



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

JUN 29 2016

The Honorable Steven Pearce
U.S. House of Representatives
2432 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Pearce:

This is in response to your letter dated February 10, 2014 in which you forwarded a report from the Catron County, NM, Board of Commissioners. The report included allegations about the U.S. Fish and Wildlife Service's (FWS) Mexican Gray Wolf Recovery Program generally, but also included specific allegations of misconduct by former Field Coordinator Elizabeth Jozwiak.

The Office of Inspector General has concluded the investigation into these allegations. Enclosed, please find a redacted copy of our Report of Investigation (ROI).

We have provided a copy of the ROI to FWS Director Daniel Ashe for action he deems appropriate. We also intend to publish the results of our investigation on our website, in redacted or summary form, the week of July 10, 2016. If you should have any questions, please do not hesitate to contact me at 202-208-5745, or your staff may contact Nancy DiPaolo, Director for External Affairs at 202-208-4357.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary L. Kendall". The signature is fluid and cursive.

Mary L. Kendall
Deputy Inspector General

Enclosure



**Investigative Report
of the
U.S. Fish and Wildlife Service's
Mexican Gray Wolf Program**

Date Posted to Web: July 11, 2016

This is a version of the report prepared for public release.

SYNOPSIS

In February 2014, the U.S. Department of the Interior's Office of Inspector General received a request from U.S. Congressman Steven Pearce (R-NM) to investigate alleged misconduct by U.S. Fish and Wildlife Service (FWS) staff overseeing the Mexican Gray Wolf Recovery Program (MGWRP). The Congressman referred us to the Catron County, NM, Board of Commissioners, which had submitted a complaint in July 2013 to then-Congressman Doc Hastings.

The county's complaint made numerous allegations against MGWRP, particularly involving a former coordinator of the Interagency Field Team (IFT) charged with implementing the program. The county alleged that the former IFT coordinator and MGWRP had failed to properly document nuisance complaints about wolves, had not communicated effectively with county residents to address public safety concerns involving the wolves, had mismanaged livestock depredation investigations and compensation, and had destroyed a wolf DNA sample. The county also alleged that FWS mishandled a wolf bite incident involving a MGWRP volunteer and refused to assess ranchers' property losses associated with wolf kills. In addition, the complaint asserted that the Mexican gray wolf is actually extinct; its DNA is contaminated with that of coyotes or domestic dogs.

Our investigation substantiated many of the allegations against the former IFT coordinator, but we learned that FWS had been aware of these issues and had already reassigned her to another position by the time we received this complaint. Since then, MGWRP employees told us, FWS has been documenting nuisance complaints and has attempted to improve communication with county residents; however, many of the county residents we spoke to said they were still concerned about poor communication with MGWRP and a perceived lack of concern for public safety. We also found that local ranchers have not consistently received full compensation for their livestock losses, but we did not substantiate the remaining allegations.

BACKGROUND

The Mexican gray wolf (*Canis lupus baileyi*) is the rarest subspecies of gray wolf in North America. Historically, these small wolves (which, to the inexperienced eye, may resemble coyotes) ranged from central Mexico through southeastern Arizona, southern New Mexico, and southwestern Texas. When ranchers moved into these areas in the late 1800s and early 1900s, conflicts between humans and wolves began to increase. The ranchers killed many wolves to protect their livestock, and habitat degradation took a toll as well. By the 1970s, the wolves were nearly extinct in the United States.

After the Mexican gray wolf was protected under the Endangered Species Act in 1976, the U.S. Fish and Wildlife Service (FWS), coordinating with Mexico, spearheaded captive breeding and reintroduction programs and planned to release wolves into the species' former territorial range in the United States. In 1997, the then-Secretary of the Interior approved the Apache and Gila National Forests in eastern Arizona and western New Mexico, known as the Blue Range Wolf Recovery Area, as the release site for the captive-reared Mexican wolves.

FWS formally established the Mexican Gray Wolf Recovery Program (MGWRP) in 1998. An Interagency Field Team (IFT) was also formed to coordinate wolf recovery efforts by Federal and State agencies, which cooperate under a memorandum of understanding. These agencies include FWS, the U.S. Forest Service, the U.S. Department of Agriculture Wildlife Services (USDA-WS), the Arizona Game and Fish Department, and several Arizona county governments. The New Mexico Game and Fish Department used to contribute to IFT, but it left the partnership in 2012.

IFT members include volunteers and employees of the cooperating agencies. Operating under a set of standard operating procedures (SOPs), it traps and collars wolves, monitors wolf locations through radio telemetry tracking, meets and works with the public on wolf-related issues, responds to and helps prevent livestock depredations and other wolf nuisances, conducts wolf population counts, and releases wolves into the wild.

In January 2015, revised regulations allowed wolves released into the wild to disperse beyond Blue Range into an area that includes New Mexico and Arizona south of Interstate Highway 40, as well as recognizing wolves from Mexico dispersing north into Arizona and New Mexico. Additional changes allow livestock owners on private lands to kill wolves that are attacking their livestock and dog owners to kill wolves attacking their (non-feral) dogs.

Within the wolf's U.S. territory lies Catron County, NM, a large county comprising mostly public lands. Since the reintroduction program began, the county has complained that the reintroduced wolves have affected both the economy of the county and the personal safety of its 3,500 residents. In April 2006, Catron County hired an employee to investigate and document the interactions between wolves and county residents. He does not share with IFT the information he gathers, and he has publicly expressed opposition to wolf reintroduction on behalf of Catron County and reported to MGWRP and others on the psychological and economic impacts wolves have had on county residents.

DETAILS OF INVESTIGATION

In July 2013, the Catron County Board of Commissioners submitted allegations of misconduct by MGWRP staff to the U.S. House of Representatives' Chairman of the Natural Resources Committee and requested that the Endangered Species Act be reformed. U.S. Congressman Steven Pearce (R-NM) referred this complaint to the U.S. Department of the Interior's Office of Inspector General in February 2014, asking us to investigate the alleged misconduct.

After interviewing a Catron County commissioner and county employee, we narrowed the allegations into the following four categories, which we discuss in detail in this report:

- mismanagement of nuisance wolves;
- failure to communicate effectively with the public and Catron County;
- depredation-related impacts; and
- administrative management issues.

Alleged Mismanagement of Nuisance Wolf Complaints

According to the complaint, the former IFT coordinator, in an effort to protect certain wolves from being removed from the wild, did not document nuisance complaints submitted against wolves by Catron County residents. The complainants also alleged that IFT staff falsely attributed nuisance behavior to wolves of lesser genetic value in order to protect genetically valuable wolves (that is, wolves that contribute to diversity in the gene pool) from scrutiny and possible removal from the wild.

Failing To Document Nuisance Complaints

When asked whether IFT intentionally ignored nuisance complaints or merely neglected to document them, the county employee said that he believed the team deliberately avoided documenting complaints to protect certain wolves. He believed this based on past conversations with the former IFT coordinator about several nuisance wolves.

As an example, the county employee described an incident involving one male wolf, serial number M1133, that had been captured in a residential area of Reserve, NM (the Catron County seat), after numerous complaints. MGWRP said that wolf M1133 could be paired with a female and released because MGWRP considered the wolf genetically valuable and stated that it had no documented history of nuisance behavior. IFT personnel, including the former IFT coordinator, met with ranchers and county officials to discuss the release plans. The county employee recalled that the former IFT coordinator claimed in this meeting that wolf M1133 was eligible for release since it had "no nuisance complaints" against it. He said he told her that the wolf was both "extremely habituated" and "a human safety hazard," and when he asked her whether the wolf had a nuisance history (documented or not), she did not answer.

According to the county employee, FWS officials decided, despite strong opposition from the county, to proceed with the release. After wolf M1133 was released, he said, it was identified near another community where it killed livestock, thus forcing FWS to recapture it.

We interviewed the former IFT coordinator, who served in that role from January 2011 until she was transferred into another FWS position in August 2013. She explained that to file a nuisance complaint on a wolf, a member of the public would call one of IFT's phone numbers and a staff member would field questions and collect data on the incident. Depending on the details of the incident, IFT staff would fill out either a sighting form, a nuisance form, or a depredation form and later transfer the information to the MGWRP wolf database for year-end reports and scientific data collection.

The former IFT coordinator acknowledged that under her supervision data occasionally went uncollected, either because staff was "busy" or because the information "slipped through the cracks." Although she knew that MGWRP used the data to make program decisions, she still did not fill out a form for every call about a wolf, even if the call resulted in relevant scientific information. She blamed this on "workload demands" and "human error." She also explained that if the IFT member collecting the data for the report decided that the animal being described was actually a coyote or a dog, not a wolf, the information did not have to be entered.

The former IFT coordinator admitted that she used the sighting form to collect all types of wolf-related reports, including nuisance complaints, and that she did not fill out a form for every call, even if the call resulted in relevant scientific information. She recalled that although IFT received some calls about wolf M1133, she did not document them, thinking that the incident data were likely being collected by other means (such as staff's logs or journals).

Asked whether MGWRP documented wolf nuisance complaints, the current IFT coordinator, who replaced the former coordinator in August 2013 after she was reassigned, said that he required every MGWRP staff member to complete a form when receiving a complaint about a wolf. He did not know whether the former coordinator had instructed her staff to do the same, but said that he could identify no advantage to not completing the forms.

We interviewed a senior FWS wolf biologist, who said that the former IFT coordinator had not required team members to complete the nuisance forms because she did not believe they were necessary. The biologist did not think, however, that the former coordinator tried to manipulate scientific data by not using the forms. She also noted that IFT did not receive all nuisance complaints because Catron County residents typically contacted the county employee, who would record the complaints but not share them with IFT. When we interviewed the county employee, he confirmed that the county did not forward these complaints to IFT.

The current MGWRP coordinator considered the forms to be a critical element of the program, especially since the data appeared in FWS' annual reports. She said that manipulating, deleting, or excluding any nuisance information would significantly affect MGWRP science and management decisions. She explained, however, that nuisance complaints were inherently ambiguous because they were based on the perceptions of the individual making them; she explained that one person might equate seeing a wolf with a spiritual awakening while another person might interpret the same sighting as an attack.

Falsely Attributing Nuisance Complaints to Wolves of Lesser Genetic Value

The former IFT coordinator denied consciously manipulating data in favor of genetically valuable wolves and generalizing nuisance incidents as mere sightings, and she said she did not feel her actions with regard to nuisance complaints constituted scientific misconduct. Although she claimed at first that she did not show preferential treatment toward genetically valuable wolves, later in the interview she acknowledged that she did treat them “differently” from other wolves. She said that she gave genetically valuable wolves more care, allowed their nuisance behavior to continue, and provided them more opportunities to breed.

Both the senior wolf biologist and a former IFT member described the former IFT coordinator and some MGWRP volunteers as “overly passionate” about individual wolves and thus reluctant to remove them from the wild when it was appropriate to do so. The former IFT member said that the former IFT coordinator was “more concerned for the individual [wolf] than the species.” The biologist said she had heard that the former IFT coordinator and a volunteer were seen crying when one of the wolves in the program had to be killed.

By contrast, the current IFT coordinator said that he assigned blame to offending wolves or entire packs regardless of their genetic importance.

Under IFT’s former “three-strikes” rule (which ended in 2009, before the former IFT coordinator was hired), if a wolf killed livestock, IFT decided which wolf had responsibility for the depredation. If the wolf had three such “strikes” assigned to it within 365 days, it would be recaptured or killed. The current IFT coordinator admitted that in any situation where several wolves could have been individually responsible, IFT would assign the strike to the least genetically important wolf. He adamantly denied, however, that the team ever intentionally assigned a depredation to the wrong wolf. He said that assigning a nuisance complaint to an uninvolved wolf to protect a wolf of greater value would have only harmed the program and perpetuated the problem, since the wolf that was at fault would continue to kill livestock. Furthermore, he noted that since the three-strikes rule was rescinded, assigning blame for nuisances (including depredations) had become less important because wolf management now focused on avoiding conflict between wolves and humans.

Alleged Failure To Communicate Effectively With Catron County Officials and Residents

The county commissioner and the county employee alleged that FWS officials focused on wolf welfare rather than public safety. We also spoke to several Catron Country residents who said that IFT did not notify them about the presence of wolves, did not properly manage nuisance wolves, and falsified or concealed wolves’ locations, which caused them to be concerned about public safety. The county employee also alleged that MGWRP refused to replace the county’s nonfunctional telemetry receiver, which he said he needed to track wolves’ locations via their radio collars.

Giving Wolves Higher Priority Than Public Safety

The current IFT coordinator denied that MGWRP employees were not concerned about public safety, but he believed that this perception might stem from how IFT determines its response to reported wolf activity. He explained that IFT generally will not investigate a random sighting since many dog tracks resemble wolf tracks and wolves in the area of someone's home usually move on. When IFT does not respond as the resident expects them to, he said, the resident might incorrectly conclude that IFT does not care about public safety. He said, however, that he considers many local residents to be his friends and that it would affect him personally if a wolf harmed anyone. He also said that, for him, public safety is paramount and that he would remove or euthanize any wolf if necessary. In addition, he noted numerous precautions that IFT takes to prevent wolves from getting too close to residents, including providing supplemental food caches for the wolves, setting up deterrent devices around properties, and tracking and capturing wolves.

The senior wolf biologist noted that historically, the chance of a Mexican gray wolf attacking a human was extremely low. Although rare historical reports from around the world discuss gray wolves biting and, more rarely, killing humans, no attacks on humans by Mexican gray wolves have been documented. She did not believe in any real chance of such behavior with MGWRP wolves. She said that she worked alone around wolves in remote wilderness areas without any weapons and had never witnessed or experienced any aggressive behavior. She acknowledged that depending on the circumstances (e.g., a person accompanied by dogs, a horseback rider, or a hunter wearing animal scent or gutting an elk), a wolf might become confused because an individual looked human but smelled like an animal. She said that MGWRP staff members have discussed the rarity of wolf attacks at public meetings and on MGWRP websites, and that she advises members of the public that if they ever feel threatened by a wolf they have a legal right to kill it.

FWS Regional Director Dr. Benjamin Tuggle explained that when people perceive threats to their safety, addressing their fears becomes difficult even if education is offered. Tuggle said that he has acted, and always will act, immediately whenever public safety concerns arise, noting that if a wolf was a threat it should be shot.

The former IFT coordinator told us that some recently reintroduced wolves were "naïve" and prone to show inquisitive behavior, rather than fear, around humans. Everyone interprets wolf interactions differently based on personal experience, she said, but she knew of no instances where Mexican gray wolves had shown aggression toward humans.

Not Communicating With the Public About Wolves

We spoke to several residents of Reserve, NM, who said that IFT did not notify them when wolves were near their homes and described a January 2013 incident involving wolf M1133 as an example. One resident told us that IFT members did not tell people in her area that the wolf had been seen there even though IFT had been searching for the wolf several days before its capture. She complained that IFT members should have notified residents at the start of the search to avoid putting them and their children, pets, and livestock at unnecessary risk.

Two other Reserve residents said that county residents did not know how to contact IFT to report nuisance wolves. One said that she called either the county employee or the State game warden to report wolf sightings, and that the warden, not IFT, notified her when wolf M1133 was spotted near her home. She also said that she once saw a wolf that was not wearing a radio collar, which upset her because MGWRP was responsible for ensuring that its wolves were all collared; if a wolf did not have a collar, she said, officials could not know if it was close to homes. Another resident said that she did not know that IFT had public contact information. She stated that instead of simply notifying residents that wolves were close to their homes, IFT “sneaks around and avoids the public.” She believed that this lack of communication was intentional because IFT members feared that ranchers might kill wolves if they knew where to find them.

The Reserve residents and the game warden all said that IFT should communicate with residents about nuisance wolves by immediately posting public notices and directly contacting residents (by telephone or going door to door) in affected areas. The game warden also said that IFT members needed to get to know residents, stating that “MGWRP was a hard sell” because most residents “don’t see the wolf as having any value.” Similarly, another Reserve resident said that IFT needed to be more visible and meet with residents. He said that residents did not know what to do if they encountered a wolf: “All we’ve heard [is] . . . if we run into a wolf, we can’t touch [it] or we go to jail or receive a fine.” He noted that he had heard everything he knew about MGWRP by word of mouth, not from IFT members.

The current IFT coordinator stated that IFT tried to notify individual ranchers and landowners of nuisance wolves but that providing broad-scale public notifications of mere sightings was unrealistic. He explained that wolves are constantly on the move and are often within a few miles of residences without the property owners ever noticing them. If IFT did notify residents of the wolves’ proximity, he said, some of the residents would become unduly concerned. He also said that IFT, at about a dozen members, did not have enough personnel to provide broad-scale notifications of wolves near residences and that the wolves would have moved out of the area by the time such a notification was complete. In addition, he said, IFT staff does not always know who owns each plot of land or how to contact them. Therefore, staff members follow the wolf, then stop and meet with individual affected property owners to pass along notifications, he said.

In addition, the MGWRP coordinator explained that although MGWRP attempted to conduct outreach about the wolves, Catron County did not allow wolf outreach in its schools or signs posted in the community, fearing that MGWRP wanted to “brainwash” the residents’ children. MGWRP attempted instead to find other ways to share information with residents (e.g., public meetings, the MGWRP website, face-to-face visits, and informational flyers).

Tuggle told us that MGWRP had printed small cards with information on how to contact the program if residents saw a wolf or had related concerns. He said that he worked with Congressman Pearce’s office to create the cards, but 2 weeks after the cards were printed, the Congressman was on the floor of the House of Representatives stating that FWS had printed the cards because it knew that wolves endangered the public.

The former IFT coordinator cited communication between MGWRP and Catron County as a significant problem, but she also acknowledged that when she served as coordinator she never

met with the county commissioners or the county employee, except randomly at public meetings. She stated that she did speak by phone with the county employee, but only associated with the public in her professional capacity. She also said that she and USDA-WS investigators had a “strained relationship,” which had made her a poor fit for the position. She said that she tried to be a good manager and communicate with fellow IFT members and coworkers, but was still told that her communication skills needed improvement.

Others noted communication problems that had seemed to involve the former IFT coordinator. The MGWRP coordinator said that the former IFT coordinator had been unsuccessful in that position and that she had agreed to a demotion and reassignment to another FWS office. She stated that the former IFT coordinator had struggled with partnership building, communication, and management during her tenure and that county officials had not liked her. The former IFT member felt that the former IFT coordinator, who had worked with wolves in Alaska, had been unprepared to assume the role of coordinator because she did not understand the differences between Alaskan and Mexican wolves, but then did not listen to those who did understand and offered to help her. The former IFT member we interviewed also said that local ranchers had never warmed to the former IFT coordinator. In addition, a Catron County rancher who had interacted with IFT about a nuisance wolf on her property said she found the former IFT coordinator to be a “volatile personality” who did not have the necessary diplomacy skills and who had undermined public trust. The rancher said, however, that she believed the current IFT coordinator would do a better job as a manager.

When asked about IFT’s communication with the public, the current IFT coordinator said that most personnel interacted well with the public and provided several examples of public outreach:

- More than 50 signs listing IFT’s toll-free number have been posted in and around the Gila and Apache National Forests for years, predating the current coordinator’s own employment at FWS. He noted that the number rings directly at the IFT office.
- Two public websites, the MGWRP site and the Arizona Game and Fish Department site, provide contact information.
- MGWRP holds approximately six public meetings annually to discuss wolf recovery issues. Meetings are advertised, held in local communities, and open to the public.
- The current IFT coordinator regularly meets with constituents at their homes to discuss wolf issues.
- Every week, IFT notifies ranchers if they are near current wolf locations.
- IFT’s contact information is included in pamphlets provided to hunters.
- IFT members regularly provide wolf education at schools, zoos, and other venues.

With respect to allegations that IFT members and volunteers intentionally avoided contact with the public, the current IFT coordinator said that this was generally untrue, but some staff might have been apprehensive about speaking with ranchers they considered “mean.” He addressed this by encouraging volunteers to visit and speak with ranchers and landowners and to offer assistance if needed. He said that the former IFT coordinator, and possibly others, did not recognize that their jobs required “trust building” with the public.

The senior FWS wolf biologist stated that she meets daily with ranchers and the public, and that IFT routinely holds public meetings to discuss MGWRP issues. She noted that staff give educational information to hunters at seasonal hunt camps, try to alert the public when wolves may be in a certain area, and offer ways to distinguish between wolves and coyotes to prevent accidental shootings. She acknowledged that, despite these efforts, a segment of the public still might not know how to contact IFT. She also acknowledged that volunteers were sometimes reluctant to contact the public, causing her to screen for and select volunteers who were less likely to be intimidated by public interactions.

Disseminating False Wolf Location Information to the Public

A rancher we interviewed described a February 25, 2013 incident in which the Dark Canyon wolf pack had killed an elk on his property and were eating the carcass a short distance from his back door. The pack seemed neither afraid of nor bothered by human activity in and around his home, staying with the carcass throughout most of the day. He recalled that one of the wolves even barked at him.

As this was a Monday, the usual day of the week for the IFT airplane to track wolves using telemetry and report their locations to residents in the immediate area, the rancher decided to take a video of the wolves. He believed that IFT would make a false statement to him about where the pack was at the time, and he wanted to document this. He explained that he was “tired of being lied to.”

The rancher told us that he recorded the IFT tracking plane as it flew over the wolves on his property. He believed that the kill should have been obvious to the pilot from the air since bloodstains extended some 30 yards around the elk carcass. Later that evening, he said, he received a telephone call from an IFT member. He said that although the IFT member correctly identified the wolf pack, she incorrectly reported that the wolves were some distance away from his house and on public lands.

The rancher also stated that IFT could not accurately notify residents about many of the wolves because the wolves were not collared. This upset him because he believed that MGWRP did not consider uncollared wolves to be part of the program. Based on his experience, he estimated that in reality, twice as many wolves roamed the area as MGWRP recognized by their collars.

The former IFT coordinator and the MGWRP coordinator both denied that IFT tried to mislead the rancher or the public. The former IFT coordinator explained that telemetry is not as accurate as GPS tracking and that the weekly telemetry flights do not try to pinpoint individual wolves, but rather to give just a general location. The MGWRP coordinator said that the incident involving the rancher was either a mistake or the result of inaccurate telemetry.

The Arizona Game and Fish Department, as a partner of the MWGRP, addresses the accurate, timely reporting of wolf locations as one of the frequently asked questions on its website. The site states that when there is disagreement over wolf location information, IFT “works with the individuals to ensure that communication is improved.”

Our review revealed that MGWRP SOPs directed IFT not to report the specific area of denning wolves or law enforcement incidents, but rather to provide general locations to discourage public access to these vulnerable wolves.

Refusing To Replace Telemetry Receiver

We interviewed the Catron County sheriff, who said that in 2008 FWS rendered unusable a telemetry receiver IFT had given to the county employee for tracking wolves. He explained that after FWS special agents responded to a call alleging that the employee intended to use the receiver to locate wolves and then trap or harm them, FWS did not update the receiver's radio frequencies, in effect disabling the receiver. On multiple occasions since then, Catron County has unsuccessfully requested a new receiver.

The sheriff said that from a public safety standpoint, IFT should provide his office with an updated telemetry reader to help protect and warn residents when wolves are at or near their residences. Although the idea had been discussed with the current IFT coordinator in the past, the coordinator could not get the necessary approval, and the sheriff expressed confusion over why FWS would refuse such a request. He believed that this was an example of FWS officials prioritizing wolves over human safety in Catron County.

The former IFT coordinator explained that even though IFT could loan telemetry receivers to individuals who demonstrated a need for one and then signed a loan agreement with MGWRP, Catron County had been denied a replacement receiver for the one the county employee had used. She said that she did not feel that the county qualified for a receiver, since they were intended for ranchers or researchers, nor did she feel that the county had a legitimate reason to know wolf locations. Even so, she said, Tuggle had invited the county to become a signatory of the memorandum of understanding with MGWRP—which would allow it, as a partner, to get a new receiver—but the county refused.

Tuggle told us that if Catron County wanted a telemetry receiver, MGWRP should find a way to fulfill the request. He said that he wanted the county to communicate with him or with MGWRP more often. The county's decision not to engage with MGWRP had made it difficult to build the close working relationships necessary to address the county's concerns, he said, but he was available to visit and meet with county representatives anytime.

Allegations of Depredation-Related Impacts

The complainants alleged that during the former IFT coordinator's tenure, she attempted to improperly influence USDA-WS investigators' findings on wolf depredations. They also said that IFT had attempted to conceal depredations by removing the carcasses of animals killed by wolves, that MGWRP inadequately compensated livestock owners for kills, and that MGWRP refused to conduct takings implication assessments for landowners affected by wolf reintroduction activities (in this context, these would be assessments of private property loss associated with wolf reintroduction).

Improperly Influencing Depredation Investigations

We interviewed a USDA-WS investigator who explained that the former IFT coordinator changed a policy in order to require USDA-WS (which handles depredation investigations for IFT) to delay the public release of its depredation findings for 3 days, which would give her time to provide input on the investigations and determine which wolf was responsible. He said this change looked bad to the public and gave the impression that the former coordinator wanted to manipulate the investigations. He also said that she always defended the genetically valuable wolves and that she and FWS altered depredation investigations to place blame on “less important wolves.”

The USDA-WS investigator described one incident in which wolf M1133 would not stay in the area in the Gila Wilderness to which it had been relocated. Instead, the wolf headed back toward the FWS captive rearing facility. The senior FWS wolf biologist advised him of the stray wolf, and he later found a calf killed on a rancher’s land. While investigating this kill, he observed a coyote near the kill site, but he ultimately attributed the depredation to the wolf.

The next night, the USDA-WS investigator said, the former IFT coordinator called him to try to convince him to change his decision. He claimed that she wanted to “pin [the kill] on the coyote” although the tracks and the kill scene clearly demonstrated the wolf’s responsibility, especially since the coyote had not been close enough to the kill site. According to the investigator, she spoke with him for over 30 minutes, arguing for the wolf’s value as a breeder. He said, however, that he did not change his report because he had reported the facts.

The USDA-WS investigator said that he had had similar conversations with the former IFT coordinator on a dozen other occasions. For example, when she first arrived from Alaska, she argued with him about wolf tracks at a kill site, not realizing the size difference between an Alaskan wolf and a Mexican wolf. Based on the size of the tracks, she claimed they belonged to a dog or a coyote, which caused him to question her competence. In another investigation, he said, telemetry documented the responsible wolf but she assigned the kill to a wolf that was more than 15 miles away when it happened and that had recently bred with a dog, thus rendering it less valuable to the program. He said that “the stuff [the former IFT coordinator] pulled” was what led to her being removed from that position.

The former IFT coordinator said that she introduced the requirement for USDA-WS to notify the IFT coordinator in advance because she felt that USDA-WS investigators were being influenced by local ranchers and by the county employee. She petitioned the MGWRP coordinator to change the protocol to allow the IFT coordinator to determine responsibility for the depredation, believing she had more information with which to identify wolves near a kill than the USDA-WS investigators did.

When we asked about the investigation showing that wolf M1133 had killed a local rancher’s calf, she said that she had not been at the scene of the kill but had called the USDA-WS investigator to try to get him to change his report if the coyote had been involved. She said that M1133 was a “genetically valuable wolf,” but she denied ever trying to influence the

investigator's opinion. She admitted that she had questioned investigators' determinations and discussed their decisions with them on occasion.

The MGWRP coordinator said that some IFT members felt USDA-WS investigators had too much say in determining which wolf to assign to a confirmed depredation, and confirmed that the former IFT coordinator in particular had felt that the investigators might not have all the information needed to assign a depredation or might be pressured to make a quick decision.

The wolf biologist explained that if a USDA-WS investigator determines that a wolf caused a depredation, IFT staff members become involved, reviewing telemetry data and comparing it to any known wolves in the area, before giving USDA-WS the data to help identify the responsible wolf. She stated that it would be inappropriate for IFT to manipulate a USDA-WS investigation. She said that she had not been part of such activity, nor did she know of anyone in IFT attempting to sway an investigator's decision.

Improperly Removing Carcasses To Conceal Wolf Depredations

One landowner told us that he believed he had seen where MGWRP personnel had removed livestock carcasses from his property, and he had heard about statements made by MGWRP staff that caused him to suspect they removed dead livestock to protect wolves from scrutiny. The landowner added that he had seen numerous locations on his property where a bloody struggle associated with a suspected livestock depredation had taken place and that he saw tire tracks in the dirt nearby but no carcass. He said that about 10 years before, he and a rancher had stayed up all night to catch MGWRP members removing dead cows from his property, but he acknowledged that he did not see any.

The county sheriff told us that he began to suspect that carcasses were being removed to protect wolves in 2007, after he received a call from a landowner. He recalled that the landowner, who had been frantically working to protect his livestock from wolves, told him that when he went to check on a cow with a newborn calf, he found that the calf was missing. When the sheriff investigated, he found a site that appeared to be the location of the depredation, but the carcass had been removed. He also noticed a set of tire tracks at the site. He suspected that this happened on other occasions also; many times the carcass would never be found and the cause of death never determined. He felt that the former three-strikes rule may have led to this practice because MGWRP members had realized that wolves could not be held accountable for kills if the carcasses were never found.

We questioned the former and current IFT coordinators, the wolf biologist, and the MGWRP coordinator about this matter. All of them—including the biologist and the current IFT coordinator, both of whom were with IFT when the three-strikes rule was in effect (which meant a single confirmed kill could have decided a wolf's future)—denied ever removing or concealing livestock depredations.

These complaints are so persistent that we found a reference to them in the frequently asked questions on the Arizona Game and Fish Department's website: "Does the IFT pick up cattle carcasses before ranchers can find them in order to hide evidence of wolf depredations?" The

website explains that “all livestock carcasses found by the IFT are left in the area, and then reported to the appropriate livestock operator.” The website also states that IFT “works diligently” to find the “remains of all prey taken by Mexican wolves and reports them accordingly,” including using its weekly telemetry flights to spot kills. It notes that “with livestock owner permission, the IFT has removed, or otherwise made unavailable to wolves, some cattle carcasses.”

Inadequately Compensating Ranchers for Livestock Depredations

We spoke to several Catron County ranchers who said that even though reimbursements are offered to ranchers for cattle depredations caused by wolves, they often were not compensated, or received only partial compensation, for the animals they lost.

Most said that they received compensation for only a small percentage of the cattle they lost. One rancher explained that only approximately 2 percent of his wolf-caused cattle losses have been reimbursed. Similarly, another rancher said that of his 36 cows and 71 calves killed by wolves between 2000 and 2005, he received compensation for only 7 cows and 15 calves. A third rancher said that depredations have cost his ranching business several hundred thousand dollars over the years. He said that in 2005, he lost 109 animals but was only reimbursed for 18.

Ranchers also cited the difficulty of confirming that a missing or dead animal has been killed by a wolf. One said that since most of his livestock graze in remote areas, only about one of every eight carcasses are found. He said that searching for missing cattle costs ranchers time and money. We spoke to another rancher who told us that he has to search 55,000 acres if an animal of his goes missing, and, if found, the carcass is often badly decomposed and the cause of death undeterminable. He said that if USDA-WS investigators determine that wolves are only a probable—not the confirmed—cause of livestock death, the owner cannot receive full compensation. He also complained that compensation for calf depredations is less than compensation for mature cows and does not consider the future value of the calf, and that it does not fairly repay ranchers for livestock seriously injured (but not killed) in wolf attacks. In addition, a ranch hand we spoke to said he had been present when USDA-WS investigators conducted depredation investigations and had heard investigators say that USDA-WS could not prove that they were wolf attacks. He acknowledged, however, that bears and coyotes primarily cause calf depredations on his family’s ranch and that wolves are responsible for a smaller number of kills.

In addition, the ranchers spoke of difficulties with IFT itself and with the process of requesting compensation. The ranch hand said that his family had difficulty getting IFT to respond to depredations in the past. He said that even though a wolf pack had killed several of their cows, IFT told his father that it would not investigate unless he had a video of the wolves attacking his livestock. This discouraged them from applying for compensation. One of the ranchers we interviewed said that IFT often injects itself into the investigation and influences findings. He explained that staff members tend to “badger” the USDA-WS investigator, who would usually give in and report the depredation as a probable wolf attack. He stated, too, that ranchers sometimes do not get the paperwork needed to apply for compensation. Because of his

frustration with the process, this rancher said, he had only submitted one report for last year's 28 depredations, having no incentive to do more.

A landowner told us that until approximately 2011, Defenders of Wildlife reimbursed ranchers, although reimbursements were difficult to obtain and did not fully compensate the value of the cow. After a new group, the Mexican Wolf/Livestock Coexistence Council, was formed to handle compensation, payments now cover the full market value of the animal, but ranchers still have the difficult task of proving that a wolf caused the kill.

Tuggle, who established the council, said that it was a stakeholder group intended to improve the compensation process. He explained that in addition to compensating landowners, the council developed costs and criteria, such as the cost of a cow, how much to pay range riders to deter depredations, and how, as well as how much, to compensate for wolf presence on private grazing lands (pay-for-presence). Tuggle said he had not known the value of a cow, and so he set up the council with experts to address such matters more accurately.

The MGWRP coordinator explained that the council is composed of ranchers, environmentalists, and others who review ranchers' applications for cattle depredations and approve payments for depredations and the pay-for-presence program. The council also covers costs for deterrent expenses such as range riders, fencing, and flagging. She acknowledged, however, that depredation compensation is made difficult by the fact that not all depredations are discovered and adjudicated.

The council released its "Mexican Wolf/Livestock Coexistence Council Strategic Plan" in 2014. The plan allocates funds for depredation compensation, conflict avoidance, and pay-for-presence. The pay-for-presence assistance recognizes that ranchers incur indirect costs due to reduced livestock weight and other management costs of wolf presence.

Defenders of Wildlife, the Mexican Wolf Fund, the 2014 Farm Bill, and the States of Arizona and New Mexico provide the council's funding. States apply for the limited Federal funding available as depredation compensation (known as "Tester funds"). The council states in its guidelines that if its funding continues, it expects to compensate ranchers at 100 percent of the market value of confirmed wolf kills and 50 percent for probable kills, while still funding proactive efforts to decrease depredation.

Refusing to Conduct Takings Implication Assessments

Executive Order 12630 ("Government Actions and Interference with Constitutionally Protected Private Property Rights") provides guidance for Federal agencies in formulating or implementing policies that have "takings implications" with regard to private property (as defined in the order). We reviewed the order and found that it mandates that FWS conduct an assessment for the entire MGWRP, not for individual owners. The order does not create any personal right or benefit, but rather directs Federal agencies to conduct these assessments in order to improve management decisions.

According to a notice published by FWS in the Federal Register, FWS conducted a takings implication assessment on MGWRP in 1998, when the program began. While the assessment acknowledged losses from depredations, it found no significant implication for a constitutional taking associated with the depredation caused by Mexican gray wolf reintroduction.

In May 2006, Tuggle notified one of the landowners about the takings implication assessment for MGWRP. Tuggle's letter explained that under Executive Order 12630, ranchers have no individual right to a separate assessment of each livestock depredation. Furthermore, an attorney for the ranchers reached a similar conclusion, and that attorney's legal opinion was attached as supporting documentation to the original complaint we received.

Alleged Administrative Issues

The complainants asked us to examine several other issues concerning MGWRP. They alleged that MGWRP had destroyed a DNA sample collected from a suspected wolf/dog hybrid, changed a policy to protect a wolf that had bitten one of its volunteers, and bred wolves from original founders that were actually hybrids of wolves and dogs or coyotes.

Destroying DNA Data From Wolf/Dog Hybrid Incident

In December 2006, the county employee gathered blood and tissue samples from two feral dogs killed by a local rancher. He and the rancher agreed that the animals looked as though they might have been wolf/dog hybrids. He gave the samples to an MGWRP biologist on December 31, 2006, asserting that the dogs had wolf-like characteristics and should be DNA-tested. The biologist agreed to send the samples to the FWS lab for testing, but in 2009, the current IFT coordinator told the county employee that he had no record of the samples being tested and could not locate them. He told the county employee that they had been lost.

When we contacted the FWS lab to request information on all MGWRP-submitted DNA samples in 2007, a lab employee informed us that MGWRP had submitted only one sample that year. Collected on December 6, 2007, it was unrelated to the wolf/dog hybrid DNA sample.

The biologist who received the samples, who left FWS in 2007, told us that he did not recall the incident or losing any DNA samples. We showed him photos of the animals killed by the rancher, and he said that they did not appear to be wolf/dog hybrids.

Mismanaging an Alleged Wolf Bite Incident

In November 2006, an MGWRP volunteer injured her hand while removing wolf AF924 from a trap. FWS stated in a press release that it had conducted a "thorough investigation" into the injury and found only that the wolf had "scratched" her.

When Catron County later learned that MGWRP planned to rerelease wolf AF924, county officials sent a letter to Tuggle declaring that the wolf had "tasted human blood" and thus would pose a threat to county children and other residents. When FWS inquired further, the volunteer acknowledged that the wolf's tooth had "contacted" her thumb during the incident, but that the

result had been too insignificant to report. While policy at the time declared that “any wild wolf that bites or scratches a person will be euthanized,” FWS determined that the policy did not apply to MGWRP volunteers or to other FWS employees working within MGWRP. When we spoke to the county employee about the incident, he said it showed that FWS selectively followed its own policies and that the volunteer had concealed the incident to protect the wolf.

The USDA-WS investigator, who had witnessed the incident, told us that he saw the volunteer recoil when she reached in to muzzle the captured wolf, which was still in the trap. He said that he later noticed her hand bleeding and asked if the wolf had bitten her. She initially said no, but later admitted that the wolf had “nipped” her. When she did not report the bite, he did so. He said he heard nothing else about it but recalled that he had had to kill the wolf a few months later after its third strike.

We reviewed an email from the volunteer to a former MGWRP coordinator. The email contained her signed statement, dated April 24, 2007, in which she confirmed that her “thumb contacted the wolf’s tooth.”

We interviewed the volunteer, who said that she did not recall being bitten. She said that she “would have remembered such a thing.” Rather, she said, her thumb had been bleeding at the time of the incident because she had scratched it on a pinyon tree.

Breeding Mexican Gray Wolves That Are Not Genetically Pure

When asked if the Mexican gray wolf was actually extinct and MGWRP wolves were essentially dog/wolf or coyote/wolf hybrids, the senior FWS wolf biologist said that this misperception has been perpetuated from the beginning of the program and continues to be raised at public hearings. She explained that extensive genetic research has gone into Mexican gray wolf studies, showing the wolf to be the most genetically distinct gray wolf subspecies, with a unique genetic marker. Although MGWRP officials try to dispel the misperception, she said, many who attend the hearings continue to believe that it is true.

We also asked the wolf biologist during her interview if she knew of any wolf hybrids. She said that although “anything was possible,” she did not know of any documented hybrid cases, noting that all MGWRP collared wolves had been tested to ensure genetic purity. The program attempts to test every wolf and coyote caught by staff, and no dog/wolf or coyote/wolf hybrid has been captured. She said that on the rare occasions when a wolf had bred with a dog, the pups were euthanized at the den.

Concerning the genetic purity of the Mexican wolf, Tuggle described the genetics of wolves within MGWRP as “robust and diverse.” He said that he was very comfortable with the current genetics, but that MGWRP would continue to monitor the wolves’ genetic diversity.

FWS Changes to MGWRP since July 2013

The MGWRP coordinator gave us a list of changes made by MGWRP since Catron County’s original complaint. Perhaps most significantly, she noted that the former IFT coordinator had

been reassigned in August 2013 to another position in FWS. She was still involved with MGWRP, but at an administrative level. Also in August 2013, the current IFT coordinator assumed that role, which he fulfills from Albuquerque, NM. MGWRP also added new biology staff and an outreach specialist to work with partner agencies and the media. The reorganization, according to the MGWRP coordinator, resulted in improvements to MGWRP, included shorter response times to nuisances, better interactions with livestock owners, improved documentation of nuisances and depredations, and improved communication and working relationships with owners and partner agencies.

SUBJECTS

1. U.S. Fish and Wildlife's Mexican Gray Wolf Recovery Program.
2. Former IFT coordinator, FWS.

DISPOSITION

We provided a report of our investigation to the FWS Director for any action he deems appropriate. We also provided Congressman Steven Pearce with an informational copy.