

# NM, feds reach agreement on wolf releases

<https://www.abqjournal.com/1146556/state-feds-agree-to-cooperate-on-wolf-releases.html>

*Correction: This story has been updated to reflect the correct criteria for removing the wolf from the endangered species list.*

Relations between the state and the federal Fish and Wildlife Service appear to be warming, as the two reached an agreement this week on the release of endangered Mexican gray wolves into the wild.

The U.S. Fish and Wildlife (FWS), New Mexico Department of Game and Fish and Arizona Game and Fish Department signed a memorandum of agreement to “clarify the commitment” of each entity in determining the circumstances of wolf releases.

The agreement states that “decisions regarding the timing, location and circumstances” of Mexican wolf releases will be based on input from both the federal and state agencies.

“In this act of good faith, we look forward to strengthening our partnership with the service,” New Mexico Game and Fish Director Alexandra Sandoval said in a news release.

The new recovery plan stipulates that population levels reach an average of at least 320 in the U.S. and 200 in Mexico for eight consecutive years to be taken off the endangered species list, along with other criteria. Once the species has recovered, management will be transferred from Fish and Wildlife to the state.

At last count, 114 Mexican gray wolves were roaming the U.S., a growth of just one since the prior year. At least 51 of those live in New Mexico.

The New Mexico Game and Fish Department and federal Fish and Wildlife have butted heads in the past regarding the release of the endangered species, with the federal agency often wanting to release more wolves than the state was willing to accept.

The two had largely cooperated until 2011, when the state withdrew from the recovery team. It later began requiring Fish and Wildlife to file permits with the state before releasing animals. And when Fish and Wildlife attempted to comply and applied for permits, the state denied them.

Eventually, Fish and Wildlife decided the Endangered Species Act gave it the authority to release wolves without obtaining permits and released two pups in the spring of 2016.

The state then sued and a district court granted an injunction against the federal agency, halting the further release of wolves.

That decision was reversed in federal appeals court in April 2017 and remanded to district court, where the case remains.

But relations seemed to be thawing when the state’s Game Commission approved the updated Mexican Wolf Recovery Plan published in November, and in December approved permits to allow the cross-fostering of pups in New Mexico packs in 2018.

Bryan Bird, director of Defenders of Wildlife’s Southwest Program, said the agreement will likely put an end to the lawsuit.

“If it (the agreement) does anything, it may increase communications,” Bird said. “There’s no harm in better communication between the parties.”

While he believes the improved communication may be beneficial, Bird said the language needs to make it clear that Fish and Wildlife has the final say in releases.

Defenders of Wildlife and other groups sued Fish and Wildlife over the final Mexican Wolf Recovery Plan, which used similar language to the agreement.

“It’s intentionally mushy,” Bird said. “The state has a role to play but ultimately, Fish and Wildlife has the final say.”

Michael Robinson with the Center for Biological Diversity, also party to the lawsuit, said there should be cooperation between states and the federal agency, but New Mexico’s past impediments to wolf releases constitute an exception.

“... One of the impetuses for passage of the Endangered Species Act back in 1973 was to ensure that the long-term public interest in conservation would not be thwarted by myopic, provincial considerations ...,” Robinson wrote in an email.

Bird also said the state needs to get on board with the release of adult wolves and families of wolves, which he said it has been resistant to in the past.

“The Interagency Field Team cannot meet the recovery goals through cross-fostering alone,” Bird said.