis lupus baileyi)* (79 FR 43358). We made the DEIS and the revised proposed rule available for public review for a 60 day period. Two public information sessions and two public hearings were held on the proposed rule and DEIS. The first information session and hearing were held on August 11, 2014 at the Hon-Dah Conference Center in Pinetop, Arizona. The second information session and hearing were held on August 13, 2014 at the Civic Center in Truth or Consequences, New Mexico. We received over 36,000 comments on the DEIS and the proposed rule from the public during the review period. Substantive comments were considered in the preparation of the Final EIS, including further development of the proposed action and alternatives and refinement of our analysis of potential environmental impacts.

## Our Final Environmental Impact Statement and Draft Record of Decision

On November 25, 2014 we published an NOA for the Final EIS (FEIS) for the *Proposed Revision to the Regulations for the Nonessential Experimental Population of the Mexican Wolf (Canis lupus bailey)* and the draft Record of Decision (ROD) (79 FR 70154). Alternatives brought forward for detailed analysis in the FEIS were: the proposed action, two additional action alternatives, and the no action alternative.

The FEIS considers effects that may occur from implementation of the proposed action and alternatives on: land use, biological resources (including wild ungulate prey species), economic activities (including ranching, hunting and tourism), human health and public safety, and environmental justice.

The draft ROD states the Service's draft decision and presents the rationale for its selection. In the draft ROD we provide a summary of the alternatives considered in the FEIS and we address the measures we intend to adopt to avoid or minimize environmental harm from implementation of the selected alternative.

## Our Purpose and Need for Action

The **purpose** of our proposed action is to further the conservation of the Mexican wolf by improving the effectiveness of the Reintroduction Project in managing the experimental population. We intend to do this by: (1) modifying the geographic boundaries in which Mexican wolves are managed south of Interstate-40 in Arizona and New Mexico under section 10(j) of the Endangered Species Act; (2) modifying the management regulations that govern the initial release, translocation, removal and take (see the definition of "take" provided in the List of Definitions) of Mexican wolves, and; (3) issuing a section 10(a)(1)(A) research and recovery permit for the MWEPA and areas outside of the MWEPA.

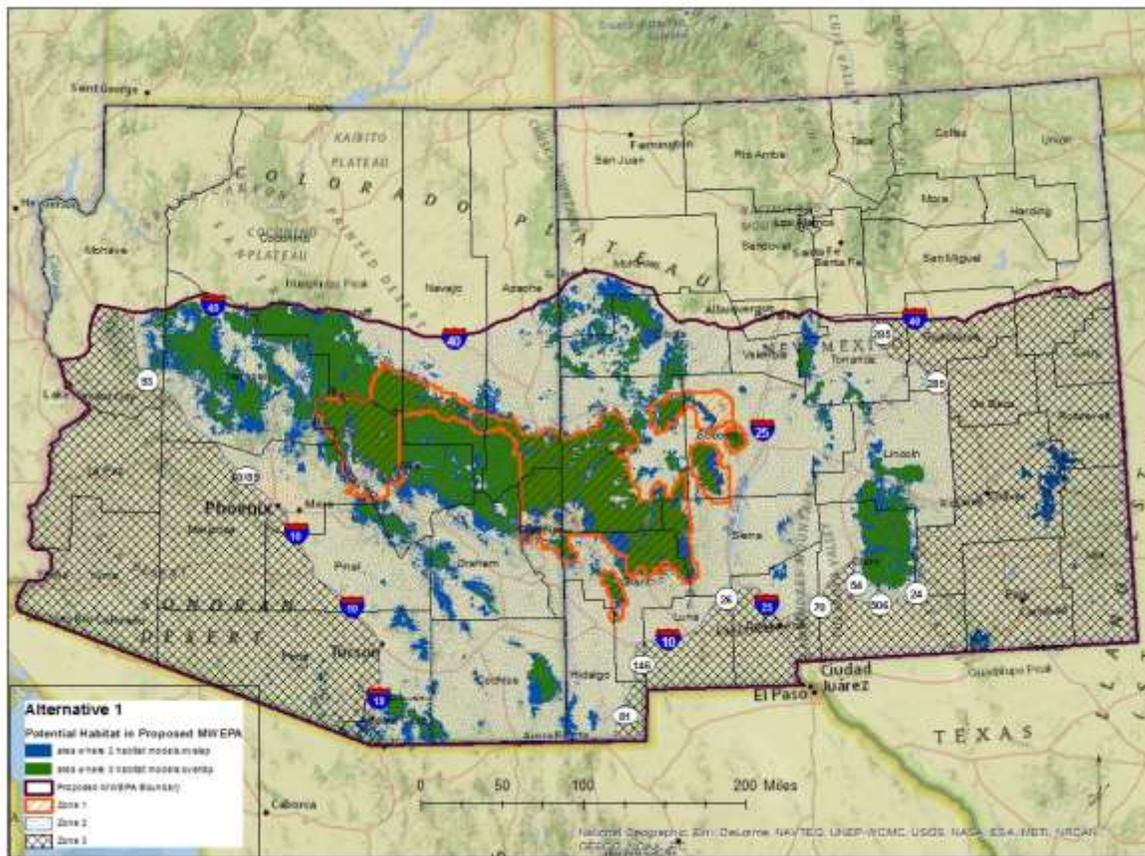
Revisions to the 1998 Final Rule and the section 10(a)(1)(A) permit are **needed** because: (1) under the current regulations we will not be able to achieve the necessary population growth, distribution and recruitment that would contribute to the persistence of, and improve the genetic variation within, the experimental population; (2) there is a potential for Mexican wolves to disperse into southern Arizona and New Mexico from reintroduction areas in the states of Sonora and Chihuahua in northern Mexico, and; (3) certain provisions lack clarity, are inadequate, and/or limit the efficacy and flexibility of our management of the experimental population of Mexican wolves.

## Our Proposed Action and Alternatives

**Alternative One (Proposed Action and Preferred Alternative):** Alternative One is our proposed action and preferred alternative. Under this alternative we would establish a Mexican wolf experimental population objective of 300 to 325 wolves within the entire MWEPA. Under this alternative we would expand the area in which initial releases of Mexican wolves from captivity could occur and extend the southern boundary of the MWEPA in Arizona and New Mexico to the United States-Mexico international border. Within the expanded MWEPA we would discontinue the designation of the BRWRA and its divisions of primary and secondary recovery zones. This alternative would establish three management zones within the MWEPA. Zone 1 is an area within the MWEPA where Mexican wolves would be allowed to naturally disperse into and occupy and where Mexican wolves may be initially released from captivity or translocated. Zone 2 is an area within the MWEPA where Mexican wolves would be allowed to naturally disperse into and occupy and where Mexican wolves may be translocated. Zone 3 is an area within the MWEPA where Mexican wolves would be allowed to disperse into and occupy but neither initial releases nor translocations would occur. Zone 3 is an area of less suitable Mexican wolf habitat where Mexican wolves would be more actively managed under the authorities of the proposed rule to reduce human conflict. Within the proposed management zones we would conduct management actions intended to further the conservation of the Mexican wolf while being responsive to the needs of the local community in cases of wolf-on-livestock depredation or nuisance behavior by wolves. Under this alternative we would adopt a phased management approach to minimize or avoid possible impacts to wild ungulate populations (specifically elk) in portions of western Arizona. Under the authority of a revised section 10(a)(1)(A) research and recovery permit we would authorize removal of Mexican wolves that

can be identified as coming from the experimental population that disperse to establish territories in areas outside of the MWEPA. Alternative One would:

- expand the area within which Mexican wolves can naturally disperse and occupy to approximately 119,876 mi<sup>2</sup>;
- expand the area within which Mexican wolves can be released and translocated;
- include a phased management approach in Arizona west of Highway 87 for a period of up to 12 years;
- extend the MWEPA's southern boundary from I-10 to the U.S.-Mexico border in Arizona and New Mexico to provide for a larger area where management flexibility applies;
- designate three wolf management zones within the expanded MWEPA;
- provide additional or revised provisions for take of Mexican wolves under certain circumstances to protect livestock and non-feral dogs, or as needed to manage wild ungulate populations (particularly elk and deer);
- provide for a population objective of 300-325 Mexican wolves in the MWEPA;
- provide for the development of management actions on tribal trust land or on private land in management Zones 1 and 2, and;
- revise and reissue the Mexican Wolf Recovery Program's section 10(a)(1)(A) research and recovery permit so that it applies to both the MWEPA and areas outside of the MWEPA.



**Alternative Two:** Alternative Two would include all the initiatives proposed under Alternative One except under this alternative we would **not** adopt a phased management approach; establish a Mexican wolf experimental population objective of 300 to 325 wolves within the entire MWEPA, or; expand the

geographic boundaries of the proposed management Zone 1 beyond the Apache and Gila National Forests (the existing BRWRA).

**Alternative Three:** Alternative Three would include all the initiatives proposed under Alternative One except under this alternative we would **not** adopt a phased management approach; establish a Mexican wolf experimental population objective of 300 to 325 wolves within the entire MWEPA, or; include proposed management changes that would modify the regulations for take of Mexican wolves within the MWEPA.

**Alternative Four (No Action Alternative):** Under Alternative Four no changes to the 1998 Final 10(j) Rule for the Mexican wolf or the Mexican Wolf Recovery Program's section 10(a)(1)(A) research and recovery permit (TE-091551-8 dated 04/04/2013) would be made.

### **Our Draft Decision**

Based on our review of the alternatives and their environmental consequences, as described in our FEIS, we intend to implement Alternative One (the proposed action and preferred alternative). The selected action would be implemented through issuance of a final nonessential experimental population rule (final 10(j) rule), an Endangered Species Act Section 10(a)(1)(A) research and recovery permit, and provision of federal funding. We intend to select Alternative One for implementation based on consideration of a number of environmental (e.g. improving the effectiveness of the Reintroduction Project) and social (e.g. minimizing and mitigating the possible impacts of our action on local communities) factors as well as national policy and the Service's statutory mission as set forth under the Endangered Species Act. While all of the action alternatives meet our purpose to conserve the Mexican wolf by improving the effectiveness of the Reintroduction Project in managing the experimental population as described in the FEIS, Alternative One provides more mechanisms to minimize and mitigate the possible impacts of our action on local communities, including ranching and livestock production entities, and on the wild ungulate prey base, than the other alternatives. In other words, Alternative One achieves our conservation objective in a manner that is responsive to many of the concerns we have heard from the public and our state, federal, tribal, and local partners.

### **Summary of Predicted Environmental Consequences from Implementation of Alternative One**

Chapter 4 of the FEIS provides detailed analysis of the possible environmental consequences from implementation of the proposed action and alternatives, including the no action alternative. With implementation of Alternative One we expect the experimental population of Mexican wolves to increase and be maintained at the population objective of 300 to 325 wolves within the MWEPA. We expect these wolves to primarily occupy available suitable habitat within proposed management Zones 1 and 2. Proposed management Zone 1 consists almost exclusively of federal national forest land. Proposed management Zone 2 consists of a mix of federal and non-federal land with the majority of suitable wolf habitat occurring on federal land.

The primary wild prey of the experimental population of Mexican wolves has been elk. Under our proposal we expect elk to continue to be the primary prey of Mexican wolves. However, because this alternative provides measures to minimize or mitigate any adverse impacts on potentially vulnerable elk herds should they occur we do not expect our action will result in any significant decreases in elk populations in the MWEPA.

Some wolves depredate livestock which results in financial loss to ranchers/livestock producers. We predict that the experimental population of 300 to 325 wolves distributed over a wider working landscape will result in the loss of more livestock, specifically cattle, than would occur under the no action alternative. While we expect the annual number of cattle lost to wolf depredation to be small when compared to the total number of cattle in the project area, we recognize that any financial loss incurred by a small rancher/livestock producer is important. Because a large percentage of focus minority groups in

Arizona and New Mexico are identified as principal operators of beef cattle ranches, the adverse economic impact from wolf depredation could be disproportionately borne by minority groups, including tribal members engaged in livestock production. Economic losses to some small individual ranchers/livestock producers from wolf depredation could also be cumulatively more significant when combined with the aggregate effects of human caused global climate change. However, we expect that the financial losses that may be experienced by individual ranchers/livestock producers will be minimized through the mitigation measures available under this alternative. Therefore, while short-term economic impacts may be sustained by individual ranchers/livestock producers, no significant long-term effects on overall livestock production in the project area is expected.

For these reasons we do not expect implementation of Alternative One will adversely affect the long-term productivity or beneficial uses of the human environment in the MWEPA.

### **For More Information and to Provide Comments**

We have made the FEIS and the draft ROD available for public review for a 30- day period. You may obtain a copy of the FEIS and draft ROD by going to the Mexican Wolf Recovery Program website at <http://www.fws.gov/southwest/es/mexicanwolf/>. Alternatively, you may obtain a compact disk with an electronic copy of the FEIS by writing to Ms. Sherry Barrett, Mexican Wolf Recovery Coordinator, New Mexico Ecological Services Field Office, 2105 Osuna Road, NE, Albuquerque, NM 87113. The FEIS and draft ROD will also be available for public inspection, by appointment, during normal business hours (8 a.m. to 4:30 p.m.) at the New Mexico Ecological Services Field Office, 2105 Osuna Road, NE, Albuquerque, NM 87113. In cooperation with the U.S. Department of Agriculture, Forest Service, Southwest Region, we have also established information repositories at the Supervisor Offices for the National Forests throughout Arizona and New Mexico. Links to the National Forests with the addresses of the supervisor offices are available at <http://www.fs.usda.gov/r3>.

We will consider comments received on the FEIS and draft ROD in our final decision. Written comments on the FEIS and draft ROD and can be submitted by one of the following methods:

(1) *Electronically*: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Search for FWS–R2–ES–2013–0056, which is the docket number for this rulemaking. You may submit a comment by clicking on “Comment Now!” Please ensure that you have found the correct rulemaking before submitting your comment.

(2) *By hard copy*: Public Comments Processing, Attn: FWS–R2–ES–2013–0056; Division of Policy and Directives Management; U.S. Fish and Wildlife Service Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

Comments are due by December 27, 2014.

*Photograph courtesy of the Mexican Wolf Interagency Field Team.*