

David Bernhardt, Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

October 16, 2019

Certified mail  
Return receipts requested

Margaret Everson, Acting Director  
U.S. Fish and Wildlife Service  
1849 C Street, N.W.  
Washington DC 20240

Amy Lueders, Southwest Regional Director  
U.S. Fish and Wildlife Service  
500 Gold Ave., SW  
Albuquerque, NM 87102

Brady McGee, Mexican Wolf Recovery Coordinator  
U.S. Fish and Wildlife Service  
2105 Osuna Rd NE  
Albuquerque, NM 87113

Copies via email: [RDLueders@fws.gov](mailto:RDLueders@fws.gov), [brady\\_mcgee@fws.gov](mailto:brady_mcgee@fws.gov)

*Re: Request for a science-based and humane ‘preferred alternative’ in upcoming Mexican gray wolf management rule-making.*

Dear Secretary Bernhardt, Acting Director Everson, Regional Director Lueders, and Recovery Coordinator McGee:

On March 31, 2018, the Federal District Court in Tucson ruled that the U.S. Fish and Wildlife Service’s 2015 Mexican wolf management rule, 80 Fed. Reg. 2512 (January 16, 2015), violates the Endangered Species Act by failing to conserve the endangered Mexican gray wolf and not relying on the best available science. The Service has until May 17, 2021 to revise the rule. This letter from 48 organizations representing hundreds of thousands of members, and 32 scientists, requests that, in rewriting the rule, the Fish and Wildlife Service (“Service”) adopt an entirely new approach to management and recovery of Mexican wolves – an approach based on science, acknowledgement of past shortcomings, humaneness, and a precautionary approach to management of a genetically unique and genetically depleted regional subspecies.

The Service’s loss in court was the latest flashing-red warning light for these highly endangered wolves. The invalidated 2015 management rule replaced a 1998 reintroduction rule that itself was revised as a consequence of litigation after the Service failed to meet its own demographic predictions for population growth.<sup>1</sup> And in the four-and-a-half years since promulgation of the

---

<sup>1</sup> The Service projected 102 wolves in the wild and 18 breeding pairs by 2005; see U.S. Fish and Wildlife Service, Reintroduction of the Mexican Wolf within its Historic Range in the Southwestern United States Final Environmental Impact Statement (Nov. 6, 1996), p. 2-8. However, it was not until 2014 that 102 wolves roamed the

2015 rule, which was intended in large part to improve the genetic diversity in a wolf population that under previous management had become dangerously inbred, genetic diversity has declined further.<sup>2</sup>

We urge the Service to engage in a robust, fully-participatory, and democratic National Environmental Policy Act process in revising the management rule. We request that the process include a scoping period, development of a wide range of management alternatives based on the best science, thorough exploration of those alternatives in a draft environmental impact statement (EIS), and public comment periods and public hearings accessible to a broad range of the public throughout the Southwest, before finalization of the EIS and promulgation of a final rule.

We request that the “preferred alternative” in the EIS embody the approach and incorporate the elements that we outline below. That approach would go beyond cross-fostering to include the release of wolf families into the wild together in the same way that these social mammals were first successfully reintroduced. It would establish benchmarks to measure short-term success in ameliorating the genetic crisis, requiring the recurring releases of family packs until those benchmarks are met. Equally important, our requested preferred-alternative would provide stringent on-the-ground protections for the wolves. That approach contrasts sharply with the Service’s long-term policies and management that have consistently minimized the number of wolves released into the wild and provided multiple opportunities to remove wolves.

One of the fundamental changes that we request is that the Service designate the wild U.S. population as experimental-*essential* instead of non-essential.<sup>3</sup> Whatever the status of the U.S. population when first reintroduced in 1998, complete loss of the same population during the present era would likely doom this unique subspecies to extinction. The population would never be reconstituted and could never be replaced, while habitat and a prey base for the remaining wolves in Mexico is likely not sufficient to sustain a genetically-resilient population with no connectivity to U.S. wolves. That precious U.S. wild population must be designated as essential to afford it greater protections to prevent its loss. After over two decades of uneven demographic growth, slower than the Service’s repeated projections, and after more than two decades of declining genetic health, essential designation is key to reversing the U.S. wild population’s deterioration and ensuring overall survival in the wild and recovery of the Mexican wolf.

Our requested ‘preferred alternative’ as outlined below addresses four areas of Service authority in wolf management: (1) Releasing wolves from captivity, (2) removing wolves from the wild, (3) protecting wolves from killings and injuries, and (4) preventing wolf predation on livestock. Our suggested approach offers a science-based road map for establishing a viable Mexican wolf population through reversal of the Service’s management philosophy and practices that it has followed since 1998. For a new era that will begin in May 2021, we request incorporation of the

---

Southwest and the Service has still not documented 18 breeding pairs on the landscape; see <https://www.fws.gov/southwest/es/mexicanwolf/pdf/pop.estimate.web.98-17.pdf>.

<sup>2</sup> Mexican Wolf Experimental Population Area Initial Release and Translocation Proposal for 2017 (Feb. 2, 2017), p. 1; Mexican Wolf Experimental Population Area Initial Release and Translocation Proposal for 2019 (Sept. 30, 2018), p. 2.

<sup>3</sup> While some of our organizations think that the U.S. wild Mexican wolf population should be fully protected with ‘Endangered’ status, we are asking here that you designate that population as ‘Experimental-essential.’

following elements into the preferred alternative in the draft EIS and their inclusion in the final rule:

#### Releasing wolves from captivity

- The Service and/or cooperating agencies shall annually release from captivity into the wild the maximum feasible number of well-bonded male/female Mexican wolf pairs with pups, until the average gene diversity has increased to halfway between that in the captive population and the wild population.<sup>4</sup>

#### Removing wolves from the wild

- There shall be no cap or maximum number of Mexican wolves allowed in the wild.
- Wolves shall not be removed from the wild for their predation on wildlife such as elk or deer.
- Authorization for either the government or private individuals to kill wolves is restricted to cases in which they pose a likely threat to human health or safety.
- Wolves shall not be removed from the wild for preying on livestock on public lands while the permittee or permittee's agent was not present on the grazing allotment in which such predation occurred, after the permittee was cognizant of the nearby presence of wolves.
- Wolves shall not be removed from the wild for preying on livestock where carcasses of non-wolf-killed livestock attracted the wolves to the vicinity of livestock.
- Any wolf that has previously fed on non-wolf-killed livestock shall not be removed from the wild due to subsequent predation on livestock.
- Wolves shall not be removed from the wild for preying on livestock south of Interstate Highway 10 in Arizona and New Mexico, in order to facilitate natural connectivity between wolves in the U.S. and in Mexico.
- Wolves shall not be removed from the wild as a consequence of breaching any specific geographic boundary, and in particular wolves shall not be removed from the wild for traveling into or inhabiting regions north of Interstate Highway 40.

#### Protecting wolves from killings and injuries

- The Service shall request that land-management agencies revoke livestock grazing permits of any permittee found guilty of the illegal killing or injuring of a Mexican wolf.
- Only employees of government wolf-management agencies, scientists engaged in scientific research, and persons under the supervision of such government employees or scientists shall have access to wolf-programmed telemetry receivers or the real-time information from GPS collars.
- To the extent feasible, every wolf that is found to have been or is reasonably presumed to have been killed unlawfully in the wild shall be replaced within a year through the release to the wild of a wolf born in captivity, selected so as to increase genetic diversity, in

---

<sup>4</sup> The target level of gene diversity of 0.725 is half-way between projected levels in 100 years of the gene diversity in the wild population without releases (0.67) as compared to the projected level in the captive population (0.78). Geneticist Philip W. Hedrick, Ph.D. advised such a near-term metric in a declaration submitted on July 20, 2018 to the U.S. District Court in Tucson while the Court pondered the remedy in its finding that the 2015 management rule was illegal. It is vital that the Service institute objective, results-based benchmarks that determine action.

addition to the releases of well-bonded pairs as required in the section on “Releases from captivity” above.

#### Preventing predation on livestock

- To enhance cooperation and reduce conflicts in Mexican wolf recovery, management agencies shall proactively conduct outreach to and education of citizens, associations, local governments and tribal governments about wolf behavior, life history, ecology, non-injurious protection of domestic animals, and current distribution including on or near grazing allotments.
- The U.S. population of the Mexican wolf shall be designated as an experimental, *essential* population, and all federal actions within the experimental population area, including the issuance of public-land grazing permits, shall be analyzed for their effects on the survival and recovery of the Mexican wolf.
- All wolf-management agencies shall document every known instance of wolves feeding on livestock along with conclusions as to what killed such stock based on a necropsy and/or other evidence.
- All livestock permittees who lease public lands must remove or render inedible the carcasses of any of their livestock that die of non-wolf causes before wolves begin scavenging on such carrion and then persist near vulnerable livestock.<sup>5</sup>
- All livestock permittees with knowledge that wolves are on or near public lands that they lease must ensure the presence on each such grazing allotment at all times of a person equipped to chase and harass (but not injure or kill) wolves to deter hunting of livestock.

These provisions are based on science and in particular the importance of enhancing genetic diversity through wolf releases and through binational connectivity of wolf populations. In addition, through combining family-pack releases with stringent restrictions on wolf removals and common-sense measures to lessen the number of wolves killed illegally, our suggested approach is also humane.

The Mexican gray wolf is a beautiful, intelligent, social animal that is unique among gray wolves. Endemic to the southwestern United States and northern Mexico, Mexican wolves play a vital role in maintaining the natural balance in an arid landscape with different distributions of prey than found in more northern habitats. The Mexican wolf is beloved by millions of people in the U.S. and Mexico, many of whom have been thrilled by reintroduction programs in both nations but also gravely disappointed in the uneven pace of population establishment. Recovery of the Mexican wolf is a promise established by the U.S. Endangered Species Act and with it, conservation of the ecosystems on which Mexican wolves depend. Please do not keep going in the same fruitless direction that has not even met your own metrics, but instead chart a new path that will actually recover the Mexican gray wolf.

Thank you for your consideration.

---

<sup>5</sup> Similarly, in reintroducing wolves to Yellowstone National Park and central Idaho, the Service required that “If livestock carrion or carcasses are not being used as bait for an authorized control action on Federal lands, it must be removed or otherwise disposed of so that they will not attract wolves.” 59 Fed. Reg. 60252 (Nov. 22, 1994).

Sincerely endorsed by,<sup>6</sup>

Karen Michael, Secretary, Board of Directors  
Animal Defense League of Arizona  
Phoenix, Arizona

Jessica Johnson, J.D., Chief Legislative Officer  
Animal Protection of New Mexico & Animal Protection Voters  
Santa Fe, New Mexico

Philip W. Hedrick, Ph.D., Ullman Professor Emeritus  
Arizona State University  
Tempe, Arizona

Jon Hayes, Vice President and Executive Director  
Audubon New Mexico  
Santa Fe, New Mexico

Julie Kluck, Campaigns Associate  
Born Free USA  
Silver Springs, Maryland

Steven R. Sheffield, Ph.D., Professor of Biology  
Bowie State University  
Bowie, Maryland

Michael J. Robinson, Senior Conservation Advocate  
Center for Biological Diversity  
Silver City, New Mexico

Darlene Kobobel, CEO  
Colorado Wolf and Wildlife Center  
Divide, Colorado

Jonathan G. Way, Ph.D., Founder  
Eastern Coyote/Coywolf Research  
Osterville, Massachusetts

Zhiwei Liu, Ph.D., Professor of Biology  
Eastern Illinois University  
Charleston, Illinois

Tre Graves, New Mexico Field Representative  
Endangered Species Coalition  
Washington, D.C.

---

<sup>6</sup> Universities listed with signatory scientists do not denote institutional endorsements.

Thomas Wheeler, Executive Director  
Environmental Protection Information Center  
Arcata, California

Stephen Capra, Executive Director  
Footloose Montana  
Missoula, Montana

Allyson Siwik, Executive Director  
Gila Conservation Coalition  
Silver City, New Mexico

Sally Smith, President  
Gila Resources Information Project  
Silver City, New Mexico

Melissa Smith, Founder and Executive Director  
Great Lakes Wildlife Alliance  
Madison, Wisconsin

Roz Switzer, Middle Gila Broadband Leader  
Great Old Broads for Wilderness  
Florence, Arizona

Maureen Hackett, M.D., Executive Director  
Howling for Wolves  
Hopkins, Minnesota

Kimberly Baker, Executive Director  
Klamath Forest Alliance  
Orleans, California

Alex Krevitz, M.A., Wildlife Biologist  
Coarsegold, California

Rick Hopkins, Ph.D.  
Live Oak Associates, Inc.  
San Jose, California

Wayne P. McCrory, Wildlife Consultant  
McCrory Wildlife Services  
New Denver, British Columbia – Canada

David J. Berg, Professor of Biology  
Miami University  
Oxford, Ohio

Howard Whiteman, Professor of Biological Sciences and Director, Watershed Studies Institute  
Murray State University  
Murray, Kentucky

Nancy Warren, Executive Director  
National Wolfwatcher Coalition  
Duluth, Minnesota

Tom Jervis, PhD, President and Ruth Burstrom, MD, Past-President  
New Mexico Audubon Council  
Santa Fe and Albuquerque, New Mexico

Wally Sykes, Co-Founder  
Northeast Oregon Ecosystems  
Joseph, Oregon

Courtney S. Vail, Director of Strategic Campaigns  
Oceanic Preservation Society  
Greenbrae, California

Chelsea Batavia, Ph.D., Department of Forest Ecosystems and Society  
Oregon State University  
Corvallis, Oregon

William J. Ripple, PhD, Distinguished Professor of Ecology  
Oregon State University  
Corvallis, Oregon

David R. Parsons, wildlife biologist, retired USFWS  
Former Mexican Wolf Recovery Coordinator  
Albuquerque, New Mexico

Rev Robert P Hall, Ecumenical Officer  
Peninsula-Delaware Conference, The United Methodist Church  
Wilmington, Delaware

Rodney L. Honeycutt, Ph.D., Emeritus University Professor  
Pepperdine University, Natural Science Division  
Malibu, California

Malorri Hughes, MS, Ph.D. Candidate  
Portland State University  
Portland, Oregon

Bridgett vonHoldt, Ph.D., Associate Professor of Ecology & Evolutionary Biology  
Princeton University  
Princeton, New Jersey

Camilla Fox, Executive Director  
Project Coyote  
Mill Valley, California

Marilyn Jasper, Chair  
Public Interest Coalition  
Loomis, California

Eileen Sutz, Founder  
Save Wolves Now Network  
Chicago, Illinois

Sacha Vignieri, Ph.D., Deputy Editor, Research  
Science  
Washington D.C.

Laurence Gibson, Chair  
Sierra Club – El Paso Group  
El Paso, Texas

Sandy Bahr, Director  
Sierra Club – Grand Canyon Chapter  
Phoenix, Arizona

Mary Katherine Ray, Wildlife Chair  
Sierra Club – Rio Grande Chapter  
Winston, New Mexico

Klaus-Peter Koepfli, Ph.D., Conservation Biologist  
Smithsonian Conservation Biology Institute, National Zoological Park  
Washington, D.C.

Kevin Bixby, Executive Director  
Southwest Environmental Center  
Las Cruces, New Mexico

Anthony J. Giordano, Ph.D., Executive Director & Chief Conservation Scientist & Practitioner  
S.P.E.C.I.E.S. - The Society for the Preservation of Endangered Carnivores and their  
International Ecological Study  
Ventura, California



Tracy S. Feldman, Ph.D., Assistant Professor of Biology  
St. Andrews University  
Laurinburg, North Carolina

Susan McConnell, Ph.D., Professor of Biology  
Stanford University  
Stanford, California

Thomas E. Lacher, Jr., Ph.D., Department of Wildlife and Fisheries Sciences  
Texas A&M University  
College Station, Texas

Jennifer Hillman, Vice President, Wildlife Protection  
The Humane Society of the United States  
Gaithersburg, Maryland

Chris Bachman, Wildlife Program Director  
The Lands Council  
Spokane, Washington

John Glowa, President  
The Maine Wolf Coalition, Inc.  
South China, Maine

John Davis, Executive Director  
The Rewilding Institute  
Albuquerque, New Mexico

Todd Steiner, Executive Director  
Turtle Island Restoration Network  
Olema, California

Nedim C Buyukmihci, VMD, President  
Unexpected Wildlife Refuge  
Newfield, New Jersey

William J. Etges, Ph.D., Department of Biological Sciences  
University of Arkansas  
Fayetteville, Arkansas

Michael E. Soule, Professor Emeritus of Environmental Studies  
University of California, Santa Cruz  
Paonia, Colorado

Brooke Crowley, Associate Professor, Departments of Geology and Anthropology  
University of Cincinnati  
Cincinnati, Ohio

David M. Armstrong, PhD, Professor Emeritus of Biology and Environmental Studies  
University of Colorado  
Boulder, Colorado

Marc Bekoff, Ph.D., Professor Emeritus, Ecology and Evolutionary Biology  
University of Colorado  
Boulder, Colorado

John Terborgh, Ph.D., Department of Biology and Florida Museum of Natural History  
University of Florida  
Gainesville, Florida

Sean M. Murphy, Ph.D., Carnivore Ecologist, Department of Forestry and Natural Resources  
University of Kentucky  
Lexington, Kentucky

Robert A. Evans, M.S., Wildlife Biologist (retired), USDA Forest Service  
University of Michigan  
Iron River, Michigan

Donna Hart, Ph.D., Department of Anthropology  
University of Missouri - St. Louis  
St. Louis, Missouri

Brett R Riddle, PhD, Professor of Biology  
University of Nevada Las Vegas  
Las Vegas, Nevada

Guy A. Hoelzer, Ph.D., Associate Professor, Emeritus, Department of Biology  
University of Nevada  
Reno, Nevada

Joseph A. Cook, PhD, Professor of Biology  
University of New Mexico  
Albuquerque, New Mexico

Dana Green, M.Sc. Biology, PhD Candidate  
University of Regina  
Regina, Saskatchewan – Canada

Arian Wallach, PhD, Centre for Compassionate Conservation  
University of Technology  
Sydney, Australia

Sydney R. Stephens  
University of Utah  
Salt Lake City, Utah

Adrian Treves, Ph.D., Professor of Environmental Studies  
University of Wisconsin-Madison  
Madison, Wisconsin

Donna Stevens, Executive Director  
Upper Gila Watershed Alliance  
Silver City, New Mexico

Brad Bergstrom, Ph.D., Professor of Biology  
Valdosta State University  
Valdosta, Georgia

Amber Peters, BSc, BIT Biologist & Campaigner  
Valhalla Wilderness Society  
New Denver, British Columbia – Canada

Kirk Robinson, Ph.D., Executive Director  
Western Wildlife Conservancy  
Salt Lake City, Utah

Tom Hollander, President  
White Mountain Conservation League  
Pinetop, Arizona

Kelly Burke, Executive Director  
Wild Arizona  
Flagstaff, Arizona

Chris Smith, Southern Rockies Wildlife Advocate  
WildEarth Guardians  
Santa Fe, New Mexico

Melissa Smith, Founder and Executive Director  
Wisconsin Wolf & Wildlife  
Madison, Wisconsin

Sadie Parr., Executive Director  
Wolf Awareness Inc.  
British Columbia, Canada

Please reply to:

Michael J. Robinson, Senior Conservation Advocate  
Center for Biological Diversity  
P.O. Box 1727  
Silver City, NM 88062

[michaelr@biologicaldiversity.org](mailto:michaelr@biologicaldiversity.org)

Copies submitted to:

Senators Martin Heinrich, Tom Udall and Kyrsten Sinema; Representatives Raul Grijalva, Deb Haaland, Xochitl Torres Small, Ben Ray Lujan, Tom O'Halleran, Ann Kirkpatrick and Veronica Escobar; New Mexico Governor Michelle Lujan Grisham and Lieutenant Governor Howie Morales.