



American
Society of
Mammalogists



Society for Conservation Biology

June 20, 2012

Honorable Dan Ashe
Director
U.S. Fish and Wildlife Service
1849 C Street N.W.
Washington, D.C. 20240

RE: Recovery Planning for the Mexican Wolf

Dear Director Ashe,

On behalf of the American Society of Mammalogists (ASM),¹ the Society for Conservation Biology's North America Section (SCB),² and the Society for Ecological Restoration (SER),³ we are writing you to offer our assistance and scientific expertise in taking an important step in completing a revised recovery plan for the Mexican gray wolf (*Canis lupus baileyi*). We have recently become aware that your efforts to develop a science-based recovery plan appear to have reached an impasse. Given the precarious conservation status of the Mexican wolf, and the fact that recovery efforts are still being guided by a plan from 1982, we offer our assistance and suggest a way to expedite the approval of a revised recovery plan for the Mexican wolf based on the best available science, as required under the Endangered Species Act (ESA).⁴ Specifically, we urge you to immediately resume the recovery planning process for the Mexican wolf that began in February 2011, which the Fish and Wildlife Service (FWS) has recently suspended. And we request that you invite our respective societies, and any others you deem appropriate, to advise you on the key challenges in the recovery of the Mexican wolf, as Section 4(b)(5)(C) of the ESA contemplates.⁵

¹ The American Society of Mammalogists (ASM) was established in 1919 for the purpose of promoting interest in the study of mammals, and providing information for public policy, resources management, conservation, and education.

² The Society for Conservation Biology (SCB) is an international professional organization whose mission is to advance the science and practice of conserving the Earth's biological diversity, support dissemination of conservation science, and increase application of science to management and policy.

³ The Society for Ecological Restoration (SER) promotes ecological restoration as a means of sustaining the diversity of life on Earth and reestablishing an ecologically healthy relationship between nature and culture.

⁴ 16 U.S.C. § 1531 *et seq.* See also FWS-NMFS 2010 *Interim Endangered and Threatened Species Recovery Planning Guidance* at 5.1.2 ("Recovery plans delineate such reasonable actions as may be necessary, based upon the best scientific and commercial data available, for the conservation and survival of listed species.") Available at: http://www.fws.gov/endangered/esa-library/pdf/NMFS-FWS_Recovery_Planning_Guidance.pdf

⁵ 16 U.S.C. § 1533(b)(5)(C). Section 4(b)(5)(C) instructs the FWS to notify professional societies as appropriate when it proposes to list and delist species under the ESA. Since a recovery plan sets out those steps necessary to

The Mexican wolf represents one of the most distinct genetic lineages of wolves in the Western Hemisphere. Mexican wolves are thought to be the only surviving descendants of the first wave of gray wolves to colonize North America during the Pleistocene Epoch, thereby representing a unique genetic lineage of wolves.⁶ This subspecies is also one of the most endangered mammals in North America and, as early as 1976, was protected under the Endangered Species Act.⁷ A single experimental population⁸ was reintroduced to the Blue Range of Arizona and New Mexico beginning in 1998. Despite predictions that this experimental population would grow to over 100 individuals by 2006, today there are only 58 individuals living in the wild. In a 2010 conservation status assessment for the species, the FWS concluded that the experimental Mexican wolf population “is not thriving.”⁹ Since 2003, growth of the experimental population has stagnated due to the current regulatory structure of the reintroduction program, an out-of-date recovery plan, illegal shooting of individual wolves, and the effects of continued genetic inbreeding. But the greatest long-term threat to the species is delay in initiating science-based recovery actions. Each year that the captive and wild Mexican wolf populations remain at low population levels brings greater risk that the effects of genetic inbreeding will cause irreparable harm to this species. Despite the urgency of the threats to this species, the FWS suspended efforts in 2005 to develop a science-based, revised recovery plan,¹⁰ and it now appears that history is about to repeat itself.

In 2007, ASM members passed a resolution requesting that FWS expedite the process of revising the Mexican wolf recovery plan to ensure the recovery and sustainability of populations of Mexican gray wolves.¹¹ And in 2009, the ASM followed up on its 2007 resolution asking the Department of Interior to expedite the revision of the 1982 recovery plan and to identify additional recovery areas for the Mexican wolf. Similarly, in December 2007, SCB submitted comments recommending alternative management approaches for Mexican wolves as potential modifications of the existing regulatory framework, focusing in particular

achieve delisting criteria, it would be appropriate and efficient to consider the expertise of professional scientific societies at the recovery planning stage as well as the ultimate stage of delisting a species from the Act.

⁶ Chambers et al. 2012 in press. *An account of the taxonomy of North American wolves from morphological and genetic analyses*. North American Fauna.

⁷ *Determination that Two Species of Butterflies are Threatened Species and Two Species of Mammals are Endangered Species*, 41 Fed. Reg. 17,740 (April 28, 1976).

⁸ *Establishment of a Nonessential Experimental Population of the Mexican Gray Wolf in Arizona and New Mexico*, 63 Fed. Reg. 1752 (Jan. 12, 1998). See also 16 U.S.C. § 1539(j)

⁹ FWS 2010. *Mexican Wolf Conservation Assessment*. Available at:

http://www.fws.gov/southwest/es/mexicanwolf/pdf/Mexican_Wolf_Conservation_Assessment.pdf

¹⁰ FWS 2010. *Mexican Wolf Conservation Assessment* at 3. In 2003, the FWS assembled a team of scientists to develop a revised recovery plan for the Mexican wolf. A majority of the 2003 team recommended a recovery target of three distinct populations of wolves of approximately 250 individuals each, with the ability to intermix through natural dispersal. The scientific team was disbanded in 2005 after making these initial recommendations

¹¹ American Society of Mammalogists [ASM]. 2009. Letter to USFWS Concerning a Resolution on the Reintroduction and Conservation of the Gray Wolf in the Southwestern United States.

on the urgent need for a revised recovery plan.¹² In November 2010 SCB repeated its request to the agency to expedite development of a recovery plan.

In 2011, the FWS again assembled a team of scientists to develop a revised recovery plan for the Mexican wolf, and this Science and Planning Subgroup completed a draft recovery plan and supportive appendix in May 2012. We understand that this document has been blocked from distribution to the larger recovery team for its consideration, and that the recovery planning process has been suspended.¹³ In addition, Public Employees for Environmental Responsibility (PEER), a whistleblower organization, has come forth with information indicating that efforts to include these science-based recovery criteria in the revised recovery plan are potentially being undermined by improper political interference by FWS and State wildlife agencies in Utah and Arizona.¹⁴ PEER's complaint alleges that recovery planning efforts are potentially being undermined by a closed-door process to develop a "National Wolf Strategy," which is designed to decide where wolves should and should not receive protection under the ESA based on what might be called political considerations, rather than the best available science as required by law for setting listing and delisting criteria.¹⁵

A science-based recovery plan has the potential to reduce conflict over the long-term by minimizing litigation, minimizing resources needed by FWS for defending its actions, and speeding the eventual delisting of the Mexican wolf. We are especially concerned that recovery criteria adopted by FWS be sufficient to address the continuing loss of genetic health due to inbreeding, and to ensure long-term resiliency in wolf populations given expected habitat changes in the Southwest due to climate change, massive wildfires, and other factors. Moreover, the restoration of the gray wolf as the top predator in many ecosystems has been shown to have resulted in significant ecological benefits.¹⁶ Given the importance of restoring wolves, both for the species' own long-term genetic integrity and their importance to their ecosystems, and given the severity of the current impasse, we are offering to conduct an expedited peer-review of the underlying science contained in these recovery criteria. The FWS's own guidance for recovery planning requires formal peer review upon the completion of a draft recovery plan.¹⁷ Given that recovery-planning efforts seem to have reached an impasse, we believe that now is the time to conduct such a review of the Science and Planning Subgroup's proposed recovery criteria. Peer review could be accomplished in a matter of months, and could provide vital information as FWS moves forward not only with a recovery

¹² 72 Fed. Reg. 44,065. Society for Conservation Biology, North America Section [SCB-NA] 2007. Comments on the Scope of the EIS and Socio-Economic Assessment for the Proposed Amendment of the Rule Establishing a Nonessential Experimental Population of the Arizona and New Mexico Population of the Gray Wolf

¹³ Public Employees for Environmental Responsibility Scientific Integrity Complaint (PEER Complaint), available at: http://peer.org/docs/fws/6_7_12_Mex-wolf_Scientific_Integrity_Complaint.pdf

¹⁴ *Id.*

¹⁵ *Id.* See also 16 U.S.C. § 1533(b)(1)(A) of the ESA.

¹⁶ Ripple, W. & Beschta, R. *Trophic cascades in Yellowstone: The first 15 years after wolf reintroduction*. Biological

Conservation (Dec. 20 11). www.cof.orst.edu/leopold/papers/RippleBeschta_Yellowstone_BioConserv.pdf

¹⁷ *Interim Endangered and Threatened Species Recovery Planning Guidance* at 5.2.

plan but also with parallel efforts to re-evaluate the legal classification of the Mexican wolf as either a subspecies or a Distinct Population Segment of the gray wolf. Such a peer review process would also bring useful information to efforts to develop a National Wolf Strategy if the FWS chooses to continue that process.

Regardless of whether FWS accepts our offer to conduct an expedited peer review of this draft recovery document, we ask FWS to resume the recovery planning process and release the draft recovery plan documents to the full recovery team to allow them to finish their extremely important work. Thank you for your consideration of these requests.

Sincerely,



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Steve Bosak
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cc: The Honorable Ken Salazar
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