

MEMO

FROM: Adrian Treves, PhD, peer reviewer of the US Fish & Wildlife Service 2019 proposed rule for nationwide delisting of gray wolves
TO: Mr. Gary Frazer (Assistant Director for Ecological Services, US Fish & Wildlife Service, USFWS)
CC: Mr. Eric Sklar (President, California Fish and Game Commission)
RE: FWS/AES/DCC/BDFS/073807 Letter dated 14 December 2020 from G. Frazer to E. Sklar, President, California Fish and Game Commission

Dear Mr. Frazer,

On 14 December 2020, the Service wrote to the California Fish and Game Commission asserting that delisting gray wolves nationwide would not undermine the State of California's endangered species protections for the fledgling state population of wolves.

I share California's concern because illegal killing was the major cause of mortality in five U.S. wolf populations (1, 2) and reducing ESA protections for wolves has been associated with an increase in the hazard and incidence of illegal killing and also with an increase in the concealment of evidence in two of those wolf populations (3, 4) and soon to be published for a third (in review). Also, the statements about human attitudes in that Letter are not consistent with the best available social science (5-7).

One might wonder if the Service was unaware of the above scientific evidence when they wrote to California. However, the Service's own 2019 peer review by me (8) explained why one should expect a sharp increase in illegal wolf-killing after delisting and specifically why the older evidence, cited by the Service in its 14 December 2020 letter to California (Olson et al. 2015 is so highly inaccurate as to be misleading, because they neglected cryptic poaching which outweighs the few reported poaching events, and also Stenglein's work, which omits important changes in wolf census methods later proved to be essential to understanding the effects of policy change). The criticisms of the latter work have passed scientific peer review now (Treves et al. in press) but you have all the necessary information in front of you since my official peer review in June 2019. Olson and Stenglein's articles are both superseded by the more recent, more complete, and stronger evidence I cite in the second paragraph here.

Furthermore, I reminded and updated the Department of Interior (DOI) directly in a public meeting with the White House Office of Management and Budget and included a memo which I mentioned to the attendees, which included five staff members of DOI, on 29 September 2020 (Appendix 1). The ensuing 76 days seem ample to correct the letter to California.

Therefore, I recommend retraction of the 14 December 2020 letter to California's FG Commission, refresh staff training on trusteeship and scientific integrity (9-14), as per DOI and presidential policy (11, 15) and ESA 16 USC 1531 Sec.4(b)(1)(A)) best available science mandate.

Yours sincerely,



Adrian Treves, PhD

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Literature Cited

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Appendix 1: On 29 September 2020, Dr. A. Treves met virtually with the White House Office of Management and Budget's office of Information and Regulatory Affairs to warn of likely outcomes of nationwide gray wolf delisting. [The attached memo](#) describes the content of Dr. Treves' communications to the following attendees: Maricela Constantino - DOI Sean Gallagher - DOI, Bivan Patnaik - DOI, Kristen Floom - DOI, Austin Mudd - OIRA, Maureen Trnka - OIRA, Julie Hewitt - OIRA, Matthew Oreska - OMB, and Ellen VanGelder - DOI. The official record of that meeting is here: <https://www.reginfo.gov/public/do/viewEO12866Meeting?viewRule=false&rin=1018-BD60&meetingId=6065&acronym=1018-DOI/FWS>