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November 25, 2024

Bureau of Land Management

1849 C Street NW

Washington, DC 20240

United States Forest Service

1400 Independence Avenue SW

Washington, DC 20250

U.S. Department of the Interior

1849 C Street NW

Washington, DC 20240

United States Fish and Wildlife Service

1849 C Street NW

Washington, DC 20240

Bureau of Land Management

Denver Federal Building 1A

PO Box 151029

Lakewood, CO 80225

SENT VIA U.S. MAIL

Re: Plan Updates and Modifications for Federal Lands
Our File No. 523-00001

Dear Bureau of Land Management, United States Forest Service, National Park Service, and United States Fish and Wildlife Service:

This letter is sent on behalf of the Colorado Conservation Alliance (“CCA”) and associated stakeholders who ranch, farm, raise and produce livestock, hunt, fish, trap, and otherwise recreate on and utilize federal lands within the State of Colorado. The CCA and associated stakeholders have a strong interest in ensuring that these federal lands are managed in compliance with federal law by the agencies responsible.

As of December of 2023, the State of Colorado is in the process of introducing the gray wolf (*canis lupis*) onto its landscape. *See Colo. Stat. § 33-2-105.8.* This is an extremely significant change in Colorado's environment and will have considerable impacts on natural systems throughout the state. The Colorado Parks and Wildlife Commission undertook an approximately three-year planning process prior to introducing wolves following the passage of Proposition 114. The United States Fish and Wildlife Service ("USFWS") engaged in an analysis pursuant to the National Environmental Policy Act of 1969 to designate the proposed wolf population as a nonessential, experimental population under section 10(j) of the Endangered Species Act. Without commenting on the sufficiency of these analyses, it has come to our attention that neither the Bureau of Land Management ("BLM"), United States Forest Service ("USFS"), National Park Service ("NPS"), nor the USFWS are taking the necessary steps to consider the impacts of gray wolves on the federal lands they manage and oversee. These are violations of federal law.

Wolves introduced in Colorado will undoubtedly have significant environmental impacts on federal lands throughout Colorado managed by BLM, USFS, NPS, and the USFWS. As explained in the Wolf Restoration and Management Plan issued by the Colorado Parks and Wildlife Commission, the state has determined that wolf release locations must be a minimum of 60 miles from bordering states and tribal lands because "[s]cientists found that wolves released in Yellowstone and central Idaho in the mid-1990s moved substantial distances in the months immediately after release (average distance was approximately 50 miles, ranging from approximately 22 to 140 miles from the release sites)." *See Colo. Wolf Rest. & Mgmt. P.* at ii, retrieved from: <https://cpw.state.co.us/sites/default/files/2024-08/2023-Final-CO-Wolf-Plan.pdf>.

Wolves can travel significant distances in short periods of time and establish new populations. *See Id.* at 1 ("[w]olves are habitat generalists."). And, as seen in nearby states like Montana, wolf population numbers will very likely skyrocket in a rapid fashion. *See e.g.*, Montana Fish, Wildlife & Parks, *Population Estimates*, retrieved from <https://fwp.mt.gov/conservation/wildlife-management/wolf>. The gray wolf is an apex predator, and its introduction in Colorado coupled with its tendencies to travel significant distances and increase its population rapidly will have significant environmental impacts on federal lands managed by BLM, USFS, NPS, and USFWS throughout Colorado.

The Federal Land Policy & Management Act ("FLPMA") requires that the BLM, under the Secretary of the Interior, "develop, maintain, and when appropriate, revise land use plans" for public lands (generally known as resource management plans ("RMP")). 43 U.S.C. §§ 1701 *et seq.*; 43 U.S.C. § 1712(a). Under the FLPMA, the BLM is *mandated* to amend an RMP when an action is proposed that changes either "the scope of the resource uses" or the "terms, conditions and decisions" of the RMP. *See* 43 C.F.R. § 1610.5-5; *Klamath Siskiyou Wildlands Center v. Boody*, 468 F.3d 549, 556 (9th Cir. 2006).

The National Forest Management Act (“NFMA”) provides that that the USFS “shall develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, coordinated with the land and resource management planning processes of State and local governments and other Federal agencies.” 16 U.S.C. § 1604(a); *see also Utah Environmental Congress v. Dale Bosworth*, 443 F.3d 732, 736 (10th Cir. 2006). RMPs developed by the USFS must “be revised...from time to time when the Secretary finds conditions in a unit have significantly changed, but at least every fifteen years...” 16 U.S.C. § 1604(f)(5).

Additionally, pursuant to 54 U.S.C. § 100502, “[g]eneral management plans (“GMP”) for the preservation and use of each [National Park] System unit...shall be prepared and revised in a timely manner by the Director [of the NPS].” 54 U.S.C. § 100502; *see also* 54 U.S.C. § 100102. Moreover, “[t]he management of habitat for species of wildlife, populations of wildlife, or other individual members of a population shall be in accordance with a Park Service approved Resource Management Plan.” 43 C.F.R. § 24.4(h).

Finally, under 16 U.S.C. § 668dd, the USFWS is required to prepare a Comprehensive Conservation Plan (“CCP”) for each National Wildlife Refuge and revisit the plan at least every 15 years. *See* 16 U.S.C. § 668dd(e)(1)(A). However, “[u]pon completion of a comprehensive conservation plan under this subsection for a refuge or planning unit, the Secretary shall manage the refuge or planning unit in a manner consistent with the plan and shall revise the plan at any time if the secretary determines that conditions that affect the refuge or planning unit have changed significantly.” 16 U.S.C. § 668dd(e)(1)(E) (emphasis added).

The introduction of an apex predator on Colorado’s landscape—where it has been “functionally extinct for seventy-five years in the state” (*see* Colo. Stat. § 33-2-105.8(1)(a))—is an extremely significant change in the conditions of Colorado’s environment. As noted above, these significant changes will permeate onto and throughout federal lands in Colorado that are managed by BLM, USFS, NPS, and USFWS. Under federal law, BLM, USFS, NPS, and USFWS should be updating, amending, and revising their RMPs, GMPs, CCPs, and associated management plans to evaluate and plan for the impacts that will result from newly introduced gray wolves on the landscape.

Disappointingly, this is not happening. Both the CCA and I continue to monitor and review the RMPs, GMPs, CCPs, and associated management plans generated by BLM, USFS, NPS, and USFWS for various federal lands in Colorado. Many do not even *mention* the gray wolf. The few that do contain extremely sparse analyses and do not meaningfully analyze the impacts the gray wolf will have on the specific lands and/or how the federal agency will manage the lands in light of the presence of gray wolves. We are further not aware of information indicating these agencies are undertaking processes to update these plans to include analyses of the gray wolf. It appears to us that these agencies are effectively ignoring gray wolf introduction.

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As outlined above, this violates multiple federal laws. This is a formal demand to the BLM, USFS, NPS, and USFWS to update the relevant RMPs, GMPs, CCPs, and associated management plans to include analyses and management actions resulting from gray wolves on the landscape. The agencies cannot simply ignore the introduction of an apex predator in Colorado in violation of federal law and to the detriment of Colorado's environment and the stakeholders who utilize and depend on it. If this demand is ignored, and no action is taken by the BLM, USFS, NPS, and/or USFWS, we may pursue any and/or all available legal remedies to resolve these issues.

Thank you for your prompt attention to this serious matter. Should you have any questions, you may contact me at the telephone number or email address listed in the top right-hand corner of this letter. If you have information indicating that you are currently updating your plans and/or will undertake the processes to do so, we would welcome it.

Sincerely,

/s/ Gary R. Leistico

Gary R. Leistico

cc: Christopher Jurney, CCA Director, *via email only*
Michael Clark, CCA Director, *via email only*