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**Winkelman NRCD**

Bill Dunn, Chairman  
Gary Vincent, Supervisor  
Steve Turcotte, Supervisor  
Francie Meyer, Supervisor  
Walt Meyer, Advisor

**Whitewater Draw NRCD**

Fred Davis, Chairman  
Frank Krentz, Supervisor  
Rob Ruegg, Supervisor

**Hereford NRCD**

James Lindsey, Chairman  
Lucinda Earven, DVM, Supervisor

**Pima NRCD**

Cindy Coping, Chairman  
Jim Chilton, Supervisor  
Pat King, Advisor

**Willcox-San Simon NRCD**

Larry Parker, Supervisor  
Timm Klump, Supervisor

**Apache NRCD**

Terry Shobe, Supervisor

**Cochise County**

Richard Searle, Supervisor  
Mark Daniels, Sheriff  
Jacob Kartchner, Deputy  
Mike Maloffin, Deputy  
Mary Darling, Consultant, Cochise County, City of Sierra Vista and NRCDs

**American Stewards of Liberty**

Margaret Byfield, , Consultant NRCDs

*Note: Due to technological limitations in transcribing digital recordings, errors may exist in the transcription of statements made by meeting attendees which do not accurately reflect actual statements made during the meeting. This is due to the fact that corrections were made for grammar or confusing phrasing found in normal speech.*

**Arizona State Land Department**

Willie Sommers, Rangeland Manager

Amber Morin, NRCD Manager

John Cooley, Arizona Game & Fish

Patrick Bray, Arizona Cattleman

Jess Carey, Catron County Wildlife Investigator.

Dan Girand, Chavez County

Dusty Pierce, Cochise County & NM Rancher

Jeannelle Pierce, Cochise County & NM Rancher

**USFWS**

Sherry Barrett, Mexican Wolf Recovery Coordinator

Jeff Humphry, Public Outreach Specialist

John Olson, Consultant, Teleconference

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Bill Dunn: I'm Bill Dunn from the Winkelman District. I'll call the Winkelman District to order. It is 8:10. Pima?

Cindy Coping: I don't believe we have a quorum.

Bill Dunn: Whitewater Draw?

Fred Davis: Whitewater draw, Fred Davis the chairman will call the meeting to order.

Bill Dunn: Wilcox do you have quorum?

Timm Klump: No.

Bill Dunn: Apache?

Terry Shobe: No.

Bill Dunn: And Hereford? Do you have a quorum?

- Jim Lindsey: No, sir.
- Bill Dunn: We need to elect a chairman for the meeting. Can I hear a motion to elect a chairman?
- Lucinda Earven: I move that we elect Bill Dunn as chairman.
- Francie Meyer: Second.
- Fred Davis: Second.
- Bill Dunn: Any discussion? All in favor signify by saying aye.
- Group: Aye.
- Bill Dunn: All opposed? Good morning, everyone. Thank you for coming and visiting with us. Coordination. I have a couple of comments. Turn your phones to where they are not ringing, please. We are going to be recording this so that we can have it transcribed. Everyone that wants a copy of it will be able to get a copy. We will get you one, Sherry Barrett.
- Sherry Barrett: Thank you very much.
- Bill Dunn: This is a public meeting of local government. We have an agenda which was posted and we have to follow. We are going to use as much of Robert's Rules of Order as Gary knows. We will just be polite and please raise your hand if you have got a question, and say your name for the recording, for the transcriber before you speak, please. Let's start, so everybody knows who they are. I am Bill Dunn, Chairman of the Winkelman District.
- Gary Vincent: I am Gary Vincent, Supervisor of Winkelman Conservation District.
- Mike McLoffin: Mike McLoffin, Cochise County Sheriff's Office.
- Jacob Kartchner: Jacob Kartchner, Cochise County Sheriff's Office.
- Mark Dannels: Mark Dannels, Cochise County Sheriff.
- Fred Davis: Fred Davis, Whitewater Draw, Chairman.

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Rob Ruegg: Rob Ruegg, Whitewater Draw, Supervisor.

Frank Krentz: Frank Krentz, Whitewater Draw, Supervisor.

Steve Turcotte: Steve Turcotte, Winkelman, Supervisor.

Cynthia Coping: Cynthia Coping of Pima, NRCD Chairman.

Francie Meyer: Francie Meyer, Winkelman NRCD, Supervisor.

Walt Meyer: Walt Meyer, Winkelman NRCD advisor.

Timothy Klump: Timothy Klump, Willcox NRCD, Supervisor.

Larry Parker: Larry Parker, Willcox NRCD, Supervisor

Jim Chilton: Jim Chilton, PIMA Natural Resource Conservation District Supervisor. I am also president of the Southern Arizona Cattleman's Protective Association, which is Pinal County, Santa Cruz County, and Pima County. It is the affiliate of the Arizona Cattle Grower's Association.

Jeff Humphrey: I am Jeff Humphrey with the US Fish and Wildlife Service out of Phoenix office.

Sherry Barrett: I am Sherry Barrett. I am with the Fish and Wildlife Service on the Mexican Wolf Recovery Coordinator of Albuquerque.

Dan Girand: Dan Girand from Chaves County, New Mexico representing Chaves County Commission.

Patrick Bray: Patrick Bray, Arizona Cattlemen Staff.

Jess Carey: Jess Carey, Catron County Wildlife Investigator.

Margaret Byfield: Margaret Byfield, American Stewards of Liberty.

Lucinda Earven: Lucinda Earven, Hereford NRCD, Supervisor.

Richard Searle: Richard Searle, Cochise County Board of Supervisors.

James Lindsey: James Lindsey, Hereford Natural Resource Conservation District, Chairman.

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- Mary Darling: Mary Darling, Consultant to Cochise County, the City of Sierra Vista and several of the NRCDs.
- Terry Shobe: Terry Shobe, Apache NRCD Supervisor.
- Pat King: Pat King, advisor to the Pima NRCD.
- Willie Sommers: Willy Sommers, Rangeland Manager, Conservation Section at the Arizona State Land Department.
- Amber Morin: Amber Morin, Natural Resource Conservation District Manager from the State Land Department.
- Dusty Pierce: Dusty Pierce, Wilcox
- Jeanette Pierce: Jeanette Pierce Arizona and New Mexico.
- Bill Dunn: Thank you, everyone. And welcome. Francie Meyer, you are first on the agenda. Because you may not be familiar with the districts, we thought we would give just a brief background of what the districts do and what they are.
- Francie Meyer: I will stand. Good morning Ms. Barrett and Mr. Humphrey. I think your name was Humphrey, right?
- Jeff Humphrey: That is correct. Thanks.
- Francie Meyer: Welcome and thank you for meeting with us today. I am certain that you are aware of the Natural Resource Conservation Districts, but we felt it would be helpful to present to you today a brief outline of their background, their history, purpose and powers. In the early years of the 20th century, little was understood about the importance of resource conservation. It took a progression of nationwide, dire events to bring the nation's attention to the need for conservation: World War I, the Great Depression, the Drought, and then the nightmarish Dust Bowl in the 1930s. Finally, the nation's attention was on the plight of its farmers and the future of our food supplies.

It was quickly apparent that in order for conservation practices to be effective, decisions had to be made on the local level by involved citizens. President Franklin Roosevelt sent copies of the Standard State Soil Conservation District Laws to each state and encouraged them to pass their own legislation, and make it a part

of their state agricultural programs. Arizona passed its Conservation District Law in 1941, with eight districts organized by 1942. Today, there are 30 Natural Resource Conservation Districts in Arizona, and there are ten Soil and Water Conservation Districts that are organized under tribal law.

Every square mile of Arizona is represented by one of these districts. And I have a map up there that shows how many districts. I don't know if it is going to come up.

Francie Meyer:

Almost 114,000 square miles and close to 7 million people are represented by one district or another in Arizona. The six Arizona districts present here today represent over 10 million acres. One of the districts here today, the Pima District, is the home of the second largest metropolitan area of Arizona. Arizona's NRCs are organized under state law, and are political subdivisions of state government created by and for the people.

Arizona revised statutes, Chapter 6, Article I states: It is declared the policy of the legislature to provide for the restoration and conservation of lands and soil resources of the state. The preservation of water rights and the control and prevention of soil erosion and thereby to conserve natural resources, conserve wildlife, protect the tax base, protect public lands, and protect and restore this state's rivers and streams and associated riparian habitats including fish and wildlife resources that are dependent on those habitats. And in such manner, to protect and promote the public health, safety, and general welfare of the people. In addition, 37-1054 states: This state recognizes the special expertise of the districts in the fields of land, soil, water and natural resources management within the boundaries of the district.

Each district is governed by five supervisors, all volunteers, who are duly elected and appointed public officials, and who must comply with the state's laws and regulations including Arizona's open meeting laws. Each supervisor is required to subscribe to an oath of office for each term, and thus exercise a portion of the sovereign power of the State of Arizona in the performance of their duties and are public officers. Seated in this room are supervisors from all six of the districts who are coordinating with you today. We as supervisors take seriously our sworn responsibilities to deliver conservation programs and guide conservation development that is supported by our local communities, and consistent with their needs.

We understand that effective conservation combines science-based and use and treatment of land in accordance with its needs and capabilities without compromising the welfare of our people and region. Because the NRCs have the unique ability to work with indeed are mandated to work with all other state and federal agencies. We are the local experts of the natural resources within our districts. We have many powers granted to us by state law. We conduct surveys, research and demonstration projects, cooperate and enter into agreements with any landowners, federal, or state agency, acquire property and develop comprehensive plans, among other powers.

Through public meetings we determine the priorities for natural resource conservation service assistance programs, and prioritize and oversee those assistance programs. We assist in developing priority area assessments, cost share rates and payments, conservation practices and outreach and education programs. We develop and conduct projects for reclamation and control of invasive species. And possibly most important, we coordinate local planning with federal agency actions and planning. In closing, we as conservation districts, provide linkages between land owners and managers, and a host of conservation service providers, both public and private.

We're often referred to as gateways to natural resource management in our local communities. We hope that you are here to take advantage of the local expertise that is unique to our conservation districts. Thank you, and do you have any questions?

Bill Dunn: Thank you, Francie. This is Bill Dunn. Margaret, do you want to talk about NEPA?

Margaret Byfield: This is going to make it a little easier.

Mary Darling: They are working on it.

Margaret Byfield: I'm going to go ahead and get started while they do that. A lot of what I wanted to talk about is the role of NEPA, which obviously we're dealing with the DEIS now, as you're preparing the final EIS. But also a little bit about coordination. I don't know if you've been involved in coordination. I know Jeff has. We've been in a few meetings and so he knows what coordination is. But just to give you a little idea of coordination and what we're

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expecting, coordination is written in federal law. It was delegated by – mandated by Congress.

It's mandated in Federal Land Policy and Management Act, the National Forest Management Act, and NEPA. The Endangered Species Act has direction which leads to coordination, as well. And so it's – I'll address NEPA specifically. NEPA has required coordination but doesn't define coordination. And the only act that does define coordination is the Federal Land Policy Management Act. The coordination relationship really is one of those functions that Congress created which was really very bright, very smart. Because Congress recognized that local governments have the power to protect the health, safety and welfare of the people as Francie Meyer just went through, with specific powers of the Conservation Districts which are even a little bit broader because it also covers the conservation districts that conserve the natural resources. So they recognized that local governments have this power and federal agencies have the power to execute the federal law.

So how did those two things come together? Your responsibility is not to protect the health, safety and welfare of the people; that's the job of the local government. So when Congress directed that the agencies coordinate, that's what they said. But that's what Congress was saying, is that the duties are distinct and separate: what the local governments do and what the federal agencies do. And they have to come together in the planning process. And so that's what Congress recognized when they delegated to the agencies, that they shall coordinate in the federal laws with local governments. And if you look at the definition of coordination, it's very simple.

You can go to any standard dictionary and you'll find that it says: equal, not subordinate. Meaning the local government's responsibilities are equal, not subordinate to, the federal government's responsibility to execute federal law. And I know one of the concerns that we've heard over the years is that coordination is supremacy. And it's not because the direction for coordination is in the federal law. So it's federal law that requires the coordination of local governments.

So just basically what is coordination? And I'm not going to go into a big, lengthy thing. These people here are going to say thank you. It's a process, not a status. It recognizes local governments

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are representatives of the public, and they are not the public. So when you're speaking to this body here today, you're not talking to the public that submits public comments. They represent the public that submits the comments. They are elected by the public. So they are government to government. It's transparent: meetings are open, which is what we're doing today. It's mandatory: Congress said you shall coordinate; it's not optional.

It's continuous; it's for all planning and management activities. And its purpose is very simple: it's to resolve conflicts between the federal planning and the local planning. And we'll address this a little bit today. But part of this is that you start resolving conflicts, identifying conflicts early in the process, not at the end of the process. So key federal statutes: the Federal Land Policy Management Act, the Forest Act, NEPA, Endangered Species Act. When Congress created coordination, they defined it in the Federal Land Policy and Management Act. It's the only place that they defined it. So in the other statutes, they'll refer to coordination but they don't define it. So what you do is you look back to where did they define it and what does it say?

And it's very simple. Congress said five minimum things that they wanted the agencies to do: keep apprised of local plans, give consideration to local plans, assist in resolving inconsistencies, meaningfully involve local governments which means, again, they need to be sitting at the table having these kind of conversations, working out the conflicts early in the process. Not being told: we'll take your public comments, you can submit them and you have X amount of days to get those in. Local governments are on a different tier. And the fifth thing that they required is that you are to make federal plans consistent with local plans.

The National Environmental Policy Act, which is really the federal law that we're dealing with today with the DEIS, I think there's a couple things that are important to point out. A lot of people when they think about NEPA, they think of it as the law that protects the environment. It's our national environmental policy. But when you take a close look at the reading of NEPA, it clearly protects the productive use of the land, as well. So it's not a one-sided act. It requires that both of those elements be looked at together and analyzed. So this is the opening of NEPA.

The purpose: the purposes of this act are to declare national policy, which will enjoy productive and enjoyable harmony

between man and his environment. That's the first statement in NEPA. It's between man and his environment. To promote efforts that will prevent or eliminate damage to the environment and biosphere, and stimulate the health and welfare of man. To enrich the understanding of the ecological systems and natural resources important to the nation and to establish the Council on Environmental Quality. This is the law that created CEQ.

Further, the Congress declares that it's the continuing policy of the federal government in cooperation with state and local governments and other concerned public and private organizations to use all practical means and measures, including financial and technical assistance in a manner calculated to foster and promote the general welfare. To create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social and economic and other requirements of present and future generations of Americans.

In order to carry out this policy, coordinate federal plans, functions and programs. So one of the things that you'll be hearing from us through the day is the lack of attention in the DEIS to the impact on man. Of the wolf program on man and the human environment, which obviously you are the people impacted so that's going to be something that we want to see you focus on, and something that NEPA requires.

Again, continuing through the statute it emphasizes the importance of productive use of the land and that that has to be analyzed. 2) Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings. 5) Achieve a balance between population and resource use which permits high standards of living and a wide sharing of life's amenities.

Another thing that is specifically directed in the statute – it's also directed in the regulations, but it's specifically directed in the statute, is that if there are unresolved conflicts, then you need to study, develop and describe appropriate alternatives to recommended courses of actions in any proposal which involves unresolved conflicts concerning the alternate uses of available resources. So a lot of what you're going to be hearing today are the conflicts that we're having with the wolf on the ground, which have not been considered in the DEIS and there's not an alternative that's been prepared in the DEIS that would resolve these conflicts. And that's a statutory duty.

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When you look at the CEQ regulations that implement NEPA, it's really kind of interesting to read through it. And I don't know if you ever go back and really read through the laws that you're implementing very often, but every time I go through NEPA I find something new that I didn't realize was there. It has a lot of very good direction in it. The National Environmental Policy Act – this is the opening of the CEQ regulations – is our basic national charter for protection of the environment. It establishes policies, sets goals, and provides means for carrying out the policy. Contains action forcing provisions to make sure the federal agencies act according to the letter and spirit of the law.

The regulations that follow, implement Section 102. Their purpose is to tell federal agencies what they must do to comply with the procedures and achieve the goals of the act. NEPA procedures must ensure that the environmental information is available to the public officials and citizens before decisions are made and before actions are taken. The information must be of high quality, accurate scientific analysis, expert agency comments and public scrutiny are essential to the implemented NEPA. Most important, NEPA documents must concentrate on the issues that are truly significant to the action in question rather than amassing needless detail.

Of course, we've all seen documents that amass the needless detail. Ultimately, of course, it's not a better document but better decisions that count. NEPA's purpose is not to generate paperwork, but to foster excellent action. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions to protect, restore, and enhance the environment. These regulations provide the direction to achieve this purpose. So one of the reasons that we are concerned about the lack of attention in the DEIS on the human environment and that impact, is because you can't put forward a sufficient DEIS without showing both sides and showing the conflicts, and talking only about the wolf but not about the impact on the people.

And that's really where it's lacking. And if you don't – even if you disagree with our perspective, NEPA is saying you still have to consider it. It still has to be in the document. And you can't just say: hey, we've looked at it and we disagree with it, we're not putting it in there. NEPA says no, you have to put it in there

because the public and decision makers have to have the advantage of knowing all sides of the issue. So it has to be in that document.

Policy in CEQ: use the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects on the actions upon the quality of the human environment. Again, the human environment. Use all practical means consistent with the requirement of the act and other essential considerations of national policy to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment. So let's look at the definition of human environment.

Human environment shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. This means that the economic or social effects are not intended by themselves to prepare the preparation of an EIS, but when an EIS is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement must discuss all of these effects on the human environment. One of our issues that we addressed in the letter to you – or actually, I think to Dr. Tuttle – was that the plans of these districts, the policies of the districts, the concerns of the districts have not been considered.

And that should have been done early in the process, not in the final EIS. And this is one place – there are several places in the NEPA where this is called for, but here is one place: Agencies shall integrate the NEPA process with other planning at the earliest possible time to ensure that planning the decision to reflect environmental values, to avoid delays later in the process, and to head off potential conflicts. So again, we wanted to be involved in the process early so we could start identifying the conflicts and work with you to start resolving those conflicts.

Discuss and reconcile inconsistencies to better integrate environmental impact statements into state and local processes, statements shall discuss any inconsistency of a proposed action with any approved state or local plan and laws. Where an inconsistency exists, the statement should describe to the extent to which the agency would reconcile its proposed action with the inconsistency. So again, that burden's on you. If there's an inconsistency between the state plan or the local plan and your

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proposed action, federal law is directing you to write in the statement and describe what that inconsistency is and try to find a way to mitigate it, to resolve it, to reconcile it.

And if you can't do that, you've got to at least state in the DEIS these are the conflicts that we are having, that we can't resolve, and state it clearly in the DEIS so that the public and decision makers have the advantage and the knowledge when analyzing the alternatives.

Environmental consequences: possible conflicts between the proposed action and the objectives of federal, state, regional and local land use plans, policies and controls for the areas concerned. The possible conflicts are supposed to be stated in the environmental consequences section of the DEIS.

One other thing that I wanted to take a look at is the definition of significantly. So what triggers an environmental statement is any major federal action that significantly impacts the environment. So you have to take a look at – when you're looking to see if an EIS is going to be triggered, one of the things you look at is you look at the definition of significantly. And there's a whole host of things under that definition which can trigger the EIS. But importantly, significantly requires that the analysis, particularly in this case, be done at the local level.

Not at the national level, not at the state level, not even at the county level; but at the local level. So the definition is significantly is used in NEPA requires considerations of both context and intensity.

Context: this means that the significance of an action must be analyzed in several contexts such as a society as a whole, human, national, the affected region, the affected interest, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, which really this is – this isn't a programmatic EIS, it's not a tier one, it's a site specific action. Significance would usually depend upon the effects of the locale rather than in the world as a whole. So really to do a site-specific analysis, you need to start from the bottom up and not the top down.

So from an economic perspective, from an impact perspective, you should be out talking to the people impacted and look at the

economics of the local community from the school districts to the hospitals, and then up to the counties to really do a proper analysis.

Implementation: environmental impact statements shall serve as the means of assessing the environmental impact and proposed agency actions rather than just justifying decisions already made.

An agency's capability to comply, Section 1507.2: Each agency shall be capable in terms of personnel and other resources of complying with the requirements enumerated below. And one of those requirements is to study, develop and describe alternatives to recommend a course of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources. This is the same statement that was made in the statute, that you have to study, develop and describe alternatives if there are any conflicts. And that's it.

Bill Dunn: Thank you, Margaret. Do you have a copy of our agenda?

Sherry Barrett: I do not.

Bill Dunn: Somebody give her a copy. They are all over the place. There is two pages. Our next agenda item is a review of district policies of each district. Maybe I can start with the Winkelman District. We sent you a copy of each district when we asked you to come begin coordination with us. Since then, the Winkelman District has added a – because of the –

Sherry Barrett: Could I interrupt you for just a minute? Was it possible to get a conference phone in here?

Bill Dunn: We have one.

Sherry Barrett: I can get our consultant on who is doing our NEPA, if that would be possible.

Bill Dunn: You bet. Great.

Jim: And is the entire agenda on one the one page?

Bill Dunn: No, two pages.

Jim Chilton: I see your Winkelman Natural Resource Conservation District.

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Bill Dunn: That's what the other part of this is.

Jim Chilton: I may only have one page, then.

Bill Dunn: Yes, I do. Well, I've got a second one. Thank you, Jim.

Jim Chilton: Thank you. Oh, here it is.

Sherry Barrett: So you can call them on that number directly. John, are you in the office? Can you go tell John Olsen that we're on the conference line now?

Bill Dunn: He will be joining us, I suppose, and –

Sherry Barrett: Whenever he joins is fine.

Bill Dunn: What is his job?

Sherry Barrett: His name is John Olsen and he's our consultant for the EIS working for the Fish and Wildlife Service.

Bill Dunn: He is a contractor?

Sherry Barrett: Yes.

Jim Chilton: Where is he located and what is his background in Arizona?

Sherry Barrett: John Olsen is located in Albuquerque right now and has worked in Arizona on various NEPA projects in the past.

Jim Chilton: What company is he with?

Sherry Barrett: He is with CJ Seto Support Services, LLC.

Bill Dunn: The plan we sent you was our long range plan. I do not know if you have looked at it specifically, Sherry, have you?

Sherry Barrett: Not specifically, no.

Bill Dunn: Like most long range plans, it gives a vision statement and the things that we are working on and our policies. And since we sent that to you, the wolf deal has become front and center for us. And so we wrote another one to add to it. It is our policy to be the same

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as the stakeholders or alternative concerning the wolf. Just pure and simple. What the stakeholder's alternative is, is ours.

Patrick Bray: Bill Dunn, can you just clarify that? The one that was turned in on April 15th?

Bill Dunn: Yes.

Patrick Bray: By the Arizona Game and Fish?

Bill Dunn: Yes.

Mary Darling: They call it the cooperating agencies alternative –

Bill Dunn: Cooperating agency, yes. And we talk a lot about why it is proper that the Fish and Wildlife Service adopt that as their preferred alternative. And then we go into why if you do not, it is going to cause a big conflict in our functions, and how we complete those functions. One of the main things in there, our district is right on the edge of the growth in the valley, the highest growth in the nation. And it is completely rural. And we have the San Pedro there. And a lot of people are scared to death I it is going to get subdivided.

Over the years our producers, who are the private land owners in San Pedro Valley, have struggled. It is no secret that what we are afraid of is this wolf action will be enough pressure on them to run them out of business to where they will have to subdivide their land. And that is going to cause problems in the last free flowing river in the Southwest. Then one of its tributaries is the Aravaipa. A lot of private land on it and our producers are on it, and it is going to do the same thing to it. Those are two river systems that the environmental community has designated as something that they are really interested in saving, and so is our district because of the unique nature of it.

It has stayed rural for all these years. It is a water source for Salt River Valley in the metropolitan area. And another main thing how it is going to hurt us is one of our aims is to protect the long term grazing leases to provide for the 14 beneficiaries of the state land trust. And we do that by keeping our producers in business that lease those lands for the land trust. At this point, until it becomes developable, that is the highest and best use for the state land. And when it becomes developable because it becomes a

growth area, then the state land is mandated to develop their land, too.

Our district has been working several years on Sonora desert tortoise. We have been working with the Ecological Services Office in Phoenix on that. We will get into that in a little bit. We put together some management plans that is going to conflict with the wolf. When we get into other species down here later in the agenda, I will explain that a little later. But those are the main points that I wanted to bring out. And you will get a copy of it. Who else wants to talk about their plan, their policies? Cindy.

Cindy Coping:

I thank you both for coming today. I am the chairman of the Pima NRCD. I really do appreciate you engaging in this process. Pima NRCD encompasses all of Pima County with the exception of the tribes. So we go from the Pinal County border all the way to the Mexican border. Inside our county we have 832,000 acres of state grazing leases. Statewide, those grazing leases provide something like \$2.43 million to the state schools, the K through 12 system and the deaf and blind school. And there is a list of about 20 types of institutions included in that. We were concerned that the EIS is incomplete.

I am just going to read you our policy based on that. Whenever a federal agency prepares a Draft Environmental Impact Statement, a DEIS, that may impact the people and natural resources within the district, it is the policy of the district to review the DEIS to determine the impact on a district to respond to the agency. The proposed Mexican wolf DEIS or the proposed 10-J rule is incomplete. As a result, it is impossible to fully evaluate the impact that it will have on the district. For example, no consideration was made of the prey base within the district in the DEIS.

The DEIS contains insufficient information to assess probable impacts on species of concern, threatened and endangered species presently residing within the district, and impacts on other natural resources within the district. A key missing element of the DEIS is the failure to identify the impacts at varying numbers of wolves. There should be an evaluation at zero, 100, 300, 500 up to as many wolves as suitable habitat and the local prey base can support. No estimation is made in the DEIS of how many wolves can be supported. There is also no indication of where the service plans to release or translocate wolves within our district.

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Another failing is insufficient variety of alternatives considered. The cessation of the program and removal of wolves ought to have been considered since the wolves are nonessential. Another alternative that ought to be considered was presented to the service by the highest authority in Arizona on wildlife, that being the Arizona Game and Fish Department. The service ignored the alternative presented. While the district has no position on the merits of the alternative, it nevertheless ought to have been considered because of the recognized expertise of its source.

The district, therefore, does not recognize the DEIS as complete. The district recommends the service withdraw the DEIS and complete it or issue a supplemental DEIS. That is our policy. I think we are ready to move on, now.

Jeff Humphrey: Can I ask a question, Cindy? Regarding prey-based study, are you seeking a district by district analysis of prey base or Game and Fishes assessment of the prey base in the various areas where we'd anticipate wolves to occur?

Cindy Coping: We'd like to know what the prey base is within our district. We are responsible for the natural resources within our district. How many wolves will be entering into that prey base.

Bill Dunn: Who is next?

Jim Lindsey: I am with the Hereford Natural Resource Conservation District. We are down in the southeast corner of Arizona, Cochise County. And our communities are economically very dependent on the government installation down there, Fort Huachuca, tourism, and the commercial cattle business.

In reference to the cattle business in our area, in 2011 the economic output of cattle industry in Cochise County was \$59.1 million. Thirty percent of Cochise County's farms are in cattle ranching. Cochise County accounts for about 6 percent of Arizona's inventory of cattle. That is a big business down there. In reference to tourism, we have all heard of Tombstone, big tourist destination. To the east of us is Bisbee, another big tourism destination. But within all of that, we have the tourism of people coming to enjoy the San Pedro River area for bird watching. In the Huachuca Mountains we have an area where they have an abundant amount of hummingbirds, so there's also an influx of

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people that come from around the world to see the hummingbirds in Ramsey Canyon. Within the Huachuca Mountains there are a large amount of trails. Those trails are being used by hikers just for nature walking.

We have a lot of bicyclists who are mountain biking, and also a lot of horseback riders in that area, as well. Another area that is used by all three of those groups is the Dragoon Mountains, which is north of Tombstone. Obviously, those two industries, the communities are very dependent on the economic base of those activities. We are also having to deal with the Mexican border being so close to us, adjacent to our Huachuca Mountains. The Huachuca Mountains are being used by the two legged coyotees, bringing in people from Mexico and Guatemala and human trafficking. We are also having to deal with that same area with the Cartel and the drug trafficking. Let us not forget about them coming into our country and killing a lot of our cattle.

Besides that, the Hereford District was very instrumental in working with the Arizona Game and Fish in reestablishing the pronghorn in the Sonoita area. We worked with them, we also brought in the Tombstone High School FFA students to help monitor and do some work in the way of giving some data to the Arizona Game and Fish for the pronghorn antelope.

I am not sure exactly the amount of public money that has been spent on that project, but it is significant. The Arizona Community Foundation donated \$10,000 for that project. The Hereford District ourselves has been in the thousands of dollars for that project, as well. So that is a significant amount of money that has been placed in that project. And I will probably go into that a little bit more later on in the way of that project and what it entailed.

Our Long Range Plan, which was adopted in 2013. It is the 2013-2018 Long Range Plan. Within that, one of our policies is item 5. It says: Artificial introductions or reintroductions of threatened, endangered, and protected species or species of special concern, or species proposed for listing is opposed by the Hereford NRC. That's all I have at the moment.

Bill Dunn:

Thank you, Jim. Does any other district want to talk about their policy?

Fred Davis: We have also adopted a policy very similar to Winkelman's to accept the stakeholders' alternative. Our district, which the next item on the agenda, is the border issues. I will kind of combine both of these in one brief thing, hopefully. Our district runs from the New Mexico border to the Hereford District to the west. We drain into the San Pedro quite a bit, but we do not include it. Our district is pretty challenged due to the border right now. There are ranchers there that are having so many problems right now.

One rancher, a friend of mine, has nine pastures. He basically has one small trap left around his house. The illegals and the border patrol have torn down all the rest of the fences. He has absolutely not much control of his cattle left. The whole deal is just a wreck. Lots of ranchers are having huge economic problems due to the influx of illegals. They are being run now primarily by the cartels. The amount of money some of these ranchers are spending is phenomenal on upkeep on problems already going on in Cochise County.

I do not think the prey base has been considered in this DEIS. In Cochise County, you have no elk. Arizona Game and Fish is only concerned about the elk herds, and they are concerned about three wolves per 1,000 elk. But we have no elk. The deer are already very stressed. The numbers are on a big downward trend; have been according to Arizona Game and Fish. The obvious prey base when the wolf shows up in Cochise County is cattle. We have had nine ranchers sell out in our district due to border problems. Absentee owners have acquired these ranches and they will never set foot on them. When you add the wolf to these problems, I think the ranchers are – there's going to be an awful lot more ranches for sale.

The economy of the ranches for sale now, the values, one ranch was appraised 20 years ago and recently had to be reappraised due to a death in the family. And the value is half what it was 20 years ago, before any of the land inflation. When you are going to add the wolf problems to our border problems, our ranches will be valueless. Anything to add, Frank? Thank you for being here.

Margaret Byfield: With his statement, I think what you are getting a sense of is ranchers are already struggling, and struggling for other reasons than just the wolf. That is one of the cumulative impacts that you have got to look at. If you already have a struggling livestock industry, and then you bring the wolves in on top of that, that is

one of those functions of NEPA. NEPA wants you to analyze what is that cumulative impact. So you can't just look at it as: well, if we put a wolf here, we think it may take X amount of cows but that is the end of our analysis. It has to go deeper than that.

Mark Dannels:

Can I make a comment? I am the Sheriff in Cochise County. You probably wonder why the sheriff is here at this meeting, but working with, on a daily basis, our ranch agricultural folks, and these are citizens in Cochise County. And Jim hit on it a little bit and so did Fred, the point that it is already a pressure point down there being a border county along with other rural counties Cochise, Pima and the area all the way through to New Mexico. A lot of struggles, a lot of challenges. I work for the County and have done law enforcement for 30 years down there. And when I heard your plan, it was a little disturbing.

I will tell you a couple reasons why. I am responsible for the quality of life and public safety in Cochise County directly, again, placed in office by the citizens. So I have a direct link and they have a direct link to me back on that way. The two people sitting to my right identified from the Sheriff's Office are also with my ranch patrol. We saw the need and mandate to put them in that position to work directly with our ranching community so they have eyes and ears with them and vice versa. Margaret, your statement, your opening along with Francie's I thought was excellent.

There is two applications of law. You have the letter of it, which you hit on very well. Then you have the spirit, which is the people sitting in this room today. You are hearing a lot of very sincere and very emotional thoughts. I would challenge you in the fact that I hope the reason you are sitting here is because you want to be here. There is a will to be here, and not because you have to be here. I say that based on the fact in our county, we work with many federal agencies. And we have a very good working collaboration going on. The issues lie beyond the walls of Cochise County and beyond the walls of different counties represented here today.

I hope you sincerely take what is being said and take that back, and seriously take a look at what is going on. Because these are mandates that are telling you; they are not discretionary thoughts. This affects their quality of life. And I as a sheriff, and I want to put on the record clearly that I, along with the other Arizona sheriffs which I am speaking to on a daily basis as this issue

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becomes more prevalent in the state, are going to do our part to do what is right for the quality of life and to protect our citizens.

Bill Dunn: We are going to go to number 5: discussion of economic impacts and economic analysis in the DEIS. And you are first.

Mark Dannels: I will add one more comment on that. A lot of people forget, and I will re-embrace this thought, that our ranching, our citizens, our agriculture folks are first line for border security. If we jeopardize that or lose that, we have given up a lot of ground. And that is something I do not want to see happen. Border security starts with our citizens and our ranchers.

Bill Dunn: Mr. Searle.

Richard Searle: Sherry, I do not want to take away from NRCs, here. Richard Searle, Cochise County Board of Supervisors. Sherry is very aware of Cochise County. We have worked together on the Upper San Pedro Partnership some, so a lot of this is not new to her. But for the record, we will touch on a few items. Cochise County is unique in Arizona. We're about 6400 square miles. Of that, close to 50 percent is private. These are not exact, but 25 percent is federal and 25 percent is state. And the areas we are dealing with, we have a lot of private land ownership in Cochise County. As mentioned earlier, I think it is obvious that Fort Huachuca is the main economic driver for Cochise County.

But we're also looking at the downsizing at Fort Huachuca, which is going to affect our economy. And when you take Fort Huachuca away, agriculture has still historically been a long time crucial part of our economy. And as Fort Huachuca downsizes, it is going to raise up the importance. We have got approximately 135,000 residents of Cochise County. And there again, this is not an exact number but it's safe to say 50 percent of those are rural residents. So that's approximately 65 to 70,000 rural residents in Cochise County.

Having observed the impact of the wolf recovery to Apache County, Navajo County, Greenlee County, Catron County, the board of supervisors is very concerned with the potential impacts if the wolf recovery area is expanded into Cochise County. We have filed extensive comments on the DEIS with a lot of specific numbers, specific issues. I am not going to readdress that because

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you are going to have plenty of time to look at that when you go through the comments.

A couple of the main issues I'd like to deal on have already been touched on. We're very concerned that the draft EIS did not analyze the prey base in Cochise County for the wolf. It's been touched on. We have looked at the numbers from Game and Fish, and we have a declining deer herd. A lot of that is due to both the drought that we have been in in the last 20 years, the fire impacts that we have had in the last ten years. Also the increase in other predators - lions, coyotes, jaguars. There's been a change in the trapping laws and the predator control laws in Arizona. There is an increase in predators already in Cochise County that is already working on the natural prey base.

We are also concerned that the DEIS did not adequately look at the impacts on our rural economy. It is fragile. Mr. Davis touched on some of the issues, Mr. Lindsey touched on some of the issues. But our cattle herds are also declining. A lot of that is because of the last 15, 20 years of drought. We don't have the numbers that we had 20 years ago or 30 years ago. Without an adequate prey base, it's our concern that if wolves are reintroduced into Cochise County, it will leave nothing else but rural residents, livestock, and animals as the preferred prey base for any type of wolves in the area. We do not have the extensive wilderness areas that you're currently working in.

The DEIS also did not take into regard Cochise County's Comprehensive Plan. We have a detailed plan that also deals with the reintroduction of endangered species. It was not mentioned in the DEIS. And once again, I think we have sent that plan to your office in our comments. But it is not consistent. And I think with that, I have covered most of my points. We appreciate you being here, appreciate you listening, and hopefully we can move forward with this.

Fred Davis:

Could I add one thing to what Richard said? He was mentioning the increase in predators. Just a few years ago they ran over three lions within five miles of my house. And I am not in the mountain area. I am on Davis Road in Tombstone. They are fairly thick, if they killed three on the highway.

Bill Dunn:

Steve.

Steve Turcotte: Thanks for coming. I feel for you. My background is 33 years in the senior executive level in the government. I am retired, and I am currently a rancher and a bunch of other things. Go ask my wife; she'll tell you all about it. I do want you to know, before I get into my point, here, in managing at that level, I don't think I have seen from oil issues, to range issues, to land issues, that I managed in that capacity the intensity of these people sitting in this room. I do not think I have ever seen that. I want you to know that. These people are very serious and it is a very serious issue.

If you look at the real estate here, you are looking at pretty much the first line in defense between the border and here. And at the economic impact is very, very fragile. You have got some very, very concerned people. I just wanted to let you know that, from an ex-government guy. Fire districts. Not sure what you know about fire districts, but each state around the country is different. Most of the states that I have dealt with in the past, it is a county or a city run organization. Out in the western states, you see that much less. The reason is, there's nobody else out there.

So in Arizona, they are organized in the metropolitan areas primarily with a fire department that relies on a tax base and has a pool of money to kind of resource the fire departments, the park, the public safety, all those things. In the rural areas, which is what we are dealing with here, fire districts rely solely on a single source of income, and that is the tax base. And that is a tax base that really there is no other pool. It is the government run organization. It has a public body that runs it. But it has one source of income, period. And that is the taxes. Matter of fact, to the level that the fire district, if a rancher or somebody goes out of business and does not pay his taxes, they do not wait for a foreclosure or a reassessment.

You do not get the money. So it is immediate. It is immediate, right off the bat. Money trickles in as a tax payer pays its fire district fees. So there is no other alternative. So the impact is huge, and it is quantifiable. It is a direct, 3.25 percent, which is the max. Most districts are around 3 percent. So if somebody does not pay their taxes, you have just lost a quantifiable number, right off the bat. And most districts now are pretty stressed. They are at the level, now, with property values going down, people going out of business, they are stressed.

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So for every person that can't make his taxes, you are looking at losing services. Matter of fact, some districts are so stressed that they are getting ready to shut down and you are going to have to rely on a neighboring district. And that, in the rural area, is catastrophic. The emergency services can go from 20 miles to 50 miles. So it is a direct, impact that you can measure. Adding the wolf to this is just going to exacerbate the situation. My question is, have you looked at the impact on fire districts, the loss of services to the people in the impact statement?

Sherry Barrett I don't believe that was addressed, so that is good comments for you to collect.

Bill Dunn: Okay, Sherry, because we're out there, the ranchers are the fire districts a lot of times. We have two fire district people today. Terry's the head of one up in Apache County.

Terry Shobe: Apache County borders New Mexico and most of our district is along that line. I am the fire chief of our district. All of our volunteers are basically rural people. Finding them and keeping them is a difficult task. We start losing the rural economy, which that is all we have only two major employers in our community and both of them are power plants. But our base is all agriculture. When you start pulling that out, the land values go down and that definitely takes our taxes right down the toilet in a hurry. We really do not benefit from the sale of a property because the value is still the same.

If it sits idle and is not being utilized, the value continues to decline, which decreases our budget. Most of us run on a very, very light budget to start with. We are mostly volunteers, paid by call, so our funds are drug out pretty tightly when we do things, especially when the tax base falters during the summer months our tax income drops quite a bit. You start taking away this tax base, it is not just the ranchers that leave with it; it is also the other small businesses that leave with it. Right now in most of our communities, you are lucky to have a restaurant open in the morning to even have coffee at, or a local grocery store to go shop at.

As that economy drops off, these businesses are also falling off. So it is not just that loss of rancher that kills us; it is also the peripherals that hit that, as well. The power plants, I know we have got an activity there. We recently had a fire, the Wallow Fire

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that took out a big portion of our agricultural base that we do a lot of our raising into for our leases and stuff. We have pulled all of our cattle back out of those areas. We put them into a more confined area. Has any of that been taken into consideration on your DEIS? –

Sherry Barrett: We did address the Wallow Fire in the DEIS.

Terry Shobe: It was not. Because basically if you take the land for the prey base and destroy it with fire, you push the prey base strictly into the livestock and humans. Later on I have got a comment about a ranch that is about to go out of business as a result of it. But this tax base that we talk about, it does not just affect the fire district but the school districts, as well. We are all based off taxes. I am also on the school board. When these impacts hit, you put wolves out there and all of a sudden this land becomes unsellable.

We are not going to buy someplace and build a home if I have to worry about the wolves on that land. So we lose the value of that resell. It does not come back. So there is a lot of impact that is going to be affected by this wolf presence that is going to eliminate the resale of property to even make a tax viable for the districts.

Margaret Byfield: Can I ask a question? When you did the impact, you said you did address that fire in the DEIS. Did you look at it as the impact on the environment or did you look at the impact on the people, as well, when you did that analysis?

Sherry Barrett: The major thrust was your concern about the effects to the prey base. Actually the long term effects from a fire, what the forest service and states provide to us is that it would increase the habitat overall because you reduce that over story and you get more herbaceous cover, which actually in the long term will increase the prey base.

Terry Shobe: Did you adjust the time period? We are talking about years. We are not talking about a year or two.

Sherry Barrett: Not that long. They actually have already seen some increases in some areas from those big fires.

Bill Dunn: Pat?

Pat King: I am talking about the economic impact to the school districts. And these are rural schools. The local economy impacts the school budgets just as fire districts. We do have an equalization working in but your base is your local land. The local economy is your businesses and the people that live in the rural areas, and we are talking the rural areas. When ranches are no longer in operation, the state land is no longer leased. That revenue is gone away, and the only revenue left from state land is development. There is additional liability with the wolf and the school has to address that liability.

Has this issue been addressed in your Environmental Impact Statement, of the liability to children? In the rural areas, children wait for the school busses. Many times their parents have already gone to work and they walk out to the bus. They are the responsibility of the school district when they are at those bus stops. And this is a liability that the districts take very seriously. These children, we are talking about the quality of human environment here. We are talking about these kids that are waiting for busses or walking home after school.

And we are concerned and we want to know how this is addressed in your Environmental Impact Statement.

Sherry Barrett: It is addressed under human health and safety.

Bill Dunn: Can you talk about it a little?

Sherry Barrett: We talk about that there always is a danger with any wild animal, but the risk is very low with regard to the wolf because there have been no attacks on humans from Mexican wolves. So we recognize that there have been incidents that Jess Carey has very well documented and we have assessed those. That is the section of the EIS to address when you are talking about human health and safety because we have looked into those issues.

Bill Dunn: Maybe we will talk about that a little later. Thank you, Pat. Francie. We are down to impacts on ranchers, guides, and local businesses.

Francie Meyer: I would just to ask how were the economic impacts of wolf introduction addressed in the draft EIS on the small businesses such as ranchers, hunting guides and packers, and the local businesses that rely on them.

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- Sherry Barrett: That is in the economic impact analysis section of the EIS, and it – focused on the sectors of tourism, hunting and guiding, and livestock production.
- Francie Meyer: What kind of weight is given to that overall?
- Sherry Barrett: I am not sure what, we look at the overall effects that we have in the EIS when we are doing a decision, which would be later on in the record of decision.
- Francie Meyer: But not so much on the local effects?
- Sherry Barrett: It recognizes the data that is available are mostly nationwide data that are available for an economic analysis. Because the counties and the states do not necessarily gather those data. But we recognize that the impact can have more of an impact. There can be a larger impact on local communities as well as individual ranchers than what you might see overall.
- Francie Meyer: So then you are using nationwide data to make judgments for our local areas?
- Sherry Barrett: Well, but it is on a state basis, now.
- Francie Meyer: I'd like to give to you a copy of, if you would not mind taking this. It is called "The High Cost of Wolves on the X Diamond Ranch."
- Sherry Barrett: Yes, thank you very much.
- Francie Meyer: And as you can see by going through it, this particular rancher has not really even included, in her addition to her ranching operation she also has a guest ranch operation. And this document here only pertains to her losses this year - lost livestock and the cost associated with that. And as you can see, that amounts to almost \$89,000 is this year. She says that it is typical of her losses every year.
- Sherry Barrett: Okay, thank you.
- Francie Meyer: This does not take into account the losses of her time that she's taking away from her guest ranch business or any of the other associated costs. I thought it might be interesting to you that this would probably be fairly typical of losses. And in relating this

story to me, she has told me, even though she's a very long time historic rancher who's strived to keep this ranch in her family for generations. She says at this rate she will go out of business. And that is a pretty frightening thought. I think this is very typical of what is going to happen, is what is happening now and what will happen even more so.

Bill Dunn: And those figures are based on about a 250 cow -

Francie Meyer: 200 cow outfit.

Bill Dunn: 200 cow outfit, then.

Lucinda Earven: Francie, what district is she in?

Francie Meyer: The Apache.

Lucinda Earven: This is Wink.

Bill Dunn: Wink, yes.

Lucinda Earven: Right, I know. I am just clarifying that for the record what district – so this is a district that typically has a lot of prey, is that right?

Francie Meyer: Much more than we do down here in the southern part of the state.

Lucinda Earven: And still it makes that much effect on her head?

Francie Meyer: Yes.

Lucinda Earven: She's having that much effect on her cows?

Bill Dunn: Patrick.

Patrick Bray: To that point, Sherry I guess I understand you used national data and maybe I am jumping ahead, here but I think it is on point. Why did the service not direct a consultant or the consultant look for that more local data? BLM has information on all their districts, forest service has information on all their individual forests, our land department has more direct on the ground numbers. Why was that not done?

Sherry Barrett: We did to the extent we could. I am not an economist so I am not going to be able to get into the economic analysis with you in

detail, but I am sure you provided those in your comments. But the economic issues we tried to get as much data as we could by AUM through the Forest Service, which was not easy. It was not very readily available, as well. But like I said, our economist is in Washington and like I said, I'm sure you provided those comments and those will get to him and we will address those in the final.

Patrick Bray: I know before you go into writing – before they wrote the DEIS, they had worked with on the Game and Fish on a prey base portion of it, correct? In the DEIS?

Sherry Barrett: We worked with Arizona Game and Fish Department on the prey base, yes.

Patrick Bray: So why did the service not work with someone like University of Arizona or at least give us the association a call and say who can we work with to do a better economic analysis of what is truly happening? Because at the time, we were in the middle of all this of doing our own economic study for the industry in Arizona specifically, and we never got contacted by your contractor or the service to do a more in depth economic analysis.

Sherry Barrett: Like I said, I was not directly involved in the economic analysis so those data can be used?

Terry Shobe: But you are using this data that you had no idea where it came from to make an analysis of what you are doing in Arizona. Like Pat said, why weren't even our districts contacted? None of us were contacted about anyone making decisions. You say data was available, but we have no problem finding data on our area for anything.

Sherry Barrett: We have data available but they come from, I am going to be speaking out of my, without direct knowledge because like I said, I did not conduct the economic analysis myself. But like I said, there is an economic analysis in there and I am sure you all reviewed it and provided comments yesterday so those are the things that we can get to our economist to address more directly for you.

Bill Dunn: We did better than that. We asked the U of A to critique the economic analysis. And Patrick's got a bunch of questions, but I don't know that you'll be able to –

- Sherry Barrett: Like I said, I told you on the phone that I was not going to be able to go into the economic analysis parts of this.
- Bill Dunn: And you cannot get him on the phone?
- Sherry Barrett: He's in Washington. I don't even know that he's available. Like I said, that was part – put forth for the – DEIS
- Bill Dunn: Okay. Jess?
- Jess Carey: Sherry, do you think that the social economic impact statement that's been presented in the EIS and NEPA is sufficient?
- Sherry Barrett: I think it is well done, yes. So we look forward to your comments, though, on issues that you might want to raise on it.
- Jess Carey: Well, the thing about it is, you know, to my knowledge, and I've asked several ranchers that are heavily impacted, were they ever contacted to get their information on their losses and so on and so forth. And none of them have been contacted. And I talked to Mr. Olsen, and he says that the service does not have the time or the money to contact each impacted individual in the Mexican wolf recovery area. Their economist said he would not be able to assess the wolf impacted areas county by county.
- So how can you have a sufficient, true impact statement of what these wolves are really causing if you don't talk to the people that are being impacted? So what Catron County's position is, is this social economic information that you provided in the NEPA EIS process is flawed big time.
- Sherry Barrett: I appreciate those comments that you have provided to us. Like I said, we'll get them to our economist.
- Margaret Byfield: Part of what we need to do here today is resolve these conflicts. We can talk about this and provide all this information because the whole point of the meeting is to start resolving conflicts. This is a huge issue for us. I think that's been equally shared. And if you're not even looking – you can certainly direct them on how they need to do the study. You're looking at people sitting in the room that look at this data all the time, have access to this data. You've got a county supervisor. Why weren't the counties contacted?
- Sherry Barrett: They were.

- Margaret Byfield: Well, where is it in the document? Why was there this threshold to only look at it at such a high level instead of at the local impact which you're required to do? And that is really the conflict. I think you can put off the question and say I am not an economist, but you're in charge of the project. And so I think it would give us a little bit more comfort if we could hear at least you attempt to figure out how you're going to resolve that. Are you going to go back and ask him to look at this from the local level?
- Sherry Barrett: We need to look at the data that are provided to us from the comment period.
- Margaret Byfield: So you are not going to go get the data? You are just going to look at what is sent in?
- Sherry Barrett: You have to realize that – and you probably have worked with economic analyses – that it isn't possible to gather data from every individual within the whole two states of Arizona and New Mexico.
- Margaret Byfield: But you have a smaller recovery zone. So I don't think –
- Sherry Barrett: But that's not the only part affected.
- Margaret Byfield: I know, and that's another issue. You are only looking at looking at a very small area that is affected. You are not looking at the entire area that you've drawn lines around in your economic analysis. I think you have a recovery zone. I don't know that it would be that difficult to go in and start talking to these people that are directly impacted. X Diamond, there is nobody more suited to explain the impacts. What's concerning is that all of that has been ignored and it should not have been ignored.
- Sherry Barrett: Like I said, this is useful and I appreciate you bringing the information from the X Diamond to this.
- Patrick Bray: To that point, though, I think information was readily available to the service that they failed to analyze or do whatever they had with the data because the economist or whoever did the economic analysis really almost did a cut and paste from the five year review. And a lot of the data as far as impacts, costs, all of that stopped in 2003. It was really never updated to be reflected in this document ten years later. And I think that is something the service

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really should consider. Because somewhere you have those numbers: what it costs you every year, field staff, how much time you spend on a problem wolf, all of that. That should be right there at the service's fingertips.

Sherry Barrett: We do have those data. But the data for the livestock industry was from 2012.

Patrick Bray: Which is still outdated.

Sherry Barrett: Well, you have to – yeah, those are what is available right now.

Jess Carey: Sherry, in the three year review, the social economic impact was not even done. It was because they didn't have the money or the manpower. That was what was stated to US Fish and Wildlife Service to me. So the three year review, they weren't even concerned with what was going on and the impacts to the people. An analysis wasn't even done.

Sherry Barrett: That I don't know. I wasn't here during that three year review.

Jess Carey: Well, I can tell you it wasn't done.

Sherry Barrett: Okay.

Bill Dunn: We'll provide you with those comments from the U of A and really take your economist to task.

Sherry Barrett: Okay. Like I said, we appreciate critiques.

Bill Dunn: Yes. And I don't know where else we can go with it but that, at this point.

Margaret Byfield: Can I make a suggestion? I really think we have to get resolution on this. And I understand you're not prepared to answer the questions today. I think we really need to get resolution on this. It's critical. And if you're not prepared to answer questions today, that's understandable. But I think we ought to set a time when you've had time to go back and adjust this, to come back and give us the answers that we're looking for.

Bill Dunn: Or bring –

Margaret Byfield: Bring the economist.

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Bill Dunn: Bring the economist.

Sherry Barrett: Yes, we'll see how things roll out, I think, by the end of the meeting.

Bill Dunn: Okay.

Mark Dannels: I agree with Margaret on this after sitting through many meetings and different events. If these conflicts aren't ironed out at the beginning, especially as the public safety enforcement branch at the local level, I can see the federal government and myself in my office, and my two experts sitting next to me, in battle in a courtroom. And I think these conflicts need to be worked out at the beginning with the people here at this table, and not just brushed off. If not, it doesn't look good for anybody. There's no win-win in that.

So I would highly suggest, like Margaret was saying, that you answer the questions that are being asked today and take care of them. Because it seems like this plan is already written. Maybe I'm interpreting this wrong, but just sitting here listening, new to the table, that there's already a decision being made and I hope that's not true. That's what I said in my opening statement. But I would say that. Margaret, I think you have done an awesome job presenting what you want to present, and not letting the avoidance happen. Just get answers.

Walt Meyer: On the X Diamond and some of the other allotments, they're on the forest. They have to file an AOI, which is the annual operations instruction. And in that instruction, they say where their cattle are going to be and in which pasture they're going to be. It defines what they're going to do throughout the year with their livestock. In many cases, they cannot go through their AOI. They have to fall back into a pasture that they've already grazed or come out of, which is in violation of their AOI and the Forest Service.

Now, to expand on that, each rancher in these NRCDs that are represented here, all have a management plan of some type either with State Land Department, with BLM, or they may be a coordinated plan between a number of different agencies. If they cannot follow that plan, then it seems to me that the resource is in jeopardy. In the Forest Service, it seems to me that they would be

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in violation of their AOI so they would have to amend that. Have you guys addressed these type of issues because of the wolf?

Sherry Barrett: We work closely with the Forest Service. There is a liaison to the inner agency field team from the Forest Service as well that works with the district rangers to work out if there are conflicts with any of the grazing allotments. And there has been litigation on some of those allotments, as well. And frankly, the NEPA that's being done on the new ones is being much more flexible to address some of these issues.

Walt Meyer: You are just talking about Forest Service, not about BLM and state trust lands?

Sherry Barrett: At this point in time where the wolf currently exists is only on Forest Service lands, and so we have not dealt with those on the BLM lands, yet.

Bill Dunn: But you're going to get in front of those instead of waiting until there is a conflict?

Sherry Barrett: It's up to those agencies when they do their own NEPA on their allotments. It's not up to us when they do those NEPAs. And some are on different timeframes, as well.

Bill Dunn: I understand that. I guess what I'm getting at is you should be working with them now, saying these conflicts are going to happen and we need to get the rancher in here and iron it out now before they get in – their permits are in jeopardy.

Sherry Barrett: It's important, though, to recognize that no decision has been made going back to the sheriff's concerns. This is a proposed action. We have not made a decision on how we're moving forward or if we're going to move forward in any different direction than we are today. That decision will be made after our record of decision, and then followed by a change if we so decide to do so in January. So there is no decision at this point to engage –

Bill Dunn: I understand that.

Sherry Barrett: But I understand your concern that we do want to be working – and we have engaged the Bureau of Land Management of this state.

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- Bill Dunn: Okay, at state land?
- Sherry Barrett: State land, we have had conversations with them. They chose not to engage in the EIS process, if I recall. But John Olsen – you might be able to confirm that or not. I don't recall if they joined on as cooperating agencies.
- John Olson: They're not cooperating agencies.
- Sherry Barrett: No, they did not.
- Bill Dunn: Okay.
- Lucinda Earven: Can we get a comment from the State Land Department on what you know?
- Willie Sommers: With regard to the EIS and the status?
- Lucinda Earven: Yes, and whether or not you've been contacted – consulted.
- Willie Sommers: I can't speak to that.
- Lucinda Earven: What's your name?
- Willie Sommers: I am Willie Sommers with the State Land Department. I am not aware of us being contacted yes or no on that. That would be more with the Commissioner's Office at the State Land Department.
- Bill Dunn: Did you have something?
- Margaret Byfield: I kind of want to pull back a little bit because the reason that I think it's important to address this up front like Bill was suggesting, is because I'm sure there's going to be things worked out through the allotments with the BLM and the Forest Service. But it gets back to really what we should be analyzing in the NEPA right today, which is this is Fish and Wildlife Service's project. So it's your program that you are putting in place in these communities. That's what's being studied.

And so any conflict that that causes is something you need to resolve now, not after the record decision is written. These kind of conflicts, there should be some statement of how you're going to mitigate this in your DEIS. How are you going to handle that? That's part of what, I feel like I keep chasing my tail around, here,

but that's what we're trying to do. There's plenty of conflicts that we're bringing to your attention and we want resolution. Our solution might not be the right solution but we can't work that out with you if you're not going to try to resolve the conflicts and say: you'll learn about it in the record decision, and how we're going to handle that. It really does have to be done up front and now.

Terry Shobe: You're talking about the leases but you're not really –

Mark Dannels: Terry, before you get to do that, I'd like to hear the counter rebuttal or response to Margaret's question. I think it's kind of critical.

Sherry Barrett: On how we're approaching resolve?

Mark Dannels: Yes.

Sherry Barrett: I'm not here to negotiate today. Our comment period closed yesterday. I'm here to hear your concerns and I'm here to provide information that you might have. But I'm not sure exactly what resolution you want to day. I have a lot of comments that I'll be getting from all sectors of the public as of yesterday. And I need to assess all of those, as well. I recognize that you do have this agency perspective that you brought forth at the beginning of this meeting. But I'm not here to resolve exactly what my EIS is going to say in the end because I have a lot of other information that's going to be coming in my door as of midnight last night, as well.

But I am very interested in hearing what you have to say, and I'm very interested in the data and information that I'm sure that you provided yesterday in the comment period. And like I said, I'm more than willing to provide information on other aspects that you might have questions on, what actually was proposed. But is, I –

Mark Dannels: To that point then, Sherry, I appreciate it and I didn't think you were coming here to negotiate or we're going to solve the whole problem in a day. We have tried that for a few decades. Between now and January when you have to have the final decision out because of a court date. Do you expect that we – actually not me, the NRCs – will be able to continue to work with the service through that period of time to solve the conflicts that have been raised today?

Sherry Barrett: That I cannot confirm at this point in time. We have a very short period of time right now to prepare a final EIS. And so the

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information that you provide today is very useful for us to move forward.

Bill Dunn: Okay.

Terry Shobe: If I may finish. You are talking about the leases with the federal and the state agencies being addressed as far as giving leniency, but you're not addressing any of the issues with the ranchers themselves or the cost effects which this X Diamond Ranch talks about, the cost that they incur as a result of the wolves being there, early movement of the herds. We are talking about not just a couple of cows moving at a time. It is several thousand dollars at a whack for a rancher to do that.

How is that going to be addressed in the EIS and resolved, said and done? How is compensation for these ranchers going to be addressed, and then what method can they be reimbursed for their loss?

Sherry Barrett: There's different things there. There are mitigations that we have provided in the EIS with regard to responses to depredations. And also the allowances for some take provisions for – and the EIS – or excuse me, the proposed rule for harassment of wolves as well as the ability to get less than lethal projectile permits, as well as the provisions for – that we have proposed on non federal lands to assist with removals of – we're unable to complete a control action, the ability to address wolves that may be preying – depredating on dogs, on private land.

There's the take provision for addressing wolves that are depredating livestock, the reaction of that on private lands. That's already in the existing rule we've carried over to the – it's in the proposed rule. There's also the proposal for permits for addressing depredations through lethal control on federal lands when we're unable to address that, as well. So those are several different mitigations that we have in the proposal itself. There's also, secondarily, we're working with the Mexican Wolf Livestock Coexistence Council and that's a separate thing that's looking at funding for not only depredations, but also addressing some of these other costs that we recognize are inherent in having wolves in the areas of livestock production.

That has to do with we recognize weight loss, additional cost for livestock management, changes in possibly quality of meat, as

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well. Those are payment for presence of wolves in the area. That's not a funded project right now. The only funding currently is coming through the Livestock Depredation program, which is a federal grant to states. Those grants to states have gone thus far to the Arizona Game and Fish Department in Arizona, and to the New Mexico Department of Agriculture in the state of New Mexico. They also have gone to the San Carlos Apache tribe.

Bill Dunn: Sherry, Do you have a plan for a funding scheme to –

Sherry Barrett: Not yet. We're still working on that. Like I said, the –

Bill Dunn: Who is involved in that? Fish and Wildlife Service?

Sherry Barrett: No. It's actually a council that was appointed by the Fish and Wildlife Service. But we recognize the need to have it as a grass roots effort, and so it involves ranchers from both Arizona and New Mexico, both the San Carlos and White Mountain Apache tribes. There's representatives from the counties on there. And then there's also two environmental groups: the Defenders of Wildlife and the Mexican Wolf Fund who have been involved with providing funding to producers for implementation of conflict avoidance measures.

Bill Dunn: But you do not expect any Fish, Wildlife service funds?

Sherry Barrett: Actually, the funding so far that they have has come through the Fish and Wildlife Service. That's the livestock demonstration grant money. It's a million dollars that's taken off the top of the Fish and Wildlife Service's budget out of recovery every year since 2010. And that million is then competitive nationwide for wolf conflict issues. And so the states apply for that money. We should be hearing soon whether or not the states got additional grants for 2015. We expect that probably to occur this week.

Bill Dunn: From the Service?

Sherry Barrett: From the Service, as well.

Bill Dunn: I see.

Sherry Barrett: The money that they currently have, there will be some payments for presence; payments that will be made in the next 30 days from the coexistence council from that – some of it's 2010 money, some

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of it's 2013 money. And I actually – let me just – I believe I brought you all some copies of those so you can look at – and I think Patrick is aware of the council and probably has some more information about it.

Mary Darling: Who is the ultimate authority for mitigation on wolves?

Sherry Barrett: The mitigation through the EIS is the Fish and Wildlife Service. Here are some copies that you can pass around.

Mary Darling: So are our ranchers supposed to be made whole?

Sherry Barrett: No, that's not the standard.

Mary Darling: What is the standard?

Sherry Barrett: John, can you – and probably Margaret, you could, as well – provide the standard for mitigation at least to offset the effect.

Mary Darling: So what does that mean?

Sherry Barrett: Well, it means different things. But like I said, in this case –

Mary Darling: Well, but we need clarity for these ranchers to know the impacts.

Sherry Barrett: Well, I –

Mary Darling: So what does it mean?

Sherry Barrett: That we are providing those mitigation measures that I provided to you, that I just spoke about.

Mary Darling: What does it mean? If I have ten cows killed and I find one, what kind of compensation do I get if the wolves killed the cows?

Sherry Barrett: That's what I was just laying out, was this pay for presence is addressing. And it's not only the – so we recognize that depredation and compensation is not very satisfying to most people. Because we know that you don't find all of the livestock. It's often hard, it's often conflict over who caused the – what caused the depredation. It's not always clear, depending on the – how old the carcass is, for one. We rely extensively on Wildlife Services to make those – do those investigations and make the determination whether it was caused by wolves or caused by

another predator. As you mentioned, there's increase of other predators out there, as well.

Sometimes it's simply caused by some poisonous plant, as well. There have been some cases of that. So right now, the coexistence council – like I said, it's separate from this EIS, but I'm just laying that out as some other avenue that we're looking at right now to address some of these conflicts that we know of with the livestock community.

Mary Darling: But how do we analyze impacts if we don't know if the rancher is going to be compensated for 10 percent of their financial loss or 100 percent? How do we analyze the economic impact?

Sherry Barrett: Actually, like I said, the main mitigations are actually to address the depredation itself, to address the wolf.

Mary Darling: You're not answering my question. Does anybody in the room understand?

Sherry Barrett: What I'm saying is that this compensation, Mary, is separate.

Mary Darling: No. You have a DEIS out right now. You need to analyze economic impacts. So as a rancher, I need to know if I'm going to be compensated for 10 percent or 100 percent so you can analyze what the impact to my ranch is. So how are you going to do that?

Sherry Barrett: Like I said, the compensation is separate from the EIS right now.

Mary Darling: It is?

Sherry Barrett: Yes.

Mary Darling: So how do you analyze the impact to a ranch?

Sherry Barrett: Because we're looking at how to address those take provisions, providing those take provisions so that we can address the future depredations. Now, we know how much that cost is over the years. And in fact, the economic analysis not only addressed confirmed kills that we have assessed over the years, but also puts in a factor for unconfirmed, as well.

Mary Darling: So that was 25 percent compensation but your level of depredation count is much lower than, say, Jess Carey's and lower than the

level of depredation you document in the EIS. So that's approximately 25 percent of what a rancher like Wink would actually have spent. Is that the standard?

Sherry Barrett: I don't know that at this point, Mary.

Mary Darling: So again, how can we analyze the economic impacts to the ranches?

Sherry Barrett: Okay. That's been – I'm sure that you've provided those data that I can provide to our economist.

Jim Chilton: May I ask a question?

Bill Dunn: Jim.

Jim Chilton: What is fish and wildlife's source of funds? Are the appropriations from Congress?

Sherry Barrett: Yes.

Jim Chilton: You have no other revenues other than congressional appropriations?

Sherry Barrett: That's correct.

Jim Chilton: I heard a very intelligent comment from Patrick Bray that wolves go in a cycle and – once you reach a certain point, they begin to expand dramatically, once you have so many wolves out there. Ten years from now, can you guarantee we ranchers that there will be a mitigation fund, that Congress will appropriate you the money? What's going to happen 20 years from now? Will Congress appropriate you the money to pay mitigation?

Sherry Barrett: No, I can't guarantee that.

Jim Chilton: Was that statement made in the Draft Environmental Impact Statement?

Sherry Barrett: I want to go back to the mitigations that we're focusing on for the Environmental Impact Statement are those for the take provisions that allow the ranchers to address their effects.

Jim Chilton: So you didn't analyze it 20 years from now or 10 years from now?

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Actually, there was no numbers at all.

Sherry Barrett: We provided a 12 year projection for the EIS, which is three wolf generations.

Bill Dunn: Jess?

Jess Carey: Sherry, would you agree that probable and confirmed depredations do not reflect the true losses to these family ranchers?

Sherry Barrett: No, we recognize that there are economic effects more than this.

Jess Carey: And would you agree that chronic wolf-caused stress is a big problem and is probably one of the main reasons that our family ranches are going out of business?

Sherry Barrett: That I don't know.

Jess Carey: Because in your position, you would know that chronic wolf-caused stress produces open cows, weight loss, aborted calves, weak birth calves due to wolves preying in a herd consistently; prey testing, running them all night produces chronic wolf-caused stress. And if you have 258 or however many cows, and the cattle have been stressed to a point where they don't breed due to wolf killings in the herd, then as a result of that, let's say 50 cows do not breed because of that stress.

And scientific research has concluded that that does occur, even into the second year, they won't breed. Okay, so why aren't these things addressed in the EIS in the NEPA process and so on, but they are addressed with the Coexistence Council? We want to pay for wolf presence because of all these things that do occur.

Sherry Barrett: Those were addressed, and they were brought up in the economic analysis in chapter 4.

Jess Carey: But what I'm also trying to say is why isn't the US Fish and Wildlife Service responsible for all of these losses that these family ranchers suffer and not some other form of organizations or Defenders of Wildlife in the beginning? How could you put that off on a pro wolf supporting organization when you as an agency should have been responsible to mitigate those losses to these people?

- Sherry Barrett: Something to bring up with Congress.
- Fred Davis: I was going to ask the same question. If you had adequately addressed the decline in reproductive efficiency, back 15 years ago when I had illegals tromping through my ranch in huge numbers, my calving percentage went down 30 percent just from humans walking through my pastures, leaving gates open, mixing herds together. That's just humans walking through. They're not chasing them; they're not trying to eat them. The wolf is going to cause a hell of a lot more problems than that, which Jess has the figures to back up. Have you addressed the decline in reproductive efficiency?
- Sherry Barrett: It is in chapter 4 of the economic analysis.
- Margaret Byfield: What's your ultimate conclusion in the DEIS? Do you find that what you're saying is addressed is – do you find it as a significant impact?
- Sherry Barrett: No. But we recognize that it is a significant impact to individuals. That it can have a lot of effects to individuals at a local level. But if you look at the economic values, we have not found it to be significant.
- Mary Darling: Are you talking about national figures or what are you comparing it to, when you say it is significant to local ranchers?
- Fred Davis: But you're including dairy cattle –
- Bill Dunn: As compared to what?
- Sherry Barrett: John, I'll let you – can you read the statements?
- John Olson: What?
- Sherry Barrett: They're asking for our statements on significance with regard to the livestock.
- John Olson: We found overall insignificant – less than significant impacts to cattle or livestock production
- John Olson: The caveat that we recognize is that there would be impacts on the individual producers - there would be some significant impact.

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- John Olson: The impacts on the livestock industry in the project study area would be less than significant.
- Bill Dunn: Can't hear him. You're going to have to interpret –
- Sherry Barrett: Less than significant in the project study area.
- Bill Dunn: Okay, ask him less than significant compared to what?
- Sherry Barrett: Compared to what, John?
- John Olson: It's subjective assessment based on objective numbers.
- Bill Dunn: Based on national figures?
- John Olson: Analysis supports the conclusion of less than significant when you look at the overall numbers of cattle loss compared to the overall number of cattle within the project study area. And also the economic loss when you look at the overall data, the numbers, for the failed – how much would be lost. The other stuff you're talking about with the physiological changes, those are all indirect and those aren't addressed as indirect impact.
- Sherry Barrett: Did you hear that? The physiological changes were considered indirect effects and weren't assessed in there.
- Bill Dunn: Okay, Jess?
- Jess Carey: The Canyon Del Buey allotment was sold by Miguel Aragon when he went out of business in 2009. In 2008 he had 119 calves out of 258 production cows. In 2009 he had 100 calves, and that was the San Mateo pack getting denning in his calf core area. The new owner of the Canyon Del Buey Craig Thiessen, in 2013 he's got 258 production cows. He had a 9 percent calf crop with three wolf packs around his allotment. This year, 2014, he has a 20 percent calf crop out of 258 production cows, and I would suggest that maybe you call him and tell him that his losses aren't significant.
- Sherry Barrett: But go back just to what John said is that we recognize they may be significant on an individual basis.
- Jess Carey: This assessment that you folks are doing should be based on the people that are impacted, not somewhere else – there are no wolves

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in Santa Fe. So how can you count the cows any other place? It should be within the Blue Range Wolf Recovery Area on the impacted people.

- Sherry Barrett: It is. We're not counting cows in Santa Fe unless they have cows.
- Richard Searle: I thought the numbers you guys used were national numbers? Why didn't you guys use local numbers – because statistically, you could make the numbers as big as you want to make it insignificant here. But it is significant on the local level because 258 cows is significant here. But if you take the millions in the country, it's insignificant.
- Sherry Barrett: It's not looking at the millions in the country. It's looking at the production in Arizona and New Mexico.
- Fred Davis: Are you including dairy and feed cattle?
- Sherry Barrett: Good question. John, do you know if the dairy and feed lot cattle were included?
- John Olson: I don't know how they broke it down.
- Patrick Bray: John, do you have the total number of cattle in Arizona?
- John Olson: Do you want me to be looking at these tables and trying to figure it out for you? That's why we had written comments, and I think that plays to – do you want to just see specific numbers? That is where to do it, not in this forum.
- Sherry Barrett: We're going to spend a lot of time flipping through an EIS at this point.
- John Olson: I don't want to take you through this draft EIS to look at specific numbers.
- Bill Dunn: Suffice it to say that the U of A looked at it, and yes you did use dairy cattle and feed lot cattle.
- Sherry Barrett: We did? Okay. So there's your answer.
- Margaret Byfield: So you've really inflated the numbers, in other words.
- Bill Dunn: He said the numbers were subjective. He's the one that said it.

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- Margaret Byfield: You are talking to ranchers that understand the livestock business. And they would never run a business that way.
- Sherry Barrett: Okay. Well, that's good to know.
- Margaret Byfield: You've really inflated the numbers so it makes it look that the losses – so that you can write in your DEIS that it's insignificant. Which then, as you know, allows you to get over other hurdles in NEPA. So it gets back to what you should have done in the beginning, which was look at this from the local level, from the bottom up, and not from the top down.
- Sherry Barrett: So you're concerned that we used dairy and feed lot cattle. We'll get that information back to them.
- Walt Meyer: I think your statistics are biased. I think you guys went and used Hunt and Fish statistics to prove a point so that you would come out with insignificant results. You need to go back and do a better statistical analysis and use the proper statistics. I don't think you did.
- Sherry Barrett: Okay, can you provide –
- Bill Dunn: Just a second. Jess?
- Jess Carey: I was just going to say that this reminds me of this numbers game, like what happened in India when 76 – I think it was 76 children were attacked by wolves that are protected in India. 50 of them were killed and eaten.
- Mark Dannels: The children or the wolves?
- Mary Darling: The children.
- Jess Carey: And they stated that due to the hundreds of thousands of wolf human interaction that there was no attack, they used those numbers to show that those 50 children that were killed and eaten was insignificant. That's what it reminds me of, the way that you guys are doing the numbers here on the people that are impacted to where they can't even survive.
- John Olson: If you're using that as an example for public safety that's different - or are you referring to the economic analysis?

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- Sherry Barrett: The economics. He was using it as an analogy.
- Terry Shobe: You're talking about the impact as insignificant, but how are you addressing the compensation to this insignificant number in your EIS? If I lose an entire herd, I'm insignificant to your value but I'm out of business. So how do I get compensated for my losses when I went from 200 cows to nothing? How do I do that? How is that addressed?
- Sherry Barrett: We have management along the way, too. It's not just that things will just keep happening with the wolf. We have the interagency field team that manages the wolves on the ground to address depredations that are occurring, as well as those other take provisions that I had mentioned previously that allow the livestock
- Terry Shobe: You're talking about depredation, what about ... I mean, these animals haven't been attacked but they are impacted by it. So this – how's that side effect compensated then, if it's not a direct ...
- Sherry Barrett: Like I said, we're trying to address that through the Coexistence Council process, which is separate. And that's addressed in that booklet that I gave to you.
- Bill Dunn: Patrick?
- Patrick Bray: I want to shift gears just a touch, there. We can go back to economics if you want, but take provisions ... it seems to be clear somewhat but in the DEIS, am I to understand that - excuse me, actually, the 10J – it would be that a livestock producer can take on his private land while the wolf is in the act of killing or harassing the livestock. Is that still the same?
- Sherry Barrett: That's correct. It's still the same.
- Patrick Bray: Okay, let's get to the permit portion of it, where you guys issue permits. And that's kind of a vague situation. My question there is, who has the ultimate authority to issue that permit?
- Sherry Barrett: Right now, I believe – and I'd have to check this – I believe it says the Service and designated agents. Now the designated agents can be the states. But I'd need to ...

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- Bill Dunn: Like Game and Fish, you mean?
- Sherry Barrett: Correct, but I'd need to look that up to make sure that's correct, Patrick.
- Patrick Bray: Okay, which I think that's kind of how it was last time.
- Sherry Barrett: Yeah.
- Patrick Bray: But what we'd have to do is go through the chain, all the way up to almost – I mean I think we went to Tuggle. Tuggle actually makes the call, correct?
- Sherry Barrett: Yes, I believe that's correct.
- Patrick Bray: Okay. And what do you believe would be an appropriate time frame to issue a permit?
- Sherry Barrett: I think it could be almost immediate, if necessary, to address it an ongoing situation.
- Patrick Bray: And in your mind, what is an ongoing situation?
- Sherry Barrett: I would say – I'll give you the example of the wolf that was on the porch at the ranch in New Mexico and we had immediate response from the regional director for the control of that wolf. And it was removed and shot that night.
- Patrick Bray: And that's pretty close to human interaction, so I understand that. Let's put it in perspective of livestock operation. Let's say I'm feeding calves up close to the house or whatever, or just got calves being weaned and I have three depredations. Is that a significant amount that would – that U.S. Fish and Wildlife Service would issue a permit?
- Sherry Barrett: There's not an absolute number on how that would fall out but if we're going to be going into a control situation and we are unsuccessful, we believe that livestock producer or their agent could assist us in removing those wolves in that situation, that's where that permit comes into play.

Patrick Bray: So based on that statement then, my understanding is that U.S. Fish and Wildlife Service is going to try and mitigate there before they issue any permit for lethal removal.

Sherry Barrett: That's correct, us and the state, that we would try and conduct that whole operation first, which may not be lethal, too. It may be removal. But then if we're not successful, then we would be able to issue that permit to the livestock producer.

Bill Dunn: Jess?

Jess Carey: The wolf that you were just talking about, Sherry Barrett, it's 1105.

Sherry Barrett: Yes.

Jess Carey: And the history behind 1105 runs several years.

Sherry Barrett: No, actually it was only on the ground for a year.

Jess Carey: Well, it ran for some time. It was the one that was bred with the Labrador retriever that had the pups. It had five pups, I believe, four were killed, one got away but you assume that it's dead. Then it was – you tried to trap it at the Garcia camp because it was coming to the home there numerous times. Then it travelled on and went to the Diamond ranch. And so it took a lot of nuisance behavior, problems, or nuisance behavior and it was also assigned to one depredation on the Slash ranch.

Sherry Barrett: Mm-hmm.

Jess Carey: Okay, but it took a lot of events before you determined that you're going to take this wolf out lethally.

Sherry Barrett: Mm-hmm.

Jess Carey: And for other people that – like they're asking, issuing that permit – there's going to be a lot of criteria before that permit will be issued. That means the agency's going to go out there and try to haze, try to do this, try to do that, range riders, and then they'll go through a – and then in the meantime this wolf, through our documentation, is going to continue to keep killing their livestock.

Okay, so you know, you have to go through a lot of activity before that permit is issued. Is that not correct?

- Sherry Barrett: We will go through some process, that's correct.
- Bill Dunn: Can we stop right there for just a minute and take a break?
- Bill Dunn: Okay, where were we? Mike, you had a ...
- Mike Mcloffin: Yeah, I don't know if this is a question that anybody'd be able to answer today or not. With the wolves, would Fish and Wildlife, since they're managing them and basically taking responsibility for them, would they own the wolves, or how would that work?
- Sherry Barrett: Mexican wolves, while they are protected by the Endangered Species Act, are under the authority directly of the Fish and Wildlife Service. But we have partner agencies that we work with under the interagency field team. Arizona Game and Fish Department is one of our key partners of – John Cooley's here in the back representing them.
- They have – most of the way we're set up right now in the interagency field office, which is in Alpine, Arizona. That's where we manage both the wolves in Arizona and New Mexico. The Arizona Game and Fish Department staff are managing, for the most part, the wolves in Arizona and we are managing the wolves in New Mexico because New Mexico Department of Game and Fish has withdrawn from the program.
- We also have White Mountain Apache tribe, which manages the wolves on the tribal lands. We also have the Forest Service as part of that, which is our liaison to the permittees and the district rangers. And then we also have Wildlife Services under Department of Agriculture, who, like I said, does most of our investigations of wolf depredations and as well as they assist with trapping and control actions as well.
- Mike Mcloffin: But does anybody own the wolves?
- Sherry Barrett: Well, I don't know how you own wolves or not. We actually, the wolves that we have in captivity we own, and we loan those out to the zoos.
- Mike Mcloffin : And are those the same ones you're relocating or releasing? Is that the same wolves?

- Sherry Barrett: Yeah, they're the ones that we have in captivity that then are released into the wild.
- Mike Mcloffin : So they are Fish and Wildlife Service 's wolves?
- Sherry Barrett: Yeah, I suspect. That's a weird connotation. I don't if ... I don't know how to say it. I don't know if that's true or not.
- Mike Mcloffin: I was just curious.
- Sherry Barrett: It's not owning – we have authority over them.
- Mike Mcloffin: But legal authority, which gives you legal responsibility ...
- Sherry Barrett: Correct. Legal responsibility. I don't know if owning is the right word.
- Mike Mcloffin: Okay. Thank you.
- Fred Davis: And liability.
- Mike Mcloffin: Well, with that, that's why the question was asked. With that legal ownership authority, it meets some of our Arizona revised statutes for our enforcement rules come into play.
- Patrick Bray: Actually, to that point, I'm glad you brought that up. Why did the DEIS and 10j, why did it never address or talk about transition of the program to the states?
- Sherry Barrett: Well, the transition of the program to the state is our goal, and that happens at the point that we recover and de-list the Mexican wolf. And so the goal is for the eventual management of the wolf by the states, under their ordinances, harvest, quotas, and all that. At this point, like I said, they're partners in the management of the wolf but under the auspices of the Endangered Species Act the point at which it's recovered and de-listed, the states take full authority for species that aren't listed.
- And so that's what's happening right now up in the Northern Rocky Mountains. They then are able to establish, like I said, either protection or harvest quotas, depending on the status of the wolf because they're de-listed.

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- Patrick Bray: Do you think that the documents are clear about how we achieve that?
- Sherry Barrett: Not at this point because this is not a recovery plan process. This is just for this particular population and we will continue after this is completed with our development of a recovery plan.
- Bill Dunn: After your final EIS?
- Sherry Barrett: Correct.
- Terry Shobe: So basically we'll be at this again in about three years – a new 10J, a new DEIS –
- Sherry Barrett: Depending on the outcome.
- Terry Shobe:: – if we're successful with the recovery plan.
- Sherry Barrett: Yeah, depending on what the recovery plan recommends.
- Bill Dunn: Dan?
- Dan Girand: How many species have been listed so far?
- Sherry Barrett: There's been several – I don't know the current number.
- Dan Girand: Give me an umbrella number.
- Sherry Barrett: A thousand? A couple thousand?
- Bill Dunn: Just a couple thousand, a little over 2000 I think.
- Dan Girand: How many of them have been de-listed?
- Sherry Barrett: That I don't have that number off the top of my head either, but fewer, and a lot of that reason is because it's hard to reverse a lot of the issues for why animals become endangered, plants as well. Habitat destruction is hard to reverse. Habitat loss that's due to development. Invasion of species, that's hard to reverse. Hard to get rid of buffel grass, those types of things.
- The wolf is listed for a different purpose, though. The wolf was listed not because of habitat loss or destruction or invasion of species, but rather because of removal. It was part of an anti-

predator campaign. So it's one of the few species we have that's listed not because of habitat issues, more like a whale.

Bill Dunn: Dan, you're next on the agenda.

Dan Girand: Oh, okay, I knew that.

Bill Dunn: Hang on just a second. Jim has a question.

Jim Chilton: I want to go back to the economic aspect. First, Sherry, you confirmed that your only source of money is from Congress and can you guarantee people 20 years from now, 30 years from now, that there will be mitigation money appropriated by Congress?

Sherry Barrett: No.

Jim Chilton: With regard to your economic consultant, is that that John Olson?

Sherry Barrett: No, our economic – John Olson is our consultant. However, our economist is out of Washington.

Jim Chilton: What's his name?

Sherry Barrett: Edward Maillet.

Jim Chilton: How much is he being paid?

Sherry Barrett: He's a Fish and Wildlife employee.

Jim Chilton: So you don't have an independent, objective analyst as an economist? It's an in-house person?

Sherry Barrett: He's an in-house person.

Jim Chilton: Thank you.

Jacob Kartchner: Just to clarify, when we are talking and you've used the word predator several times, but just to go back on one other statement here. Your plan is to release predators and the school impacts, the children walking like –

Bill Dunn: Catron.

Jacob Kartchner: ... had brought up. You see that as a non-issue?

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- Sherry Barrett: It's an issue that we have addressed in the human health and safety part of the EIS. The issues of any dangers of releasing a predator.
- Margaret Byfield: Is it significant or insignificant?
- Sherry Barrett: It was insignificant because there have been no attacks on humans since 1998, when we began releasing.
- Jacob Kartchner: Is that the only impact that can be measured? Is there not stress on humans similar to that of cattle? Children who are exposed to a wolf stalking them?
- Sherry Barrett: We addressed that as well.
- Jacob Kartchner: And that's still considered insignificant? I mean, you don't think ... there's I don't know how many children in each county, but that's not a significant impact, we don't think, to people?
- Sherry Barrett: Well, fear is ...
- Jacob Kartchner: And we're talking about children with regards to the fear. They're less rational than an adult.
- Sherry Barrett: Exactly. And it's not something that I will ever ...
- Jacob Kartchner: Be exposed to?
- Sherry Barrett: No, I've been exposed to fear.
- Jacob Kartchner: Well, the wolf won't be in your ... your kids.
- Sherry Barrett: Well, for children, it is in the eye – it's on a personal basis.
- Jacob Kartchner: So what would be a threshold for children that we decide it significant affects them that we may not want to release this animal or not have as many, or ... at what point?
- Sherry Barrett: We've not established that threshold, but like I said, it's less ... wolves, based on data, are less of a threat than other predators that are out there and less of a threat than even feral dogs. And so you have to approach any wild animal with caution and know how to respond. Like you probably teach your children how to respond if there's a mountain lion in the area, or a black bear.

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- Bill Dunn: Sherry did the Service build those cages, they're on the blue or where ...
- Sherry Barrett: Oh, they're in Catron County.
- Bill Dunn: Okay, in Catron County.
- Sherry Barrett: And we did not build them.
- Bill Dunn: Does the Service – do you think the Service has any responsibility to make those kinds of protections, build them if they get out of that – as you expand?
- Sherry Barrett: We don't, but like I said, if local communities feel that those are important, they're more than welcome to build them. But they were built in Catron County, at Catron County's expense.
- Mark Dannels: That's not a good statement.
- Sherry Barrett: I'm sorry if I misspoke.
- Mark Dannels: You might not have misspoken, you just spoke honestly.
- Sherry Barrett: No, I'm just saying that we have assessed that there have been no attacks on children, and so any protections that you feel are necessary in the face of wildlife, then you should take it. I apologize if I just offended people with that statement. That was not my intent.
- Mark Dannels: I didn't think it was. But a predator is a predator, whether it is two legged or four legged. And for public safety, that's a concern. I want that on the record. And I don't know what's significant, one person or ten. One is significant if you know the threat's there. It's public safety. If a child is attacked by a wolf you introduced, I'm going on the record that I brought this to light.
- Sherry Barrett: Thank you.
- Bill Dunn: To that point, what responsibility or – there's going to be a conflict between the Service, their rule, and his responsibility. And part of our goal here today is to help resolve that conflict. He's going to have to take animal if he deems that they are threatening his

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citizens or his property. Now how – that’s where the districts come in. We’re going to help figure this out, if you’ll let us.

Sherry Barrett: And let me also state, both in the Endangered Species Act and in this proposed rule as in the existing rule, you can always shoot a wolf if human life is at risk. I just want to make sure that everybody know that that’s not ... you don’t need any further authorizations to that.

Mark Dannels: I wouldn’t have called for that. We have 21 rural schools in Cochise County, all the way from very small schools to some larger ones. Twenty-one and we are a very rural, vast county. So it’s a great concern.

Lucinda Earven: In the state of Arizona, you can also shoot feral dogs. You can shoot any animal that’s threatening your livestock and that’s the law. So is that going to conflict? Threatening your livestock?

Sherry Barrett: Like I said, on private land, if it’s in the act of doing so, you can shoot that wolf.

Walt Meyer: Mr. Chairman?

Bill Dunn: Walt?

Walt Meyer: What are you considering private lands?

Sherry Barrett: At this point, actually, we’ve expanded it from the proposal. It’s expanded to include tribal and state lands as well – its non-federal lands. In the existing rule, it’s only on private lands. In the proposed rule, its non-federal lands, which are state, tribal, and private lands.

Mary Darling: So can we clarify? One, you can shoot a wolf if it’s attacking or if a person is in imminent threat.

Sherry Barrett: Correct.

Mary Darling: Private land and federal land.

Sherry Barrett: Anywhere.

Mary Darling: But on private land, you cannot shoot a wolf unless it actually has its teeth in your animal.

- Sherry Barrett: It's in the act of wounding, biting, or killing ...
- Mary Darling: So the cooperating agency alternative that was mentioned earlier has a clause for imminent threat of wounding. Are you considering that newer, more expansive take provision in your final 10J?
- Sherry Barrett: Like I said, we haven't – we're reviewing the comments at this point in time. The proposal right now is in the act of wounding, biting, or killing.
- Mary Darling: Are you negotiating with Arizona Game and Fish to get that changed? Are they asking for that change?
- Sherry Barrett: We're having continued discussions with Arizona Game and Fish on several issues.
- Jim Lindsey: Could I have a question. You had mentioned earlier that New Mexico Game and Fish pulled out of the program. Do you know why?
- Sherry Barrett: It was at the governor's request is my understanding, but you'd need to ask them specifically what their reasons were.
- Jim Lindsey: Another comment. In reference to the Pronghorn project that had taken place down in the Sonoita area where their numbers had diminished greatly and the main reason was the predation of them from the coyote. With the thousands of dollars of public money that was used to bring that herd back up, has that project been addressed in the DEIS?
- Sherry Barrett: There's probably a low risk of heavy predation on pronghorn from wolves because of the differential in habitat use. You know the pronghorn are more of a grassland species and the wolves are more of a forest species. So it's not expected that there would be a substantial amount of predation on pronghorn, but I could also, if John Cooley has any other thoughts on that, I'd be open to his thoughts.
- John Cooley: Well, as to your question, that specific project has not been thrust in the EIS. It was more generally reviewed and analyzed prey species by prey species level, going through elk, deer, turkeys, things like that. And I would agree with Sherry. Of course, our

experience with the wolves today, since '98 when the reintroduction project was initiated, was primarily focused on the Mogollon Rim area, you know the blue primitive area, where elk is the predominant prey species, like 80 plus percent of their diet.

Jim Lindsey: So is there any information, study, done that's more closely related to our ...

John Cooley: Habitat types?

Jim Lindsey: - habitats, as to that relationship.

John Cooley: As it relates to Mexican wolf, not that I'm aware of. That's not to say that something might be out there that addresses that point, but I'm not familiar with any study specific to Mexican wolves in the grasslands that you have around there.

Jim Lindsey: So there's nothing in the DEIS in reference to that?

John Cooley: They do address, as Sherry said, the expected predation levels on antelope populations, and the conclusion was that it would be minimal. And I think the department would concur with that. Because you just typically don't see – nor would we support – wolves occupying that type of terrain for any extended period of time. Because of those potential impacts.

Jim Lindsey: So you could see where the wolf population would be more inclined to be in the mountain area of the Huachuca's?

John Cooley: Yes, based on ...

Jim Lindsey: Whetstones, Dragoons, where there's more human activity.

John Cooley: Well, we're – in a wild sense – where more deer would be eaten, that would probably be their primary focus hopefully. But, again, you run the potential risk of – and we've commented on this at our comments to the Fish and Wildlife Service – from just a wild ecosystem standpoint, you can't disregard livestock, and I'm not suggesting we do that. But if you look at just the natural framework, our concern would be if you get wolves in some of these mountain ranges where you have small populations of any wild ungulate or other wild prey species, if you get a high concentration of wolves in those areas, they can deplete that fairly quickly.

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And then you run the high risk of those wolves now turning to livestock and other things and creating nuisance problems, depredation issues, and we've commented on that. So I don't know if I've answered your question but we would expect the wolves to – if they're in that country – to locate in the forested, higher country chasing deer and whatever else they can get.

Jim Lindsey: Thank you.

Bill Dunn: Walt?

Walt Meyer: Question for you. Then you guys have not seen any interaction with the Mexican wolf and the antelope on the flats around Big Lake or the grasslands east of Greens Peak?

John Cooley: As far as I know, we have ...

Walt Meyer: There was a population or a family group by Greens Peak.

John Cooley: Absolutely. And then in the summer season, they'll move from state lands down around Springerville and get up into the Big Lake, the antelope and beyond actually. From what we've learned from our interagency field team members, there's not been any direct predation on any of those antelope. I think at one point, someone mentioned there was evidence that there might have been a wolf scavenging an antelope carcass that had been seen before but we have no evidence of any wolves directly attacking any of those populations.

Antelope are fast and when they look at elk and they look at antelope, I think they tend to go to the elk. But the difference there is the elk are available as an alternative.

Walt Meyer: Also the State Trust Lands east of Greens Peak, if you get a severe winter, your antelope herd is going to be prey.

John Cooley: True. Well, actually, antelope from our experience, they are most vulnerable when they're dropping fawns.

Walt Meyer: And that's in that area.

John Cooley: And that's where coyotes made payday, as you guys know. But we have not seen any evidence of wolves seizing those same

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opportunities, primarily because they're up in the higher country chasing elk and they don't tend to frequent those grassland habitats.

Bill Dunn: Frank?

Frank Krentz: John, I've heard numbers saying that the equilibrium for wolf to elk is 3 to 1000. With no elk in Cochise County, the focus is going to be deer. What is the equilibrium of a deer population for a wolf?

John Cooley: You're correct. That's a number we came up with when we were helping the cooperators group to develop the alternative and we did that by looking at research and other experience that they had in other wolf population in Yellowstone area in that country. We adjusted it a little bit because we're in the Southwest, right? Less productive than the higher northern country. So that's the ratio of wolves to elk that we felt was reasonable in terms of maintaining some equilibrium.

Having not had any experience with wolf populations occupying country that is predominantly deer, because we don't have the experience yet, I don't have an estimate to provide you on what that would mean for white tail or mule deer.

Richard Searle: Sherry, can you weigh in on that? Has the U.S. Fish and Wildlife done any analysis or have any type of same ratios that you base your – that you can base on for proper stocking of wolves?

Sherry Barrett: No, not at this time. We're reliant on states for their knowledge and data on ungulate population since that's under their auspice of management. We would not have data that the state does not have.

Richard Searle: Okay, so you have no ratios at all that you're projecting on for prey base.

Sherry Barrett: No, not for the deer. We're working with the states on an acceptable –

Richard Searle: Do you have something on the elk?

Sherry Barrett: We're working with the state right now on defining an acceptable impact to elk.

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- Jeff Humphrey: If I could ask you to speak to the draft 10J provided, how to look at addressing ungulates, or being able to monitor them.
- Sherry Barrett: The states will continue to have – the states will be responsible for monitoring to see the effects of wolves on the ungulate populations, both elk and deer, with their existing techniques.
- Mary Darling: Right now, in the EIS it says that the states will have to use outside biologists – they can't use their own biologists. They will have to go out and have somebody else study these ungulate populations, have three peer reviewed reports. How are the states going to do that? How long is it going to take? How much is it going to cost?
- Sherry Barrett: Well, the states will not have other states go out and study their own ungulates. The states will come up with a plan for addressing unacceptable impacts and put it out for peer review, and the concept is that you don't have your own agency peer review your own information. That's not under the good peer review policies. But they could ask other states to participate in that peer review. They'll be the ones that conduct that peer review. They will also have their own public comment period.
- Mary Darling: How much will that cost?
- Sherry Barrett: I don't have that number.
- Mary Darling: Who's going to pay for it?
- Sherry Barrett: The states will. But they have those data based on their annual counts.
- Bill Dunn: Larry?
- Larry Parker: I was just thinking that when he described a problem area, and area with no elk, very little deer, as a problem area, he couldn't describe anything better than Cochise County. That's exactly where we are. The deer herds in Cochise County, what deer there are, are down in the orchards, right where all the people are, right where all the pets are. And he talked about conflict, he described it.
- Jim Chilton: I'd like to say, likewise in Pima, Pinal, and Santa Cruz Counties.
- Mary Darling: I agree. I have orchards in Pima County.

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- Bill Dunn: How would a conflict like that be handled, through you or Game and Fish? Because if that's the only prey base in orchards, that's where the wolves are going to go, how's that going to work, do you suppose?
- Fred David: It's not.
- Sherry Barrett: I think one thing we need to focus on is that there are no proposals for releases of wolves in south of Interstate 10. The only release areas are Zone 1, which are the forests of Gila, the Magdalena District of the Cibola in New Mexico. In Arizona, the Apache, Sitgreaves, and the three districts of the Tonto. Those are the proposed areas for release of wolves from captivity. The other areas that could be release areas would be private lands with the concurrence of the states. And those – if they are private lands – they would need to be large parcels of lands that contribute the conservation of the species. But like I said, there's a caveat that that has to be with the concurrence of the state game agency. So to again ensure that there's adequate prey.
- The translocations, though, those are potential throughout Zone 2. But again, we would –
- Bill Dunn: If you could explain translocations.
- Sherry Barrett: Translocation is when you have a wolf that is already in the wild and you're moving it to another place in the wild.
- Bill Dunn: Because of ... you got too many? Or if there's a problem?
- Sherry Barrett: You might have too many in one place - to address unacceptable impacts to ungulates one place, you're reducing those. Or you might – various reasons for management purposes. But again, before we would have a translocation, we would have an analysis of the site-specific area to determine if there's adequate prey.
- Bill Dunn: Margaret?
- Margaret Byfield: What's the range of the wolf?
- Sherry Barrett: The range of a wolf, it can be ... I think the average is a hundred something miles.
- Margaret Byfield: So even if you did translocate in that area, they certainly can travel.

- Sherry Barrett: Sure. They can disperse.
- Margaret Byfield: So it gets back to the question, how do you address that?
- Bill Dunn: Yes, how do you address that? Because it'll happen.
- Sherry Barrett: Sure. That's recovery. We would not be going out and removing a wolf that comes into Zone 2, south of I-10, unless there's a problem. If there's a problem with that wolf, then we would address that.
- Richard Searle: Sherry, in the experiences you've had with the current program, have you had to translocate? Have you had wolves leave the area coming south to date?
- Sherry Barrett: Yes.
- Richard Searle: And you had to pick those up and take them back?
- Sherry Barrett: Correct.
- Richard Searle: Can you tell us when and where that's happened?
- Sherry Barrett: There was one in New Mexico. I have not been with the program long enough to remember precisely. We just removed a pair out of the area called the Malpais east that's north of the recovery area near Grant, New Mexico. We removed that pair this winter.
- Richard Searle: It was going north.
- Sherry Barrett: We brought them back in. There's not been a lot so those have been the ones that -
- Richard Searle: Okay, I just haven't recalled any that have come south that have been an issue. I was just curious.
- Sherry Barrett: There's not that many. They usually go north because they're going to follow the prey. And so as John pointed out, they're focused on elk. And so it's more likely they're going to go north.
- Mary Darling: How long does it take for Fish and Wildlife Service to go out and actually remove a pair like the Grants, New Mexico pair?

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- Sherry Barrett: Well, it depends on how far out, and the current rule as written, it's if they establish wholly outside of the recovery area. Because sometimes you'll have wolves that on a periodic basis might go out and come back in. You can't chase a wolf with traps. They need to establish in an area before you can set up a trap line. But then, like on the Malpais east pair, we did go out with a helicopter and dart and remove those and bring them back in.
- Mary Darling: But how long did it take?
- Sherry Barrett: It could take a few weeks.
- Mary Darling: Doesn't it take an average of several months to go out and catch a wolf?
- Sherry Barrett: It can. It could take months because the trapping is not quick.
- Mary Darling: And what is the cost on the average per wolf?
- Sherry Barrett: I don't recall the cost per trap line. To put up a helicopter, it's about – at least \$5,000.00.
- Mary Darling: Isn't the average about \$35,000.00 to bring back a wolf?
- Sherry Barrett: It depends on how long it takes for the trap line, and that's staff time.
- Mary Darling: Is that a reasonable number, \$35,000.00 per wolf and a period of 45-60 days per wolf?
- Sherry Barrett: It could be. I don't have the numbers in front of me, but you might be right.
- Bill Dunn: We need to move on with our agenda.
- Patrick Bray: So you said that the wolf normally follows the prey, which is obvious in predators. So would you say that the Fish and Wildlife Service has a fairly good understanding of what the prey base is in Arizona today?
- Sherry Barrett: Do I think Arizona does?
- Patrick Bray: Well, you're using their numbers, but does the Service agree with Arizona on their prey base numbers.

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- Sherry Barrett: Yes, we are working closely with Arizona Game and Fish Department because we rely on them for their knowledge of the wildlife there.
- Patrick Bray: So knowing – having a solid footing on what the prey base is, why is the Service not arriving at some sort of tipping point in the population of wolves?
- Bill Dunn: Maximum number.
- Patrick Bray: Maximum number.
- Sherry Barrett: That we would have with the state?
- Patrick Bray: Yeah.
- Sherry Barrett: Well, as you probably saw from the Game and Fish hearing yesterday, we are in conversations with the state of Arizona on that. You'll probably be seeing some information from them in their comments as well.
- Dan Girand: And you may wonder how two New Mexicans ended up over here.
- Bill Dunn: A wolf caught you and brought you?
- Dan Girand: I was chased. We have – and you kind of answered the question but I'll start at the end and ask that. Dr. Tuggle, when we had our coordination meeting with nine counties in eastern New Mexico on the prairie chicken, and we asked him about how come there's wolf habitat and possible sites for translocation in Lea and Eddy County. And he said absolutely it wasn't true. He didn't know about it, wasn't true, and wouldn't happen. Is that right? The maps still show us with a blob.
- Sherry Barrett: A blob? Well, you're probably looking at the suitable habitat maps. Is that the green and blue that you're looking at? Lincoln National Forest, Sacramento Mountains, do have suitable habitat. They are not release areas. We don't have proposals for releases from captivity in those areas.
- Dan Girand: This is in Chavis and Lea Counties, right on the Texas border.
- Sherry Barrett: Yeah, we don't have proposed release areas there.

Dan Girand: On you maps, there's a blob.

Sherry Barrett: There's a suitable habitat, yeah.

Mary Darling: But do you have translocation ability?

Sherry Barrett: Yes.

Mary Darling: So, she does not going to release one from captivity but she could release one that's already out on the ground.

Dan Girand: Someone could tell me absolutely that I could go back and tell them we won't have any wolves?

Sherry Barrett: No, I would not say that that's the case. They can disperse there. If you're in Zone 2 ...

Dan Girand: I didn't see a number. There was a color chart, but ...

Sherry Barrett: Yeah, if you're in Zone 2, we can translocate wolves there and they can disperse there. If you're in Zone 3, that's where we think there's very little habitat. There's about 1% of the suitable habitat that's in Zone 3. And those are those areas that are southeastern New Mexico, southwestern Arizona. They're more desert-y and we really don't expect wolves to occur there. And if they do occur there, if they're not doing any harm, then they'll stay. But we're going to manage those more aggressively if there's a problem because it's not important areas for their recovery.

Dan Girand: Well, there is a problem if you're even thinking about it. Because what we've experienced, and let me kind of describe where we are, what our status is. We've got the lizard and we proved that it was not suitable for listing, but BLM still sort of managed it like it was. We're already managing the chicken as if it was listed. BLM does that. I mean that's their policy. So what I'm saying is this is another factor that no one's mentioned yet, because we have 37% federal land in southeast New Mexico, so there's a lot of federal land that we're operating on, whether we're in the farming and ranching business or gas business.

And not even talking about all the costs are exacerbated by the fact that we are held up by BLM because we're looking at habitat for the lizard, for the chicken, and that blob of yours is in the middle

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of chicken, lizard habitat. It's almost the same country exactly. Now you're going to put – we don't have any elk, we don't have very many deer, so I guess the wolves going to eat the chickens?

Sherry Barrett: Not likely. They're in different habitats.

Dan Girand: No, your blob is right over the top of it. Your drawings, I'm just saying. That's why we're concerned. We see that ...

Sherry Barrett: The other thing to keep in mind is with an experimental population, it's different than other listed species. We have more flexibility, which is the purpose of an experimental population area. And one of those flexibilities is reduced regulation for federal land in particular.

Dan Girand: That'd be a first.

Sherry Barrett: For example, if it's not an essential experimental population, which is what this one is, there are no Section 7 consultations with federal agencies for actions that have a federal nexus, whether they're authorized, implemented, or carried out, or funded by. So that's one thing that has the reduced. Now the federal agencies might work with us and talk with us about some of their actions, but for example the grazing allotments, we don't consult on those. We can confer with them as a proposed species. The only time we do a consultation with the non-essential experimental population is on national park lands and national refuge lands. They were considered a threaten species for that, for Section 7.

Dan Girand: That raises two questions. One of them, of course, is I don't know, you may not be aware, but BLM still treats these as if they were listed already, and we got ranchers, because of the chicken, that are having their herds reduced, their AUMs reduced, and the chicken isn't listed yet. So there's that.

The other conflict that we're really concerned about is we've got the lizard and the chicken in the same essential habitat area. Now that the drawing that you have that could be wolf habitat, how do we deal with multiple – and we're told by y'all that there are 17 more species in New Mexico hanging fire to be listed as a result of your settlement. How do we deal with multiple species being listed in one area, which just is going to put everybody out of business?

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Have you considered that in your planning? Have you thought of the other species?

Sherry Barrett: The other species are addressed in the Environmental Impact Statement if they're maybe affected by this project. If it's on private land, there are mechanisms for developing habitat conservation plans, which Pima County has done to address multiple species in a particular geographic area. So there are mechanisms out there, programmatic consultations with federal land managers. I'm not directly involved with those other species right now, but I encourage you to talk to Wally Murphy, who's the head of the New Mexico Ecological Services office with that regard.

Dan Girand: Well, I – that's interesting, but we spent - I think the last number I saw was about \$5 million oil and gas alone has provided through there CC, their conservation agreements. And here we are about to list the chicken anyway. People join those to keep it from being listed by working together and it's not happening. The ranchers didn't have to pay any money for that but now they're finding out they're paying because they got to move cattle like that they can't be on half of their ranch so there's a cost there.

Kind of leads me to – well, you've heard of the jumping mouse but I bet nobody realizes that we got two garter snakes now and we're concerned about in New Mexico. And habitat around where we are for garter snakes. We know there have been adverse effects from listening- affects to logging. We lost a logging industry in New Mexico and oil and gas and ranching there would not like to be added to that list of industries that have gone down, and it affects the whole state not just local because oil and gas produces, 32 percent of the general fund.

Thirty two percent of the money the legislature has to work with is oil and gas money. Every time that a well gets put off because we're waiting for – a right of way - we're waiting for a permit – we have to move it – it costs. We had to do something because of the prairie chicken, wolf whatever it may be - that's immediate cost to the general fund because that well didn't get drilled and that revenue doesn't start next week or in 30 days. And we can't get an electric line in. Eighty six percent of the severance tax permanent fund is oil and gas.

Land grant permanent fund for the land folks here - we are able to

provide ninety seven percent of the land grant permanent funds. Ninety nine percent of the school funds comes from oil and gas add nine percent, which is what livestock produces – add that to that. That’s serious, serious impact on that is reduced or even lost when it can’t grow. Well, you know, oil companies are rich. Shoot we’ll be all right. The cost of regulation has gone up 11 – no, the cost of regulation is 11.1 percent of gross domestic product.

That’s just the cost of compliance. We got other – we don’t operate in a vacuum. You all have your rules, EPA has there’s fishing and wildlife service - forest service. We have them from everywhere and that reduces the ability of the producers and I think it is interesting that everybody sitting in here and everybody who has the biggest stake in whether it’s air quality or the lizard or the chicken or the garter snake - we’re the only one, we are the producers. We’re the ones doing the work out there and producing something. We’re not the consultant sitting around – excuse me.

Bill Dunn: You want to rephrase that?

Dan Girand: I’m a multi-task, consulter, and at the same time, the net money that oil and gas makes us rich guys and that has dropped 40 percent. That’s what that cost of regulation does so it is important to us. And that’s the risk that the state of New Mexico, Arizona everybody is taking as a result of this and other actions – you can’t just talk about the wolf because I do not know what Arizona has but there’s another – I know Texas has 71 species already settled that are in the pipeline. Do you know if Arizona has ..?

Sherry Barrett: I do not.

Dan Girand: It’s going to be listed and added to this.

Jeff Humphrey: There’s 63 species listed presently here in Arizona that include plants and in the pipeline I can think of, the desert tortoise technically is in that too, so probably another eight that haven’t been resolved.

Dan Girand: And this – this is a significant and I don’t see it covered. I don’t see it – all this rationale anywhere, for what though? We’ve had two recent – we have had a lot – we have had two recent coordination and species listed and we did extensive research and it’s been done now on the wolf and I’m sorry to tell you this but no, you’re probably heard it but – we haven’t found any science.

We haven't found anything that was really solid scientific protocol method that would justify the listing of any of the species. It's not just there.

And yet we're going to lose that kind of revenue, that kind of protection, law enforcement, fire because when the taxes – and when we go, they go, if you don't understand that. Think of Ray, Sam McGill and counties in New Mexico, 800 souls – how do you run a sheriff department with eight hundred people – 800 people? There's no – they don't have any money and that's where we are heading.

And I think that needs to be considered. It hasn't been and that complete takeoff whether the listing is justified or not and the science isn't there.

Bill Dunn: Okay. You know what he's talking about is cumulative effects of a – on top of – because of a non-essential experimental population when you put the Blob right on his County.

Sherry Barrett: Well, they'll go back to that again - the Mexican wolf has been listed since 1976. It's currently – in 1978 it was subsumed into the overall gray wolf listing. So it's currently listed as part of the gray wolf listing throughout the lower 48. What we're proposing right now is the reclassification of the Mexican wolf as a separate sub species. So it started out as a listing of just the Mexican wolf in 76. And in 78 it was put into the gray wolf and right now we are proposing to reclassify back as its own sub species.

So it's been listed all this time. Again, the designation of an experimental population is that provision that reduces the regulations that most endangered species have because it provides these take provisions and like I said, it also removes the requirements for section 7 consultation unless it's on Park service or national refuge lands. And so just want to make sure that everybody recognizes that is an experimental population designation is what gives you that flexibility in those reduce regulations.

Bill Dunn: So it would be worse without it?

Sherry Barrett: You would have consultations, yes.

Bill Dunn: For everything?

- Sherry Barrett: Yes, that was – that may affect the Mexican wolf. And so at this point in time, like I said, we are in the area of livestock grazing but we do not consult with the forest service on grazing allotments. Like I say we may discuss it with them. They can confer with us if they want, which is just a recommendation process but we do not consult with them on their grazing allotments.
- Bill Dunn: Okay, let's move on to - Mary has some scientific points she wanted to discuss.
- Mary Darling: Okay, I'm curious Jeff mentioned that with the prey base that they analyze – you analyze where you think the wolves are going to go, only "suitable" habitat that you would call the green and the blue?
- Sherry Barrett: We analyze the prey base, correct in that area based on information that we received from the states.
- Mary Darling: So 90 odd percent of Cochise County is not green or blue. Did you analyze the prey base in that part of the county?
- Sherry Barrett: No, we don't expect wolves to go there.
- Mary Darling: So what if they did go there?
- Sherry Barrett: Well, they may disperse through there, but we don't expect them to stay and set up.
- Mary Darling: But what if they do?
- Sherry Barrett: Well, if they do they will probably prey on something that and if it's livestock. We have the ability inside the – if it's an experimental population area. We would then have the ability to address those depredations.
- Mary Darling: Okay, so EIS analyzed impacts to how many wolves?
- Sherry Barrett: We over a 12 year period at 10 percent growth, I believe the number is 287.
- Mary Darling: Is it possible within the next five, ten years, you could have 1000 wolves?
- Sherry Barrett: I doubt it no, no, not with the 10 percent growth.

- Mary Darling: No, what's keeping them at 10 percent, what if they go to 50 percent?
- Sherry Barrett: We have not seen that level of growth except when you have – if you look at this a very small population when you're first releasing wolves you can have 50 percent. Because if you have one, and you put in two then you got a 50 percent growth but so far if you're looking at the overall it's really been – I think it averages it out to about 10, 11 percent.
- Mary Darling: Okay, but with other wolf populations, as was mentioned earlier, when they get to 100 they skyrocket. Is that possible?
- Sherry Barrett: I don't know, we have not – it's speculation at this point.
- Mary Darling: So what happened if we have 1000 wolves in 10 years? And you already did an analysis for impacts for 300 wolves. Are you going to analyze additional wolves or are you going to count the number of wolves? What are you going to do?
- Sherry Barrett: Oh, we're having discussions with Arizona Game and Fish Department right now on the number.
- Mary Darling: Okay. That doesn't help.
- Sherry Barrett: It doesn't help you today but we will be looking at those data –
- Mary Darling: So what –
- Sherry Barrett: We expect to see from the Arizona Game and Fish Department in the letters.
- Mary Darling: So what do you mean - a cap on wolves?
- Sherry Barrett: A target on management population.
- Mary Darling: Okay.
- Sherry Barrett: And did you listen to the web – so you're aware of this.
- Mary Darling: Yes - but there's no guarantee of that. So did you analyze a 1000 wolves and the impact that that would have on ranchers?

Sherry Barrett: We did not.

Mary Darling: And again is it possible there could be 1000 wolves?

Sherry Barrett: It's not expected, no.

Mary Darling: And if they are 1000 wolves?

Bill Dunn: What is your time frame. It's not expected within what?

Sherry Barrett: Well, at this point our projection for the EIS is 12 years

Bill Dunn: 12 years – within 12 years.

Mary Darling: And you don't expect wolves in zone three? So if somebody sees something that looks like a coyote or a feral dog can they shoot it?

Sherry Barrett: We don't expect wolves there, they could disperse there. We don't expect them to establish territories.

Mary Darling: So if somebody sees something they don't know what it is can they shoot it?

Sherry Barrett: Well, they should know what they're shooting at.

Richard Searle: Do we have any – do you have any projected numbers for zone two? You're working on zone one, which is the –

Sherry Barrett: The release area.

Richard Searle: The release area.

Sherry Barrett: Yeah. The numbers that we have projections for are zones one and two.

Richard Searle: All right, and so zones one and two but you haven't broken down zone two by itself as to what numbers could be expected in zone two?

Sherry Barrett: No.

Richard Searle: Okay.

Mary Darling: Why did you issue yourselves a permit to go and take wolves in

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Texas, Colorado, Nevada, Utah, and California?

Sherry Barrett: In case they – our provision is that we expect to issue ourselves a permit for removal of wolves if they leave the Mexican wolves experiment population area. Theoretically they could in any of those directions.

Mary Darling: Have you read the Cochise County Land Use Plan?

Sherry Barrett: I have not personally.

Mary Darling: It states that that – prey base has to be analyzed before anything is reintroduced such as a wolf. Have you analyzed the prey base within Cochise County?

Sherry Barrett: We would do that before we would have any translocation in Cochise County.

Mary Darling: So what is your methodology?

Sherry Barrett: Well, we work with the states.

Mary Darling: So if the population is unstable and declining as far as deer would you allow translocation in Cochise County?

Sherry Barrett: Not if we didn't think that there was adequate prey.

Richard Searle: If the draft EIS is approved - What I'm hearing is, okay, if we translocate something into a zone two area regardless of where it is, at that time you would do the analysis. Did the local communities have any input when this happens and how do you plan, how that would work?

Sherry Barrett: Yeah, actually I'm going to ask John if he would explain what they do right now and when we're we are proposing to release.

John Olson: Well, what we have done. And I guess what we are projecting that would continue to occur under the new 10J rule. But what we have done in the – primarily is related to initial releases that are planned. The interagency field team which our folks are member of – usually a year in advance - they would look at potential releases sites in the primary recovery area as it's currently designated by the current 10j.

They'll go through an analysis of existing territories, wolf territories to see if there's any overlap. They'll look at prey base, they'll look at livestock, pastures, private lands, communities, there's a whole host of things that they look at. Rural densities and things like that and then they'll identify suitable release sites or if there are any. And then they'll basically prioritize those and then make a recommendation on any releases for the year.

Ultimately the decision is made by the Fish and Wildlife Service in Albuquerque but we will have input as doing the other IFT participating agencies. Once that's reviewed – actually before it's reviewed and finalized, and approved back at Fish and Wildlife Service in Albuquerque, our agency based on our direction internally, will hold public meetings. Typically we hold them in either Alpine or Springerville - usually Alpine because that's kind of closest to all the users that are affected.

Most directly affected and we review what the proposal is, what the recommendation is, we gather public comments and will provide those comments to our director who then will have a discussion with Benjamin Tuggle in Albuquerque and we'll provide, our perspectives on any recommendations the IFT is making. But any of that public engagement stuff is Arizona Game and Fish that we deal with because we expected to and we want to. So that's how we handed it in Arizona.

Now, in New Mexico when New Mexico Game and Fish was involved and Jess you can verify this, but I'm not aware of them doing similar kind of things. I could be wrong but I just don't – we haven't paid that close attention to how they handed it in New Mexico. But that's how we've been doing it in Arizona.

Mary Darling: But can anyone say no?

Sherry Barrett This goes to AGFD.

Mary Darling: Can anyone say no to wolves? To wolves being translocated into a new area or released into a new area?

John Cooley: Anyone can say no, they can provide their comment, but if your question is, will their comment hold water?

Mary Darling: Yes.

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- John Cooley: I mean we do our best to try to reflect what we feel are very serious concerns for litigation that could potentially be undertaken in order to address those concerns. And we have done that in past occasions where we don't agree. For example, with the decision that may have been made but there's no assurance that if you say no, that that no will be no and agreed to at a higher level.
- Mary Darling: Isn't it true that New Mexico Game and Fish said no, and isn't it true that wolves were released in New Mexico after that?
- Sherry Barrett: Very likely depends on what the scenario was. There not at the table right now and – because they pulled out. I think the key thing though is going back to your original question about a decline in population of prey. It's not to our benefit to put wolves in an area that doesn't have adequate prey because we want them to succeed, and so that's what we're going to make sure we address that issue up front to make sure that there is adequate prey.
- Mary Darling: Is connectivity an issue that you have looked at?
- Sherry Barrett: Connectivity, we want to make sure that there is adequate size of area for them to establish and we also – connectivity yes - it is –
- Mary Darling: Are you looking at connectivity between Mexico and the existing wolves in Arizona?
- Sherry Barrett: Yes.
- Mary Darling: So can you describe that route, that connectivity?
- Sherry Barrett: Right now it's that area of zone two that is adjacent to the border.
- Mary Darling: And that zone two only has about five – a small percent of blue and green as isolated sky islands?
- Sherry Barrett: That's correct.
- Mary Darling: So where is your connectivity????
- Sherry Barrett: It's probably going to be more like a stepping stone area between Mexico populations and in areas further to the north.
- Mary Darling: So wolves are going to be in areas that don't have adequate prey to step on their stones?

Sherry Barrett: Are you familiar with phrase stepping stone? It's that concept where you have patchy habitat in between two different areas that's called a stepping stone habitat. But the concept like I said, that's something down the road – it depends on how successful Mexico's recovery efforts are in the future. But we would expect if they are successful and they are going to contribute to recovery that there will be connectivity between the wolves in the United States and those in Mexico as one population.

Mary Darling: Do you expect –wolves that are planted in Mexico to come north into Arizona?

Sherry Barrett: Eventually they may, we don't know what they're going to do. Right now they are not, they haven't come north yet, but if we're going to look at Mexico as part as the overall recovery effort for Mexican wolves then there would be dispersal between the two countries.

Mary Darling: Okay, one of our big concerns of course is depredation because we don't feel in southern New Mexico or southern Arizona that there is a prey base for wolves and we're looking at this connectivity up towards the Blue. So can you tell me about the Luna Pack, for one year, they ate 52 plus percent cattle?

Sherry Barrett: I don't know about that. That was before my time.

Mary Darling: Does anybody know about that, Jess?

Jess Carey: Yes there was a study conducted and scat, you're right, it was over 50 percent. And that was up in the \_\_\_ area, which is that ranch that did go out of business and they ate a small percentage of elk. All your documentation shows that a high percentage of the wolves diet is elk and but I have to say that's not true in all of the case. Through the year you'll have high incidences of cattle in their diet. And we've had 38 depredations so far this year. And you'll find that you will be going along and it will spike, go up on the depredations and then it will drop off.

Hunting season it drops down, the depredations normally drop because of lost game, good food etc. Right now the US Fish and Wildlife Service, I believe, is still feeding five packs in Arizona. I mean New Mexico and we have always contested what they do as far as feeding because any scientist will tell you that feeding a wild

animal contributes to food conditioning which causes habituation. Habituated wolves are a major problem, they have a major flaw, and they seek out people and human use areas.

And these wolves from confinement – that they’re going to turn loose, I will guarantee you they will go to homes. They will be on front porches, they will be in yards where children play and it’s a major flaw. And how they are going to address this and you’ve got a whole long list in their management plans that they’ll do this, this, this and this before they will take any action against that wolf. They’ll try hazing; they’ll trap it and take it 10 miles away turn it loose. But the thing we have documented is when that wolf goes to a home if it is shewed out of the area, it is going to go to another home and another home and another home because it is habituated. And it’s a major problem. Habituated wolves confront – they confront people at close range and how they are going to address that I have no idea. But when they do put these wolves over here from confinement they will be going to your homes.

Richard Searle: Getting back to the connectivity between Mexico and recovery – the current recovery area. We’ve got a lot of activities on the border right now, we’ve got fences being built, we’ve got a lot of Border Patrol agents, how will this affect connectivity?

Sherry Barrett: Well, for the most part I– my knowledge of the border from when I left was that the areas to the east of Douglas outside that one-mile on either side, which is pedestrian fence you have vehicle fence. And I know there has been some talk about putting pedestrian fence more places, but I actually don’t know the current status of whether or not they – the border patrol is still moving towards pedestrians fence which I think would be the only real impediment to the wolf. I think that the vehicle fence would be penetrable to wolves in most areas –

Richard Searle: And just the activities itself would not be a deterrent– I mean, deterrent to –

Sherry Barrett: To some extent. I don’t know how much it would – certainly, there is a whole lot of people coming across which I know occurs occasionally and sometimes has been funneled to some of those mountain areas. When you – we’ve had the fences on the lower areas. So people have gone up more into the mountainous areas, it could. We don’t know that at this point, but in our proposed rule we have specific provisions that the rule would not affect military

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or border security.

Richard Searle: Thank you.

Walt Meyer: I was curious we keep throwing depredation around, it was statistics and all of this stuff. How was that data collected is it through direct observation or is it through fecal studies?

Sherry Barrett: Both, we've have had some studies that have been conducted and those are – those are laid out in the environmental impact statement.

Walt Meyer: But how are they done?

Sherry Barrett: Some with fecal and some with direct observation as well.

Walt Meyer: So if – if one elk is being eaten on 25 times by the same wolf and you get fecal data from that's 25 fecal samples that's 5 or 25 elk. If they only prey on one animal or livestock one time your – my point is your data can be biased by just using fecal data.

Sherry Barrett: Could be.

Walt Meyer: And if you're using that you need to correct it.

Sherry Barrett: I encourage you to look at the literature that we use in that section of the EIS and if you have concerns about that to let us know

Walt Meyer: I have done enough research and fecal material to know that there's a lot of errors –

Sherry Barrett: Yeah. And like I said, you can get – you could look at that from the original peer-reviewed literature that we're using.

Walt Meyer: I get the "peer-reviewed" concept – it is just sending it from one liar to another.

Sherry Barrett: It's the process we have in that literature as you will be aware-open to – it's not my area to correct your review process.

Mary Darling: Which glads me to my next question. When a county collects data, such as if Sherriff Dannels collects data on wolf depredations. Does that need to be peer-reviewed?

- Sherry Barrett: Well, it needs to be confirmed. It's, Jess Carey will attest, it's not always easy to determine what killed a cow and so we rely on the protocol that was developed by Wildlife Services for the most part. Sometimes the IFT assists with those. On tribal lands they have some of their own wildlife depredation investigators and so we look at – and Wildlife Service's has a protocol manual.
- Mary Darling: So it said in the EIS that Catron County's report were not credible. So can you explain that?
- Sherry Barrett: I think some of the data we – we have not confirmed all the same depredations that Jess has confirmed.
- Mary Darling: So you totally ignored all Catron County reports, including psychological data. Well, there's certainly a paragraph they were addressed - one sentence that that said they were not credible because they were not peer reviewed.
- Sherry Barrett: Well, like I said, they're anecdotal information that we can – that sometimes is not – is not easy to use in an Environment Impact Statement so that we can verify it.
- Mary Darling: I looked at Jess Carey's data and it was very professional, very clean, very well compiled. So what do we do as other counties, as other districts, so that we give you something that you will look at?
- Sherry Barrett: No, like I said the depredation confirmation issues, we rely on for the most part on Wildlife Service's – for their data and their numbers. Did that answer the question?
- Lucinda Earven: I'm an Equine Veterinarian and a member of the Arizona Livestock Instant Reporting Team so when we were called upon in the rural areas. If there is a bioterrorism that affects agriculture primarily cattle that we are called out, you would not consider a licensed Veterinarian as an expert. We would have to be peer-reviewed if we determine that this was – if this was a depredation?
- Sherry Barrett: That is something that you can propose to us. I don't know the answer to that at this point in time.
- Bill Dunn: Is this the only one? Only one that you accept as – as true –
- Sherry Barrett: No. We have trained – our IFT members are also trained and we look at depredation but for the most part Wildlife Services does

majority of documentation.

Bill Dunn: John Cooley.

John Cooley: So Wildlife Service's - I think has two people on the IFT. So whenever we get reports of - or when the IFT gets reports with any depredation or injury or what have you related to livestock - other IFT members can go out and go to the scene as quickly as possible to secure evidence or whatever needs to be done. But ultimately, judgment is made by the Wildlife Service person on the agency field team of what would cause a depredation to the extent that can be determined. And then we - so we are using a protocol developed by the wolf project where they make the final call on that case, if they're able to, using certain protocol.

So the answer to your question and I'll take a shot at this, I don't know if you will agree with it Sherry. I think the important thing here is that there is an agreed-upon protocol or process that's used. Because anytime you start looking into any kind of investigation of the depredation you're going to get - and I'm sure you're used to this. You're going to get the hoard of opinions of what folks think happened.

But to get it down to the real hard facts, especially if looking at something that may have had scavenging occur on the carcass it's always not really clean-cut. So the use of some sort of an acceptable protocol, whether it's the IFT using it, or a county or whoever, I think is the important point here. So that there is some process from the IFT.

Bill Dunn: Is that the protocol you use?

Jess Carey: What's been set up in New Mexico is that I go and investigate with Wildlife Services. At one time, let me put it this way, probably of all the incidents, 367 that are wolf related - somewhere around 236 wolf related incidents were probably confirmed depredations. Less than 10 percent did the county not concur with Wildlife Services.

Because we do - even though we co-investigate - which is taking photographs, documenting all of the evidence you know they look at the evidence, I look at the evidence and come to a finding based on the best available evidence taken at the scene. And very few times do we not concur.

- Mary Darling: But those numbers in the DEIS don't reflect that.
- Jess Carey: Well, on the – in the EIS, I think it is, where it says, IFT and results are listed there. I talked to John Oakley, John, your IFT don't even reflect all of the incidents that actually occurred and he goes, "Well, maybe we need to expand that or whatever." But the thing about it is on these investigations. The US Fish and Wildlife Service has stated many times that Catron Counties' documentations have no standing.
- That they only rely on their people's information or whoever they select but Farm Services Agency, accepted Catron County's reports for compensation, Farm Services Agency, which is the federal agency, they accepted Catron County's report to pay compensation on depredations. But it's a matter of fact I can tell you this Arizona, it appears to me that they treat their people a lot different from the way people are treated in New Mexico.
- We feel that there is a heavy prejudice against us - not only commissioners or people like myself and it's totally different with the management that Arizona Game and Fish is treating the people in Arizona.
- Bill Dunn: Is that good or bad?
- Jess Carey: Well, I think in your position in Arizona I think it's good. But what we have to deal with in New Mexico is not good at all.
- Mary Darling: But Jess can you address the 90 percent concurrence with between – Wildlife Services –
- Jess Carey: More than 90 percent.
- Mary Darling: More than 90 percent concurrence in Catron County, the DEIS doesn't have anywhere near 90 percent of the Catron County reports.
- Sherry Barrett: Well, it sounds like Jess you provided that information to John to go back and look at those numbers?
- Jess Carey: John Oakley told me – as I went through that I talked to John and I said, "Hey, John. I said you guys have some big flaws in this." And he goes, "Well, maybe we need to go back and add the numbers to it." And I talking to him and indicated that a lot of

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stuff was left at the IFT level which – we’ve come to find out the IFT level is unofficial.

It’s an unofficial level, when it gets to your level, then it becomes official and you get an official response. IFT they can get a call, they can decide whether to investigate, write information that goes to the scientific research record. The scientific research record - it applies to what you folks use to do in your 10j rules, your management - all of those things - is based on the scientific research record that is gathered at the IFT level. And I know for a fact that the IFT – the scientific research record has been falsified by omission - people are called and there is no report.

A good example is wolf #1133, 1133 was at nine homes. When you folks decided to re-release that wolf first you released it in Arizona, it came to New Mexico and it was at nine homes documented. Three people called the agency; one of them was a Game Warden, Casey, and two homeowners, “The wolf is in my yard”. Yet you folks said that wolf has no nuisance behavior. Your publication comes out for the monthly report, no nuisance behavior so you could re-release this genetically valuable pup.

And the way we feel it is that that there was falsification in the research record by omission because those reports – those calls were not investigated, no reports were made about that wolf. And I think that’s a major, major problem that we have in New Mexico. How is it going to be in Arizona?

Bill Dunn: Can I make a suggestion? The – in your next plan – in the final why don’t you have a person from each district on the IFT team if it’s in their district and that would give you some credibility with the folks in the field. That you’re the one that has to live with these. Write that into your plan.

Sherry Barrett: Well, it’s something that we would – whoever joins on to the IFT would have to become a partner first with the overall recovery effort. And right now we’re focused on state involvement as well as counties –

Bill Dunn: But you’re making the rules right now with your plan. You could change them.

Sherry Barrett: Its not going to be in the 10j rule - that would be something down the road. That’s separate from overall recovery for the wolf. So

anyway that's – right now like I said the representation is at the county and state levels as well as the tribes for the partnership –

Bill Dunn: But not the districts? The district, we're the local division of the state government.

Sherry Barrett: Yeah. It's not my decision.

Bill Dunn: Whose is it?

Sherry Barrett: It's Dr. Tuggle. The –

Bill Dunn: Will you bring it up with him?

Sherry Barrett: I would tell him that you're interested.

Bill Dunn: Thank you.

Fred Davis: Have you ever taken an experimental population directly to state control? Can that happen?

Sherry Barrett: The overall authority remains with the Fish and Wildlife Service and we can delegate management after that through the 10j rule to different designated agencies.

Fred Davis: So control of these wolves could be designated to John at Arizona Game and Fish?

Sherry Barrett: That is what we have done. We have designated substantial management of the wolf in Arizona to Arizona Game and Fish Department.

Fred Davis: No, but I'm saying like in the other states with the northern gray wolf that you have –

Sherry Barrett: So those are delisted. That's the big difference.

Fred Davis: But these are not a listed animal - they are an experimental population.

Sherry Barrett: No, they are listed animals; they're listed as endangered everywhere except inside experimental population. That's where they're an experimental population, but they are still a listed animal.

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Fred Davis: Okay, next question is, do you feel that you have done a proper mitigation so far with this experimental population?

Sherry Barrett: Yes, we did.

Fred Davis: Are you serious?

Sherry Barrett: Yes, with the provisions that we are given up for take and in fact I would say that the other entities out there, the environmental groups feel that we have gone way too far with the provision that we have proposed. And so we try and balance out the recovery of the wolf in these experimental population areas with the provisions for take so that we can have a more flexible management of this. And especially as we're moving out from forested areas in to more of a matrix of private, state and forest lands as well. That we have some more of these – we have always had additional take provisions-

Fred Davis: I'm not only discussing the take provision I'm talking about depredation mitigation.

Sherry Barrett: Right and we have that in as well

Fred Davis: Well, I understand that. But do you – do you feel that you've done a good job with that?

Sherry Barrett: In what we are proposing?

Fred Davis: What you have done in the past. What has happened to this point with this experimental population in the Blue Range Recovery Area?

Sherry Barrett: Yeah, we're doing our best to balance like I said depredation management as well with the growth of the population. And –

Fred Davis: Do you feel you've done a good job?

Sherry Barrett: Well –???

Fred Davis: With paying for cattle that they've killed?

Sherry Barrett: Pay for cattle that they've killed?

Fred Davis: Yes.

Sherry Barrett: Well, actually since the – the Defenders of Wildlife have the overall depredation –

Fred Davis: Have you?

Sherry Barrett: I'm just telling you the history, the Defenders of Wildlife had the program up until about the year – I think about 2010 and at that point and they pulled out and we established the Coexistence Council which I said is this group that includes ranchers. Since then they have been compensating through the livestock administration grant money to and actually other federal money that we've put in to the producers from what they have requested. We also – we don't establish the prices that that they are paying per class of livestock.

They set those prices based on current auction prices of – for example, bulls, cows, yearlings, calves, and those prices have fluctuated based on the auction prices and they're quite high right now, as you're all are aware that beef prices are high. So those checks go out within – we average, less than 30 days for the checks to go out. What it requires is a report from the Wildlife Services that it was a confirmed or probably wolf killed.

The livestock producer then submits that report from Wildlife Services along with a request for the compensation and if it meets the guidelines that the Coexistence Council has provided we send that to National Fish and Wildlife Foundation who administers the trust fund and they get there check within 30 days.

Dan Girand: And how much is in that account now?

Sherry Barrett: Right now the account was just boosted back up because the money that went to New Mexico Department of Agriculture and Arizona Game and Fish Department for their livestock depredation grant money just got put in this summer. So right now there is in New Mexico. There's \$20,000.00 in there for depredation compensation and \$50,000.00 for preventative measures, which includes-that pays for presence.

In Arizona they received money back in 2010 of \$60,000.00 that money just went in this summer as well, as what they received in 2013, which was an additional \$20,000.00 for depredation

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compensation and \$40,000 for pay for presence and preventative measures.

Dan Girand: So really only \$20,000 are available for actual depredation?

Sherry Barrett: In Arizona there's more but with Arizona Game Fish's determination it is that the – of the original \$60,000.00. They would put \$40,000.00 towards pay for presence and \$20,000 for depredation compensation. Is that correct John?

John: Yes,--- \$20,000 for depredation.

Dan Girand: Okay. How many years does that the cover?

John Cooley It depends on what phase of application –

Bill Dunn: Well we know it's ridiculous. I mean –

Sherry Barrett: It's not enough and keep in mind then that the next phase is that we should be hearing about the 2014 grants sometime in the next week or so.

Bill Dunn: Okay.

Sherry Barrett: So that's additional money going in there.

Steve Something was hanging there. I think unless I missed it. I didn't really hear that you would accept a veterinarian report and that led me to wonder people that you mentioned that you train. What is your training, how long does it last?

Sherry Barrett: Whether they do the training, how often John?

John Cooley: Well, the Wildlife Services folks it is their job full-time, whether it's with the wolf project or just in general, taking care of livestock depredation issues. And I don't know the exact answer Sherry to how the other staff members of the project get trained. I think they – they do maybe once a year, training but I don't know, I don't remember.

Sherry Barrett: Yeah. So members of the IFT they have that training. And John says there's a protocol it's not clear-cut when you have a depredation on what animal killed it. We need to know the different types of ways that these different animals get killed. So if

there's – and then you also have information, not just a body that's brought into you, the forensic information that's on the ground is important.

Lucinda Earven: That's what we do. Nothing is brought into us. We go to the incidents where ever it is, and we've been given training as to what protocol, what samples to take, how to section off, how to not allow anybody in on that premises. There've given us cameras and GPS and where to report this and basically send it in to the labs, take lots of pictures. Even police type stuff that we're supposed to do.

Sherry Barrett: Yeah

Lucinda Earven: So not to mention the many years of professional training. So that's what I'm asking you is where – is there at some point at which you could address that there are other people that have sufficient training to recognize these –

Sherry Barrett: There's something you know, we can always talk about that as we move towards if, this decision moves forward. We will be developing a management plan to address how to implement in the field.

Lucinda Earven: This is through University of Arizona but also in conjunction with New Mexico and with Texas. Our bio surveillance right now and what we are doing, which we basically tabulate every call we go on, what species it is, what we saw, was it a disease process or an injury or just normal - that sort of thing.

Sherry Barrett: Like I said that's something that we can discuss if this decision is made to move forward in a Management Plan that would come forth after.

Lucinda Earven: And I would also suggest if we're going to have another review training process in January that I will bring this up and say you know are we working with wildlife to make these calls? Because if somebody – if a rancher loses three or four cattle on his place and he calls and says I need a veterinarian out here because I don't know what the heck is going on. It seems to me that we should have the authority to be able to make that call.

Jess Carey: Quickly with what you're talking about. We're here for one reason and it has to do with economic impact. Have you started from the

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vets that are enabled by the USDA and work by the regulations and rules like doctors in the AMA you've got state officials and you've got federal officials and the Department of Agriculture. They control what we do, and how we do it, and what goes on. Have you coordinated with US Department of Agriculture on the impacts of the introduction of the wolf?

Sherry Barrett: Like I say it depends on what facet of the US Department of Agriculture. We have Forest Service, we are working with NRCS. We want to work with FSA because they have some funding sources through the Farm Bill. So yes, do we work with the disease people of the USDA? I don't believe we do because that would be more something that the livestock producer would be involved in. So yes we are working with them but not all aspects of USDA but the ones that are pertinent to us, yes

Bill Dunn: Sure. Sherry, have you worked with the Border Patrol?

Sherry Barrett: Yes, we've been in conversations with them in regard to this proposed rule out of the Washington office.

Bill Dunn: Yeah. Because one of the liaison officers, I called him-inter-agency liaison officer and he said if we lose our partners on the ground – our ranchers - he said, "We can't do our job." And I never saw that reflected in the DEIS.

Sherry Barrett: Well, like I said, instead we do have that provision in there that the experimental population rule would not affect border security in regard to Border Patrol activities so that is specific provision –

Bill Dunn: But if they lose their ability because the ranchers are gone because of the wolves then you've – you got to fix that. That's on you. That's not on them because you're going to cause the problem – it's a domino-run the rancher out who is a partner with the border patrol, who is keeping our country safe? Okay.

Walt Meyer: A question. You stated that you work closely with NRCS?

Sherry Barrett: They have joined onto being a liaison to the Coexistence Council. Recently the state biologists Chris Hamilton from New Mexico and apparently I have been in contact now with Stu Tuttle out of Arizona who wants to be involved as well.

Walt Meyer: Okay, we work with Stu Tuttle. The point that I'm trying to make

here is if you're working closely with NRCS we meet with NRCS, the districts meet with NRCS quite regularly. Basically on a day-to-day basis so do all the cooperators within our district.

Sherry Barrett: Okay.

Walt Meyer: So it seems to me that is the avenue that you need to start working on to get involved with what the districts do.

Sherry Barrett: I think that is an excellent idea. Yeah, and I really am going to have to run to the airport so –

Francie Meyer: I have to ask one final question?

Sherry Barrett: Sure.

Francie Meyer: We've tried to demonstrate to you today what the districts are and how we are actually legitimate government entities. Local government entities, Margaret has pointed out to you, your responsibility by law to coordinate with us from the beginning but yet I've heard from your mouth several times today that you're looking forward to our comments at least that were submitted yesterday or in other words, it appears that you're viewing us as the general public.

When you leave here today what weight will you be giving to the information that we have given you today as it compares to reviewing public comments?

Sherry Barrett: Well, keep in mind public comments also include comments that we are going to be receiving from other states, entities as well and federal agencies. We're going to be reviewing Arizona Game and Fish Department comments as well as those from New Mexico. We're going to be reviewing comments from the Forest Service and all the other federal agencies as well. So it's not public comments is a very broad term that includes federal, state, local agencies as well.

And so we would look at all of those as well as those from the general public and interested parties when we are making our decisions.

Patrick Bray: So to that point Sherry Barrett, Arizona Game and Fish raised some legitimate issues time and time again and it appears that you

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are in discussions, negotiations with Arizona Game and Fish, are you not?

Sherry Barrett: We are.

Patrick Bray: So is the Service willing to enter into the same discussions and negotiations separately with the NRCs to discuss the issues that they have written?

Sherry Barrett: That's a decision that will be up to my regional director and so –

Male Speaker???: Who is that?

Sherry Barrett: Dr. Tuggle.

Bill Dunn: Dr. Tuggle.

Sherry Barrett: Yeah, so at this point. Like I said, I think you have valid interesting and useful information. I will be taking that back, discussing it with my agency; we will be on a very fast track to complete a final EIS in this process to meet the January deadline. And so like I said, I look forward to all the comments so that you also have provided yesterday not denigrating them to overall public comments, but recognizing they are –

Bill Dunn: Okay, we have some of the issues but obviously we're not going to be able to get to them. One short comment and then Margaret needs to finish.

Jim Chilton: You're paid by the United States government, we're the taxpayers. I find it insulting, insulting that you have a flight to get out, you can stay here, you can cancel your flight and go out this evening or tomorrow. We're here on our own dime. They are paying for your flight I just really am outraged that you're leaving. It's an old trick of federal government officials. I want that to be on the official record.

Sherry Barrett: I appreciate that but you know Bill Dunn and I did set up a time frame. So I set a flight. I do have personal issues as well. So I –

Lucinda Earven: Well, I think the record ought to reflect that you were late.

Sherry Barrett: And I'm going to be late leaving also. So I think we're balance

Bill Dunn: Margaret, last words.

Margaret Byfield: Well, I think first Sherry and Jeff, I appreciate your coming. I think that – I hope that what you take away from this is kind of a new look and a fresh look at the DEIS.

Sherry Barrett: I appreciate that.

Margaret Byfield: And as Jeff and I were talking at the break and he pointed out what he keeps hearing over and over in coordination meetings is this should have started way back when. And the conflict resolution should have started at the beginning of the process and not the middle of the process. So I think that the real concern of what I've been hearing is first off there's been no effort to resolve conflicts. And that's the clear duty under the federal law with the DEIS.

The second thing is that you're under a timeframe that you have to get this done quick but that doesn't mean that you are excused from doing it well. And right now everything that was said here just reaffirms what we read in the document and your response has reaffirmed what we read in the document, it is insufficient. It is not going to stand in court and I strongly suggest that you go back in your supplemental at least and start looking at this from the local perspectives up because if you don't - I mean NEPA is clear.

And NEPA has been so well litigated that there is not a lot of wriggle room and question marks about what you can or can't do in NEPA. I mean you may end up in court on this. Because it is insufficient and so I think if you could step back and really start trying to work with these entities it would be very helpful and start resolving some of these conflicts. These guys are problem solvers. I mean they are telling you issues that they have and what they're doing on a daily basis is solving problems and telling you what you can do about it.

And I listen to Bill come up with two or three ideas off the top of his head today on how we can solve different things, and they got brushed aside and I just – I want that to be very clear. These guys are not rabble-rousers - they are elected officials, they are small businessmen –

Bill Dunn: They are not mutually exclusive.

Margaret Byfield: You know there smart businessmen and women and they really

want to solve the problem but they're not going to let you run them over. And as we go back to the beginning of this and I know that the rules allow responsibility which is good to the experimental population, but it gives back to, the experimental population is here because you brought them in. You brought them in, you put them on this community and you cannot ignore the impact to them in the DEIS.

And so I've said it several times today but that's where we are in this process and I think we would really consider or appreciate if you would take seriously the responsibility to resolve the conflicts here. And I also heard you mention that you have got to do balancing with environmental organization and that's fine. They're the public, they do not have coordination, and they do not have NEPA telling you your here to solve the conflicts.

That's a duty you have to us. So that needs to be rated higher in the decision process. Other than that we appreciate you being here.

Sherry Barrett: Well, thank you. I appreciate everybody's time in coming and I – Bill I said, you know he actually – four hours is a lot for people to sit in a meeting and I appreciate that you all spent the four hours with us today. And the information that you have provided was very useful and as I said I'll take it back and we will be revising the DEIS and this is information that –

Bill Dunn: And I've got a list of things here that you said you would get back to us with and I will send you that list

Sherry Barrett: That would be great. Thank you. I appreciate that.

Bill Dunn: Okay.

Jim Chilton: And can we reschedule another meeting?

Bill Dunn: Hopefully.

Lucinda Earven: We need to follow up on the economic issues –

Bill Dunn: That would – economic issues we think are so critical because so it's just blasphemous or the economic analysis.

Mary Darling: We can get U of A here if you can get your person from DC –

Sherry Barrett: Well, like I said I have to see what his availability is –

Bill Dunn: Would you do that?

Mary Darling: You need to teach DC.

Sherry Barrett Well, thank you all very much and I do need to go.

Bill Dunn: Can I have a motion to adjourn?

Male Speaker: You have a motion to adjourn. This one

Bill Dunn: Second.

Francie Meyer: Second.

Bill Dunn: Meeting is adjourned. Thank you, folks.