

Mexican Wolf Interagency Meeting Summary Notes

Date/Time: September 1, 2004; 1-5 pm

Location: USDA/APHIS/Wildlife Services, 8836 North 23rd Avenue, Suite B-2, Phoenix AZ

Invited Participants:

AGFD: Duane Shroufe, Jon Cooley, Dan Groebner, Bill Van Pelt, Deb O'Neill
AMOC/AMWG: Chuck Hayes, Colleen Buchanan, Dave Bergman, John Caid, Wally Murphy, Terry Johnson, Adam Polley, Lena Shellhorn, Alex Thal, Linda Cooke, Mark Herrington, Hector Ruedas, Kay Gale, Pete Shumway, JR DeSpain, Bud Starnes, Cynthia Dale, Tony Povilitis
IFT: Paul Overy, Krista Beazely, Nick Smith, Deon Hinton, Shawna Nelson, John Oakleaf, Dan Stark, J Brad Miller, Richard Grabb, Melissa Woolf
NMDGF: Bruce Thompson, Tod Stevenson, Lisa Kirkpatrick, Jennifer Montoya
SCAT: Honorable Kathleen Wesley-Kitcheyan, Steve Titla, Harold Nofchissey, Stefanie White, Tianna Thompson,
USDA FS: Harv Forsgren
USDA WS: Jeff Green, Alex Lara
USFWS: Dale Hall, Larry Bell, Bryan Arroyo, Susan MacMullin, Maggie Dwire
WMAT: Honorable Dallas Massey, Sr.

Purpose: Provide an opportunity for state, federal, and tribal leaders to meet with the members of the Interagency Field Team and government members of AMOC and AMWG to exchange views and discuss issues pertaining to Mexican wolf reintroduction in Arizona-New Mexico, including working relationships, communication, decision-making, and responsibilities relative to the reintroduction effort in the Blue Range Wolf Recovery Area and the relationship this effort has to overall wolf recovery. This is NOT a public meeting. The next AMOC (non-public) and AMWG (public) meetings are October 14-15, Springerville AZ.

Agenda (with discussion highlights, outcomes, and action items inserted):¹

1. Welcome and Introductions. Bergman handled the welcome, meeting logistics, and the around-the-room introductions. Johnson (AMOC/AMWG Chair) advised that several AMWG cooperators or participants could not attend today due to previously scheduled meetings, primary elections, and other pressing priorities. This serves as a reminder that few cooperators can focus on wolf issues to the extent that the state and federal wildlife agencies can. The time all cooperators contribute is very much appreciated.

¹ These notes were reviewed and approved by the highest-ranking officials from the six AMOC Lead Agencies: John Caid (WMAT), Harv Forsgren (USDA FS), Jeff Green (USDA WS), Dale Hall (FWS), Duane Shroufe (AGFD), and Bruce Thompson (NMDGF). Review copy was also provided to, but no comment was received from Steve Titla (SCAT, which is not a signatory agency).

Attendees:

AGFD: Duane Shroufe, Jon Cooley, Dan Groebner, Bill Van Pelt, Deb O'Neill
AMOC/AMWG: Colleen Buchanan, Dave Bergman, John Caid, Wally Murphy, Terry Johnson
IFT: Paul Overy, Krista Beazley, Nick Smith, Deon Hinton, Shawna Nelson, John Oakleaf, Dan Stark, J. Brad Miller, Richard Grabb, Melissa Woolf
NMDGF: Bruce Thompson, Lisa Kirkpatrick, Jennifer Montoya
SCAT: Steve Titla, Stefanie White, Tianna Thompson
USDA FS: Harv Forsgren
USDA WS: Jeff Green, Alex Lara
USFWS: Dale Hall, Larry Bell, Joy Nicholopoulos, Susan MacMullin, Maggie Dwire
WMAT: John Caid

2. Opening Remarks by Agency Leaders. The highest-ranking official for each agency present provided brief opening remarks: Caid (WMAT), Forsgren (USFS), Green (USDA-WS), Hall (FWS), Shroufe (AGFD), Thompson (NMDGF), and Titla (SCAT). Commonalities were: (a) More effective communication is needed throughout the reintroduction effort, including within each agency and among all agencies; (b) All applicable standard operating procedures, protocols, and/or guidelines must be completed as a highest workload priority; and adhered to by all parties henceforth; and (c) The collective expectations are for collaborative adaptive management, with all involved working as a team to make it work.
3. Background. Johnson gave a brief introduction on each of the topics below, and distributed copies of relevant documents (see below) in case attendees wanted to consult them during today's discussion.
 - a. Three-tiered Framework: March 2003 schematic depiction.
 - b. 2002 AZ-NM State Discussions and AZ-NM-FWS Guidance: November 11, 2002 AZ-NM-FWS guidance document.
 - c. MOU, AMOC, and AMWG: Final MOU (distributed October 31, 2003 and executed in January 2004) identifying goals, objectives, responsibilities, and processes.
 - d. Roles and Functions: no documents provided.
 - e. Communication: no documents provided.
 - f. Protocols and Procedures: copies of various FWS Protocols.
 - g. Five-Year Review, NM Game Commission Direction from June 2004, and Recovery Plan: Five-Year Review process and responsibilities summary.
 - h. Budgets, Work Plans, Annual Reports: no documents provided.
 - i. Other Topics: none, and no documents provided.

4. Open Q&A and Discussion

Question/Comment: The current 10j constrains the reintroduction project by constraining release sites and by forcing removal and translocation of wolves that have established territories outside the 10j but which may not have caused “problems.” Why hasn’t it been modified and what is needed for it to be modified? **Response:** Hall – FWS will not change the 10j rule unless the Recovery Team comments on it and suggests how to change it. It has not been changed based on the Three-Year review because that review was based on a 20-year old Recovery Plan that would not meet current ESA standards, especially concerning well justified recovery goals and objectives. If the Recovery Team were to offer recommendations, I would consider them, while also considering any recommendations that come from the Five-Year Review now underway through AMOC/AMWG. Until then, we abide by it.

The Recovery Plan needs to be completed to change the number of wolves needed for delisting. The current plan says 100, a number that is arbitrary in terms of being supported by well-justified analysis. The recovery goal (delisting target) must be legally defensible, as there is little doubt that litigation will occur if anyone perceives it as too high, or too low. Litigation is also virtually certain if we continue to see wild wolf numbers rise, and movement toward delisting is not initiated, or if wild numbers do not continue to rise.

The Regional Director can’t change the 10j on his own. The Region is responsible for initiating a change recommendation, but the FWS Director and DOI Secretary make the final call. However, change need not await final approval of a revised Recovery Plan. Change can be considered prior to releasing the public draft release because the Recovery Team represents the full range of stakeholders throughout the Distinct Population Segment (i.e. the range-wide recovery perspective) and because the AMOC/AMWG Five-Year Review will bring in the full range of local interests (i.e. the reintroduction perspective). Basically, the draft Recovery Plan and the draft Five-Year Review will give us a heads-up on recommendations or lack thereof from both perspectives, so we can start considering what if anything to do.

Question/Comment: Would the SCAR be included in the new boundaries? **Response:** Hall – FWS would sit down with the Tribe and talk. This would be the kind of serious consultation referenced earlier today by SCAT, and to which I am personally committed, as I hope is clear from my actions. These discussions would also need to be coordinated with the other affected and interested parties.

Question/Comment: How long would it take to change the 10j? **Response:** Hall – It used to be 12 months, when I worked in another FWS Region, sufficient resources were available, and there was less contentiousness. Now, with budget reductions, it’s maybe two years, or more. If FWS can get help from other agencies, maybe it could be less. It

depends on staff availability, and the issues encountered. The science is usually the easier part. (Note: 10js in FWS Region 2 have almost invariably taken more than two years to complete, sometimes more than twice that long. It hasn't been any easier when we've adapted an existing 10j, such as we did with the wolf, condor, and ferret. Whether you start from scratch or a template, the issues, and availability and motivation of staff, dictate how long it takes.)

Question/Comment: Would an EIS be needed for a 10j change? If so, for which boundaries? **Response:** Group – NEPA would guide the applicable environmental compliance. Since the EIS for the current 10j dealt with the boundaries as they now exist, new boundaries would likely precipitate controversy, which is a trigger for an EIS on issues like this. It seems clear that all sectors of the interested and affected public want and intend to be included in issues such as a change in the 10j. It is a social issue as well as a science issue. Also, we need to keep in mind that once the rule is re-opened, it may be changed in ways you like or in ways you don't like. Every perspective and recommendation must be considered carefully. Solid justification will be needed for deciding not to make a recommended change, or to make another one.

Question/Comment: Titla – A new 10j wouldn't apply to reservations. It's the federal government's problem anyway. They caused it by reintroducing wolves. We did not ask for wolves, and we do not want them. (Note: each Tribe would determine whether it would be included under a revised 10j, or be excluded, as occurred with the current rule.)

Question/Comment: Can the USDA Forest Service require livestock permittees to render all carcasses unpalatable? **Response:** Forsgren – I don't know, but I believe our directive system neither allows nor precludes inclusion of such a clause in our grazing permits. The key would be working with the livestock industry to garner their support for a mutually beneficial approach to the issue (e.g. for them or someone else authorized by them to render all or some portion of carcasses unpalatable). It's easy to offer such a directive, but on-the-ground feasibility may be more challenging. We need solutions that can be implemented. This issue needs to be explored and brought to closure.

Question/Comment: Directors – How can communication be improved within this effort? **Response:** Group – It's difficult to get concurrence from all involved agencies. Communication from the top-down may work *within* the agencies, but communication doesn't work as well *across* agencies. A big problem with communication is time lag. We need a centralized channel to get info to and from the IFT. There are too many layers.

Question/Comment: Hall – Too many layers? How many are there? **Response:** Directors – There are only three. IFT, AMOC, and the Directors. The IFT and AMOC should handle operational issues at the lowest appropriate level, and surface only policy issues and significant unresolved conflicts through the IFT-AMOC-Directors chain for decisions. Caid (WMAT), Shroufe (AGFD), Thompson (NMDGF), and Hall (FWS) are

the decision-makers on most policy issues. Forsgren (USFS) and Worthen (USDA-WS) typically play a support role, but need the same level of awareness as the other four so they can advise and consent/dissent as appropriate.

Thompson – A written record is needed so all AMOC agency heads see the same thing coming from the IFT through AMOC, or AMOC directly on issues above the IFT. This will help resolve mix-ups in communication.

Hall – Issues pertaining to SCAT/SCAR move from the IFT through AMOC and FWS to the SCAT, per their request. SCAT is participating in AMOC/AMWG, but it is not yet a signatory to the MOU, nor is it clear that they will ever desire to be so.

Thompson – Again, communication should improve when all the agreed-upon protocols/procedures are in place, and everyone operates in accordance with them. When they are in place, much of this should fall in line. As issues, questions, etc. are posed by IFT, or AMOC, they should be described in writing, with four parts moving forward: 1) the question, 2) the recommendation, 3) the circumstances, and 4) any extenuating considerations. Written communication gives us a documented frame of reference; verbal communication such as the IFT and AMOC have been largely relying on is a moving target. What should come back down the chain from any decision-maker(s) is a 2-part written response: 1) the answer/decision, and 2) the rationale for the answer/decision. Speediness is just as important as the channel.

Shroufe – If we have existing approved protocols, don't bother me with issues that can and should be handled under them. My staff handles those issues. I focus on new questions, concerns, etc.

Thompson – Protocols empower people by providing enlightenment as to responsibilities, authorities, and expectations.

Hall – If I get a phone call about a decision or an issue, I want to know what is involved. I need the context and all relevant information, including dissenting opinions. Even if the decision is not mine to make, because it has been delegated or belongs to another agency, if it pertains to an endangered species I need to know who made it and why.

Forsgren – Recommendations moving up from the IFT and/or AMOC should also point to SOPs that apply, and any exceptions should be pointed out.

Shroufe – If the approved protocol says you can do it, do not seek re-approval from above. This is why we need the SOPs finished. Then people need to do what they are authorized to do, and not continually seek dispensations. Consistency and continuity will build public trust. If the guidelines and expectations are constantly changing, people don't know what to expect, and that leads to confusion and distrust.

Question/Comment: Do we have the latitude to allow a wolf to exceed depredation/control/management thresholds because it is “genetically valuable?”

Response: Hall – Under the current 10j, genetic lineage cannot be considered on the ground. You must consider any lineage issues and genetic importance before deciding to release a wolf – this is important! Once a wolf has been released, by law (10j) it is expendable – it is nonessential to recovery.

Question/Comment: Groebner – Maybe we need to manage/improve the genetics of the wild population by breaking up pairs that form in the wild (i.e. siblings). **Response:** Shroufe – That is an operational issue (genetic management), not a policy issue. You don’t need Directors to answer that question.

Question/Comment: MacMullin – What do AGFD and NMDGF think about translocations? **Response:** Shroufe and Johnson – AGFD supports achieving recovery goals and objectives, and translocations are essential to doing so. We have never said “no more releases or translocations,” we just said in writing and in AMOC and AMWG meetings and elsewhere that each one should be supported by a written proposal that (a) addresses the relevant biological, management, and social issues, and identifies various alternatives; (b) complies with any and all legal, policy, protocol, and/or procedural guidelines; and (c) moves through the IFT and then through AMOC/AMWG with appropriate public participation opportunities before the appropriate AMOC member takes it to their agency for the final decision. WMAT, AGFD, and NMDGF make the final calls on releases and translocations for the lands for which they have jurisdiction, and the other players provide recommendations for them to consider. If the IFT wants us to consider new release or translocation sites, they need to develop the appropriate recommendations and moved them through the process. This is what we did with the 2004 Aspen Pack release, and it’s the standard that we thought AMOC/AMWG agreed to in July for all releases and translocations.

Thompson – NM may now be constrained on this issue more by the 10j than by Commission policy.

Question/Comment: How many wolves are out there? **Response:** Hall – We need to get population estimates to the public, but we have to exercise caution. We need to present the data in ranges, rather than as a minimum number. Collared wolves may be decreasing, but the population is increasing. Whatever numbers we put out there, they must be as accurate as possible and presented with all the appropriate cautionary notes. We can’t dictate how anyone will use them, but we can ensure that we can document what we actually said as opposed to what someone says we said.

Question/Comment: How aggressive are we going to be with lethal take? What are we going to do about this with regard to releases and translocations? **Response:** Shroufe and

Hall – We need to get the public used to lethal take as a legitimate management tool. As the number of wolves increases, increased use of legal take is inevitable, whether or not the 10j boundaries are changed. Whether a wolf has been released, translocated, or born-in-the-wild, it must be managed in accordance with applicable guidelines.

Question/Comment: But, right now? **Response:** Hall – Kill it if there are no other options, per existing guidelines.

Caid – WMAT agrees. If the protocol says kill the wolf, then kill the wolf. There should not be any confusion on this.

Question/Comment: Johnson – So, you want us to complete the protocols, including revising the existing approved ones, and move them through for approval. And, if the lethal control protocol needs to be revised to address lineage issues, it should be done now, during revision, and not when an issue arises. **Response:** Forsgren – Right, except for that last part: the control protocol cannot and will not be adjusted to address that. Once in the wild, all wolves are the same.

Question/Comment: Shroufe – When will all the protocols be done? **Response:** Group – Although multiple timelines have been set, little progress has been made since 2002 and we do not have an agreed upon timeframe or an agreed upon process for completion. Even the few that have been “finalized” in 2002 were supposed to be reviewed again when the AMOC/AMWG effort was fully underway, and we have not done that.

Question/Comment: Group – Shroufe – Again, what can we expect with regard to closure on protocols? **Response:** Hall and the Directors – These protocols are 10j issues, not recovery issues, and should be managed as such. The first review/closure batch will include 19 SOPs: 0, 1, 2, 3, 4, 5, 6, 7, 16, 18, 19, 21, 22, 23, 26, 28, 31, 32, and 33. John Oakleaf as Field Projects Coordinator and communication liaison for the IFT will immediately get these protocols to Terry Johnson as AMOC/AMWG Chair. AMOC/AMWG will review them within 30 days and then work with the IFT to come to closure on each one. Those that need revision must be revised within the IFT and AMOC/AMWG. Those that don't need to exist, shouldn't exist. Use common sense. AMOC will have a final discussion of these 19 SOPs in its October 14, 2004 meeting, followed by public discussion in the October 15 AMWG meeting. Within 30 days of the AMWG meeting, AMOC will approve the SOPs that fall under its purview, and forward to Hall (with copies to all AMOC Agency Heads) for approval those that fall within his purview. If AMOC cannot agree on which are which, it will ask for guidance from the AMOC Agency Heads.

Question/Comment: Group – Do we really need an SOP on how to approve SOPs? **Response:** Shroufe – I guess we do, or we wouldn't be where we are now.

Question/Comment: Johnson – The MOU says all Lead Agencies are supposed to put their financial and other resources on the table, and allocate them to meet the greatest collective needs. That’s not happening yet. AGFD is carrying a \$40,000 IFT shortfall from FY2004 for IFT flights; the FY2005 IFT budget needs are not being met due to cutbacks in the FWS budget, and the scenario seems likely to be worse in subsequent years due to further cutbacks. Yet, as budgets dwindle, more wolves on the ground will cause more management needs. If we don’t have the budget to manage 50 wolves, where will we be when more than 100 are out there? Reply: Hall – I know about the problem, but I don’t have a solution. The FWS budget doesn’t look better for next year. We’ve got to work on this, and find the funding necessary to manage this population.

Question/Comment: Johnson – We need more office space for the IFT. Some IFT members work out of their homes or other offices because the field office cannot handle them. AGFD, NMDGF, and USFS are all trying to expand IFT staff over the next two years. Vehicles are also in short supply, and some are very old and in disrepair. **Response:** Forsgren – I will look into whether USFS can help the IFT save money on office space. Hall – I was not aware of these problems. Johnson – I am shocked that you are not aware of these issues, because AMOC and the IFT have been discussing them at length since at least January. Communication does need to be improved.

Question/Comment: Johnson – It’s 4:52 pm and time to draw this to a close. **Response:** Group – OK.

5. Closing Remarks by Agency Leaders: Commonalities among the closing remarks were:
 - (a) This meeting was long overdue, and is a very good beginning.
 - (b) We should probably do this at least once each year, but perhaps next time we should do it in the White Mountains in conjunction with a closer look at what happens in the field.
 - (c) To succeed, we must all work as a team.
 - (d) We must identify and resolve issues, and accept decisions that are made by those who are responsible for making them.
 - (e) We must all communicate more often and more effectively.
 - (f) Finally, many thanks to Dave Bergman for being a gracious and flexible host today, and to all involved in this project for the progress we are making.