



*Promoting the wise use of all natural resources*

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July 24, 2023

Fish and Wildlife Service  
PRB/3W, 5275 Leesburg Pike  
Falls Church, VA 22041-3803

**Regarding:** Comments on the Final Environmental Impact Statement Colorado Gray Wolf 10(j) Rulemaking, July 2023 – Second Internal Draft

Ms. Niva,

Thank you for the opportunity to provide comment on the above noted proposed DEIS. The finalization of this effort and its implementation before wolves are introduced into Colorado is critical to the people and communities within Northwestern Colorado as we will be forced to live with the consequences of the voters' unfunded mandate to reintroduce wolves in Colorado.

The White River and Douglas Creek Conservation Districts (Districts) are political subdivisions of the State of Colorado. The Districts cover Rio Blanco County which is in northwestern Colorado. The Districts' authorities, power, and structure are contained in the Colorado Revised Statutes, Title 35, Article 70. The Districts promote the wise use of natural resources and address rangeland health, wildlife, forest health, water, and soil erosion through information, education, and technical assistance. The Districts work and partner with local, State, and federal/national entities to implement on-the-ground conservation utilizing local expertise and knowledge.

As part of these comments submitted today, the Districts incorporate and reiterate the comments the Districts submitted on April 17<sup>th</sup>, 2023 regarding the "Establishment of a Nonessential Experimental Population of the Gray Wolf in Colorado, FWS-R6-ES-2022-0100-0791". It is disappointing to see that the Cooperating Agencies comments have not been considered in many of the instances noted in these comments. They are attached for your reference and review for reconsideration.

The Districts strongly support Alternative #1 which will, "Provide the Service and its designated agents management flexibility and provide for conservation of the species by approving a section 10(j) rule for the gray wolf population in Colorado, including any gray wolf living in, dispersing into, or reintroduced into the State."

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Concerns With the Draft EIS and Requests for Consideration:

- Table ES-1. Comparison of Alternatives
  - Page viii - Agency take of wolves that repeatedly depredate livestock - *“The Service and designated agent(s) may carry out harassment, nonlethal control measures, relocation, placement in captivity, or lethal control of repeatedly depredating wolves.”*
    - Relocation of problem wolves that are depredating on livestock only relocates the problem which simply transfers the depredation problem to other livestock herds and owners. **The Districts respectfully request that relocation of wolves be removed as an option.**
  - Page xi - Biological Resources – Other Species of Special Concern (Including Other Federally Listed and State-listed Species) – *“No flexibility for the management of reintroduced wolves for the purposes of conserving other species of special concern, potentially resulting in short- or long-term, adverse effects on prey species.”*
    - As a Cooperating Agency with BLM on the Greater Sage Grouse, this decision is cause for concern. Decline in grouse populations (ESA listing) has significant implications for all multiple uses and the economies of the rural communities where they may occur. **If wolves become a part of the reason for the decline, the Districts respectfully request management actions be taken to remove wolves from the impacted area.**
  - Page xi - Biological Resources – Other Wildlife (Elk, Deer, and Other Ungulates) – *“Potential impacts to prey populations would be similar to those described under the no-action alternative because management flexibility for reintroduced wolves for the purposes of managing ungulate populations would be limited to reservation lands for the Ute Mountain Ute Tribe and Southern Ute Indian Tribe within Colorado. Because these lands make up a relatively small portion of the state’s geographic area, potential take of wolves for the management of ungulates on reservations lands is not likely to result in measurable effects on statewide elk and deer populations.”*
    - The above statement acknowledges there will likely be impacts to statewide elk and deer populations. However, politics have resulted in tribal lands being the only area for management flexibility for wolves when they are severely impacting the ungulate populations. In reviewing the document and in discussions in Cooperating Agency meetings, there is no evidence of scientific basis for this decision to manage wolves for impacts to ungulates on tribal land only. There will be no difference of impacts on tribal or USA lands. Impacted Counties should have the same protection as Tribes. **The Districts respectfully request a scientific review of the impacts to multiple species and decisions to be based on the scientific facts rather than politics of those not living within the impacted areas.**

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- Page xiii - Socioeconomic Resources – *“Under alternative 1, impacts to outdoor recreation outfitters would be similar to those under the no-action alternative under the rule as written. Because there would be no statewide provision to address the management of wolves to address ungulate impacts on Colorado recreation outfitters, impacts would be the same as under the no-action alternative—long term, localized, and adverse. Implementation of the ungulate provision on Southern Ute and Ute Mountain Ute reservation lands could mitigate adverse economic effects to Tribes and outfitters by maintaining ungulate populations at a higher level than under the no-action alternative. Under alternative 1, the Service and its designated agents would manage the reintroduction of wolves with the greatest degree of flexibility. Alternative 1 would result in fewer direct long-term costs to livestock producers. Implementation of alternative 1 may not fully offset indirect economic losses caused by livestock stress from wolf predation. Additionally, livestock producers could incur costs for implementing nonlethal take strategies.”*
  - In the above statement under Socioeconomic Resources, it is acknowledged that the outdoor recreation outfitters would receive, “long term, localized, and adverse” impacts. And yet only the Tribes will be able to implement the additional flexibility management of wolves when they are impacting the economics. **Again, the Districts respectfully request that the Service revisit this decision and base the final decision on science and economics rather than politics. The wolves and wildlife do not know the boundaries of the reservations and the remainder of the State.**
- Page xiii - Socioeconomic Resources – No Action Alternative – *“An estimated 103–916 cattle and 35–395 sheep statewide, and 29–256 cattle and 15–164 sheep in the 21 focal counties could be killed or injured assuming a population of 200 wolves. This would result in estimated inflation-adjusted loss of up to \$1,607,573.59 in the statewide study area and up to \$365,013.13 in the 21 focal counties annually under the no-action alternative, which represents 0.0315 percent (Colorado) and 0.0071 percent (21 focal counties) of the total market value of cattle and sheep in Colorado.”*
  - Please review the above statement carefully. We question if the percents are reversed without more information on how the figures are arrived at.
  - Additionally, the Districts request a review of only the Western Slope livestock numbers and impacts for the next 10 years given that is where wolves will be released and where range conditions exist that will be most likely to have the greatest predation.
- Page xiv - Environmental Justice – Alternative 1 – *“Disproportionately high and adverse impacts could occur on low-income outfitters and guides, subsistence hunters, and Tribes in local areas across most of the state based on the factors discussed under the no-action alternative. Implementation of the ungulate provision on Southern Ute Indian Tribe and Ute Mountain Ute Tribe reservation lands could have a long-term, beneficial impact on big game ungulate species by mitigating the potential for ungulate populations to decline below Tribal management objectives. Direct costs to livestock producers over the long-term resulting from depredation would be lower under this alternative, compared to the no-action alternative.*

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*Implementation of alternative 1 may not fully mitigate against indirect economic losses or incurred costs to implement nonlethal take strategies. However, the potential for disproportionately high and adverse impacts would be reduced under alternative 1 compared to the no-action alternative."*

- The same accommodations for all low-income families and communities are the only ethical actions in this instance. The wolves know no boundaries of Tribal or USA lands. Based on the previous explanations as well as Environmental Justice, the Districts request increased flexibility in management of wolves for all of Colorado and not just the Tribes in regard to impacts on ungulate populations.
- Page 2-5 - Include an Ungulate Provision in the Rule that Applies Statewide – *"The draft EIS evaluated a statewide provision to address potential gray wolf impacts on ungulate populations; however, the final rule and EIS only include such a provision on reservation lands of the Ute Mountain Ute Tribe and Southern Ute Indian Tribe, as designated agents of the Service. Adding this provision only on these lands recognizes the sovereignty of these Tribal nations."*
  - This does not explain why wolf impacts on ungulate populations is not considered on a statewide basis. Again, wolves don't know boundaries. The impacts could/would be the same on Tribal or USA lands. Nothing in this document or in the Cooperating Agency conversations indicate this decision was based on science nor economic impacts. USFWS is supposed to be a scientific agency, please ensure that your decisions have sound science and/or economic basis.
  - The public deserves to know why an ungulate provision was not considered and analyzed for the entire State.

Thank you for the opportunity to provide comments. Please contact our office at 970-878-9838 with any questions.

Respectfully,

Marc Etchart, President  
White River Conservation District

Bill Hume, President  
Douglas Creek Conservation District

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