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Comment from Gunnison County Stockgrowers' Association

Posted by the **Fish and Wildlife Service** on May 11, 2026

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Comment

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File **GCSA Comments to FWS Fed. Reg. Notice_91 Fed. Reg. 12211**
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Comment ID
FWS-HQ-ES-2025-1464-0074

Shape **Tracking Number**
moy-k4l9-g493

Comment Details

Submitter Info

Document Subtype

Comment(s)

Received Date

May 9, 2026

Page Count

1



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Gunnison County Stockgrowers' Association
P.O. Box 1711
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May 9, 2026

SUBMITTED VIA <https://www.regulations.gov>

U.S. Fish and Wildlife Service
Office of Communications
5275 Leesburg Pike
Falls Church, Virginia 22041

Re: Comments of Gunnison County Stockgrowers' Association on U.S. Fish and Wildlife Service's ("FWS") Agency Information Collection Activities; Endangered and Threatened Wildlife, Experimental Populations—Colorado Gray Wolf (50 CFR 17.84), 91 Fed. Reg. 12211, Docket ID No. FWS-HQ-ES-2025-1464 [OMB Control No. 1018-0197]

To Whom it May Concern:

Gunnison County Stockgrowers' Association ("GCSA") is a non-profit organization based in Gunnison County, Colorado, representing nearly all active livestock producers in the Gunnison Valley. GCSA advocates for the livestock producers whose operations support the local economy, sustain open working landscapes, and maintain critical wildlife habitat across a substantial private land base. Its members live and work in areas identified as suitable gray wolf habitat and have already experienced wolf activity in the Gunnison Valley. GCSA therefore has a direct interest in how Colorado's gray wolf reintroduction program is implemented in practice.

GCSA submits these comments in response to FWS's information collection request regarding "Endangered and Threatened Wildlife, Experimental Populations—Colorado Gray Wolf," published at 91 Fed. Reg. 12211. In this request, FWS seeks approval from the Office of Management and Budget ("OMB") to renew the information collection associated with Colorado's 10(j) Rule establishing an experimental population of gray wolves.

GCSA supports that renewal. The information identified in the Federal Register notice—including written take authorizations for repeatedly depredating wolves, take and harassment reporting, and CPW's annual report—are critical to implementation of the Colorado 10(j) Rule. These are not abstract reporting obligations. They are the records by which FWS and affected communities can evaluate how the rule is working in practice.

GCSA is not asking FWS to revise the substantive standards of the Colorado 10(j) rule through this PRA process. GCSA is asking FWS to ensure the information already identified for collection is complete enough to evaluate how the rule is working in practice. A record limited to granted authorizations or completed take would not show the full picture of ongoing wolf-livestock conflicts or the practical availability of conflict-management tools in Colorado. That is especially true for CPW's annual report, which—as the Federal Register notes—must provide a clear picture of "wolf conflicts and associated management activities to minimize wolf conflict risk."

CPW's Annual Report Should Provide a Complete Picture of Implementation

The annual report is the natural place to provide that complete picture. The notice states that CPW's annual report must describe wolf conservation and management activities in Colorado and include, among other things, post-release wolf movements and behavior, minimum counts or abundance estimates, reproductive success and recruitment, territory use and distribution, cause-specific wolf mortalities, and "a summary of wolf conflicts and associated management activities to minimize wolf conflict risk." That conflict summary should be robust enough to allow FWS to evaluate whether CPW is meeting its commitments under the 10(j) rule and its Memorandum of Agreement ("MOA") with FWS.

At minimum, the annual report should include a clear summary of:

- all investigated livestock depredation incidents;
- the date each incident was reported;
- the date each investigation was initiated and completed;
- the outcome of each investigation;
- whether the wolves involved had known prior depredation history;
- whether affected producers received notice of wolf presence or conflict risk before the incident;
- what nonlethal or lethal management tools were requested;
- whether those tools were granted, denied, limited, delayed, or not acted on before the conflict period passed;
- the stated basis for any denial, limitation, or delay; and
- the timeframe between producer request, agency review, and final agency action.

This is not a request to create a new program. It is a request to make the existing annual reporting useful.

Response time matters. Conflict-management tools that exist on paper but are delayed during an active wolf-livestock conflicts do not provide practical relief to producers. The information FWS collects should show whether CPW provides timely responses to reported wolf conflicts and whether requested conflict-management tools are actually available when needed.

The collection should also capture denied, delayed, or unresolved requests for conflict-management tools. Chronic depredation permits are the clearest example: reporting only granted or implemented permits would understate the scope of livestock conflict and overstate the practical availability of conflict-management tools. To be useful, the record must also show when permits were requested but denied, delayed, or left unresolved, and the basis for those decisions.

The collection should show whether producers receive timely notice of wolf presence near livestock and information regarding any known depredation history. Notice is a conflict-prevention tool. If producers are expected to take precautions, the record should show whether they had the information needed to do so.

Related Implementation Issues for the FWS-CPW MOA and Parallel Federal Register Process, 91 Fed. Reg. 17297

The same implementation issues addressed in this docket are implicated in the parallel Federal Register process seeking information regarding the implementation of the 10(j) Rule for gray wolves in Colorado. *See* Endangered and Threatened Wildlife and Plants; Request for Information on Implementation of the Gray Wolf (*Canis Lupus*) Nonessential Experimental Population Rule in Colorado, 91 Fed. Reg. 17297 (April 6, 2026). GCSA intends to file comments in that docket as well. For this docket, the key point is that FWS's information collection should allow FWS and affected communities to evaluate whether the commitments in the Colorado 10(j) Rule and related FWS-CPW MOA are being met.

That evaluation should also inform implementation going forward. GCSA therefore urges FWS to pursue a new MOA with CPW that addresses the following issues:

- Provide that FWS and CPW will evaluate whether additional releases is appropriate before any further wolves are introduced, including in light of existing wolf numbers, reproduction, survival, distribution, and ongoing wolf-livestock conflicts.
- Prohibit the introduction of additional wolves until CPW certifies compliance with the revised conditions of the MOA.
- Require CPW to remove its Administrative Directive requiring three depredations in 30 days and instead apply the federal standard under the Colorado 10(j) Rule, which requires one depredation within 30 days.
- Ensure lethal take remains available to landowners as a conflict-management tool, including through timely approval and execution when permits are granted. Chronic depredation permits must be granted where the factors set forth in § 406-10:1001(C)(1)(a)–(d) are met. For these purposes, “attractant” should *not* be interpreted to include common, lawful ranching practices, including the use of dead pits or leaving carcasses on the landscape.
- Ensure the In the Act permit process provides timely relief where the criteria under 2 Colo. Code Regs. § 406-10:1001(B)(3) are satisfied. If the evidence shows that gray wolves were observed in the act of attacking livestock or working dogs, undefined “attractant” concerns or other discretionary factors unrelated to that standard should not be used to withhold relief.
- For purposes of compensation, clarify that “attractants” do not include common, lawful ranching practices, including the use of dead pits or leaving carcasses on the landscape.
- Require CPW to report denied, delayed, or unresolved requests for conflict-management tools, including chronic depredation permits. Reporting only granted permits understates the scope of livestock conflict and overstates the availability of relief.

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- Prohibit future sourcing of wolves from packs or geographic areas with any history of livestock depredation.
- Require CPW to provide producers with regular, consistent information regarding collared wolf locations, such as a real-time heat map showing generalized locations, to support proactive livestock management.
- Require CPW to stand by its site assessments unless and until it issues a revised assessment. Changed interpretations of site conditions should not be used against producers without prior written notice.
- Require CPW to (1) conduct on-site investigations of reported depredations as soon as practicable, and no later than 3 hours after notice where access allows, and (2) maintain dedicated on-call response staff during peak seasons to ensure timely on-sight investigations.
- Establish a rebuttable presumption that a depredation was caused by wolves where (1) the producer timely reports the incident, and (2) the carcass is materially consumed or evidence degraded *before* CPW conducts its investigation.
- Require range rider deployment to align with calving, which often begins in February or March, rather than May. Range riders must have the funding and GPS collar data needed to be effective.

Conclusion

GCSA requests the OMB renew the Colorado gray wolf information collection. FWS should ensure the collection is complete enough to evaluate whether the Colorado 10(j) Rule is working in practice, including through the revisions requested above. FWS should also revise the MOA with CPW to address the implementation issues identified above.

Sincerely,



Andrew Spann, President
Gunnison County Stockgrowers' Association