

7. WOLVES: FWS recovery effort falls, lawsuit claims

April Reese, *Land Letter* Western reporter

The Center for Biological Diversity filed suit against the U.S. Fish and Wildlife Service over the agency's alleged failure to implement measures they say are essential to the recovery of the Mexican gray wolf population in the Southwest.

The suit, filed in Washington, D.C., federal district court on Dec. 14, claims FWS has ignored recommendations delivered to the agency in 2001 by the Conservation Breeding Specialist Group. The recommended management changes, which were commissioned by the agency, included allowing releases of wolves directly into Gila National Forest in New Mexico; allowing wolves to colonize territory outside the boundaries of the official recovery area; and requiring ranchers who run livestock on public land to take responsibility for removing carcasses to reduce the likelihood that wolves become habituated to feeding on livestock.

Under current rules, wolves can wander into Gila National Forest from Arizona but cannot be released directly into New Mexico. Wolves that wander beyond the recovery boundary are retrieved and brought back.

By ignoring the scientific recommendations and failing to respond to the center's April 2004 petition to implement them, FWS's decision not to decide is "arbitrary and capricious" and in violation of the Administrative Procedures Act, said Michael Robinson of the center, who is based in Palo Alto, N.M.

"The three year recommendations were supposed to be implemented by the FWS within a year or so, and they haven't been," Robinson said.

Recovery goals unmet

David Parsons, FWS's Mexican wolf recovery coordinator from 1991 to 1999, said the agency is "systematically undermining" recovery of the species. "Anti-wolf politics have been controlling agency decisions and actions to the detriment of wolf recovery," he said.

While the program has not yet established official recovery goals for the Mexican gray wolf, it has set a "population objective" of at least 100 wolves by the end of this year. As Dec. 31 approaches, that goal is far from being met, Robinson said.

"We know that we have a declining population," Robinson said. "There are fewer than 50 adults in the wild today. And FWS predicted in a very conservative estimate that they'd have 102 by the end of this year, and they're well short of that number."

The wolf was listed as an endangered species in 1976, and the service began reintroducing wolves in a portion of their historic habitat in southeastern Arizona and southwestern New Mexico in 1998. The wolves were released as a "nonessential experimental population" under section 10(j) of the Endangered Species Act, which allows them to be harassed or killed under certain circumstances.

Calls to Mexican wolf recovery coordinator John Morgart were referred to FWS spokeswoman Vicky Fox, who said she could not comment on the groups' claims because of agency policy barring discussion with the media of pending lawsuits. She did suggest, however, that managing the reintroduced wolves in an area where livestock production is an important part of the economy is a challenge.

"Making critical management decisions for a program that has complex social impacts while ensuring wolves are returned to their natural world takes time," Fox said in a prepared statement issued to the press. "The Service does not take its decision-making process lightly, and is committed to the cooperative effort for recovery of Mexican wolves in the wild."