

LAUREN BOEBERT

3RD DISTRICT, COLORADO

NATURAL RESOURCES COMMITTEE

OVERSIGHT AND ACCOUNTABILITY  
COMMITTEE



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BOEBERT.HOUSE.GOV

December 13, 2024

The Honorable Debra Anne Haaland  
Secretary  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240-0001

**RE: Colorado's Wolf Plan Requires Federal Resource Management Plan Updates**

Honorable Secretary Haaland,

I write as the Representative for Colorado's Third Congressional District on behalf of my constituents and the citizens of Colorado who rely on and have rights of access and vested interests connected to over 24 million acres of federally managed lands, which is over 36% of the state. By comparison, Colorado manages approximately 900,000 acres of state-owned public lands. My constituents provide environmental benefits and economic development while also deriving social benefits and personal enjoyment from lands managed by the federal government. They are energy producers, ranchers and farmers, water users and water rights holders, hunters, outdoor enthusiasts, loggers, Tribal members and citizens, all of whom are at risk of being deprived of access to both land and resources because of Colorado's importation of wolves which is taking place absent appropriate federal planning, protections, and oversight.

The purpose of this letter is to insist that the Department of the Interior (DOI), the Bureau of Land Management (BLM), and related other agencies and offices subject to the Federal Land Policy and Management Act of 1976 (FLPMA) proceed to update all Resource Management Plans (RMPs) for Colorado to include consideration of the wolves now artificially imported to the state. The Department of the Interior represents a compendium of federal agencies with land management responsibilities and a duty to protect public lands for national interests. Therefore, it is incumbent upon you to provide immediate notice to Colorado's Governor Jared Polis to halt the further importation of wolves.

Colorado's notion that wolves not released directly onto federal property can evade federal jurisdiction is unprecedented. Wolves obviously do not disappear when they cross the invisible boundaries between state and federal lands. To help understand the problem Colorado has

December 13, 2024

Page 2

created, consider that no individual or entity, including a state government, can legally start a fire on their land with prior knowledge that it will spark a fire in the National Forest. Adding more wolves to Colorado without federal resource management planning is comparable to pouring gas on the flames of an already lit forest fire while simultaneously shutting down fire mitigation operations.

On February 17, 2023, under your direction, the United States Fish and Wildlife Service (USFWS) acknowledged the federal government's oversight obligation related to wolf management in Colorado—management necessitated by narrow passage (50.91% to 49.09%) of a referendum to import gray wolves to the state. Unfortunately, your Department fell short of its duty.

- USFWS conducted only four in-person federal-level wolf meetings in Colorado from February 17 to April 18, 2023, which was a minimal effort for such a highly divisive issue. The initial plan was only three in-person meetings, but USFWS added a Denver meeting at Governor Polis's request with short public notice, and none of the meetings were related to federal Resource Management Plan updates.
- USFWS's meetings stated purpose was "... *proposing a rule to establish an experimental population of gray wolves in Colorado under section 10(j) of the Endangered Species Act (ESA)*," with a public comment opportunity. However, only 17 days after the comment period ended, Colorado Parks and Wildlife (CPW) published the *Colorado Wolf Restoration and Management Plan*, raising questions about how or if the public's comments to USFWS were even considered.

I attended the first USFWS wolf meeting in Grand Junction, Colorado, where USFWS explained Colorado's wolves would be an experimental population which, under the Endangered Species Act of 1973 (ESA), allowed a 10(j) designation to apply and eased some regulations of the ESA. However, USFWS's meeting didn't explain how a 10(j) developed for a state-land action would void the need to evaluate the impacts of artificially escalated wolf activity on Colorado's federal lands. The federal component of Colorado's wolf activities has not been treated as a nexus for planning, even though most potential wolf habitat in Colorado is on federal lands. USFWS asserts their cooperative agreement under ESA Section 6, Partnership with the States, provides permission for CPW's action; however, CPW's wolf plan doesn't reference ESA Section 6 or a cooperative agreement with the federal government.

***NOTE: Please send my office a copy of the initial and current signed cooperative agreement with the State of Colorado regarding the experimental population of wolves imported to Colorado and any related Memorandum of Understanding.***

While a cooperative agreement under Section 6 of the ESA might loosen some requirements, it would not dismiss federal agency obligations defined in the Federal Land Policy Management Act. FLPMA Resource Management Plans are not optional; they are a federal mandate. Updated

December 13, 2024

Page 3

RMPs considering Colorado's fabricated addition of this apex predator to the landscape will most likely expose the need for a full NEPA, which has not been done. Plus, CPW has announced Colorado's next group of wolves is coming from Canada, which further increases the need for NEPA.

The notion that Colorado and USFWS can give each other mutual permission to substitute a 10(j) for NEPA is especially suspect when the CPW plan the 10(j) is based on has been violated. CPW violated the plan they agreed to follow in the first round of wolf deliveries and has directly stated its intent to violate the plan further in the next round.

1. The plan specifically and repeatedly references sourcing wolves with no prior history of livestock predation, yet this was violated in the inaugural year of implementation.
2. The plan references sourcing wolves from the states and even lists specific states, but it does not mention sourcing wolves from outside the United States; however, CPW's next round of wolves will reportedly come from Canada.

CPW's plan also includes specific directions for handling (feeding, monitoring, testing, etc.) the animals, but there's no instruction for international transport of wolves. In addition to updating the RMPs before allowing more wolves into Colorado, CPW needs to amend its plan if wolves will be sourced outside the states.

Furthermore, and especially given your prominent Native American status, I expect you're aware of the federal government's obligations related to the Brunot Treaty area located in Colorado. The Brunot Treaty area is an area where the Colorado Ute tribes exercise treaty-protected reserved hunting rights. CPW has asserted the Brunot Treaty area is protected because no wolves will be released inside the treaty area boundary, or adjacent buffer zone. However, CPW cannot guarantee that the wolves will avoid the treaty area, and restricting the areas for wolf release doesn't address the impact imported wolves will have on ungulate herds that the Colorado Ute tribes expect to hunt.

While I have no authority to speak for the Tribes, I must remind the federal government of its treaty obligation over the Brunot area, which is not contingent on the Tribes demanding that the treaty be respected. Unless the State of Colorado guarantees their imported wolves won't access the Brunot Treaty area or until the Indian Tribes give their explicit written approval of Colorado's importation of wolves, it is the federal government's duty to uphold its treaty obligations and prevent a state government from creating conflict with a federal treaty.

The geographic area put to Colorado voters for wolf release was **ALL** the land west of the continental divide. In reality—because of a 60-mile arbitrary buffer from the Utah and Wyoming borders, exclusion of the Brunot Treaty lands, a 60-mile buffer from exterior boundaries of the Southern Ute Indian Tribe Reservation, no federal permission for release, and the fact Rio Blanco just cut a deal with CPW to remove them as a release county—the **ACTUAL** release areas are now limited to only few Western Slope counties all of which voted to deny

December 13, 2024

Page 4

introduction of gray wolves except Pitkin County. Under the direction of the CPW Commission, the cost of Colorado wolves has increased, the land available for wolf release has decreased, and none of these significant changes were voter approved.

To further emphasize concern surrounding the federal government's obligations connected to Colorado's importation of wolves, I've included a letter which stakeholder Colorado Conservation Alliance delivered to Canadian officials outlining potential legal implications of sourcing wolves from outside the United States. Timing to respond to these concerns is critical and urgent. I call upon your duty as Secretary of the Interior to stop Colorado's importation of foreign gray wolves to federal lands, complete updates to the Resource Management Plans required by federal statute, and not allow this artificial increase to Colorado's wolf population unless impacted tribes provide their written consent.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren B." with a stylized flourish at the end.

Lauren Boebert  
Member of Congress

**Copy Provided by Email to:**

Chairman Melvin J. Baker, Southern Ute Indian Tribe  
Chairman Manuel Heart, Ute Mountain Ute Tribe  
Colorado Governor Jared S. Polis  
Rep. Bruce Westerman, Chairman, U.S. House Committee on Natural Resources  
Sen. Joe Manchin III, Chairman, U.S. Senate Committee on Energy & Natural Resources  
Tracy Stone-Manning, Director, U.S. Bureau of Land Management  
Tom Vilsack, United States Secretary of Agriculture  
Robert Anderson, Solicitor for the Department of the Interior

**Enclosures:**

Colorado Conservation Alliance letter to United States officials, November 19, 2024  
Colorado Conservation Alliance letter to Canadian officials, December 6, 2024