



Winkelman Natural Resource Conservation District

July 2014

From the Frog Pond

Change is inevitable I guess. The District didn't have any contested election for Supervisors at the end of the recent expired terms-of-office so with the new rules we didn't have to go through with an actual election. The only change is Peter Else decided he would not serve another term. Our thanks go out to him for the time and energy he spent on the board the past several years. Everyone has something they concentrate on while they are serving and Peter aimed his pistol on the SunZia project.

Another change we will be seeing is our clerk, Diana Stirling, has invested in a local business and will be concentrating on that so will be leaving us in July. She has updated our website, and been a faithful reminder to me of the stuff that is required by the state for the Districts. Thanks go to her for keeping us out of jail, and we hope her new business makes her rich beyond her wildest dreams.

If you hadn't heard, the two pieces of legislation the state association pushed last year both passed thanks to Senator Barbara McGuire and Senator Gail Griffin. Both are real champions of conservation districts. SB1214 recognized the districts as local units of state government with special expertise in natural resources within their boundaries. That may not sound like a big deal but when you're working with federal agencies like the Winkelman District does so often, it requires them also to

recognize the districts and recognize our policies as something they have to consider when making decisions that affect our cooperators. A very useful tool.

The other bill SB1167 increased the annual amount the districts can request from the legislature each year from \$15,000 to \$40,000 and the Ed Centers up to \$60,000. Now if we can pry some of that funding loose next year we can do some effective conservation work for our cooperators.

The Board voted this month to demand coordination with Fish and Wildlife Service on the expansion of the non-essential experimental population of Mexican Wolf. The Service's proposal is a copy of what they did with the other wolf populations around the country—put an experimental population of up to 100 individuals and when it reached that level expand it to another level then expand it again. The Winkelman District is within the expansion area. When they reach here, if you think it's hard to stay in the livestock business with lions eating your calves, just wait. In the original experimental range, up on the Blue, the ranchers simply can't stay in business and are selling out if they can find a buyer. Some can't. We are recruiting other Districts to join us in the effort here and in New Mexico.

Patrick Bray, Ex Director of the Arizona Cattle Grower's Association, will attend our next meeting on July 9th to speak to us about the wolf expansion. He has been on the recovery team for as long as it's been in existence I think, and Cattle

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Who we are

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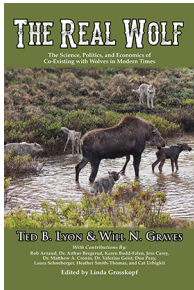


Growers is a signer to the Alternative Plan they are trying to get the FWS to acknowledge. I hope all of our cooperators will think this is important enough to come and listen to. As we go forward with our coordination efforts on the wolf, I'm sure we will be working with Patrick.

Well at least we're a little closer to the next rain.

Until next time...

Bill



The Real Wolf: The Science, Politics, and Economics of Co-Existing with Wolves in Modern Times

by Ted B. Lyon and Will N. Graves

A summary with comments by Rachel Thomas. Used by permission.

In this detailed yet easy-to-read essay collection, authors Ted B. Lyon and Will N. Graves investigate the majesty and myths surrounding wolves in the United States and offer a new, true picture of the wolf in contemporary America.

The Real Wolf: The Science, Politics, and Economics of Co-Existing with Wolves in Modern Times is an in-depth study of the impact wolves as a federally protected species have had on big game and livestock populations. Each chapter in the book is meticulously researched and written by authors and scientists who have spent years studying wolves and wolf behavior. Contributing authors Rob Arnaud, Dr. Arthur Bergerud, Karen Budd-Falen, Jess Carey, Dr. Matthew A. Cronin, Dr. Valerius Geist, Don Peay, Laura Schneberger, Heather Smith-Thomas, and Cat Urbigkit each describe a unique aspect of the wolf in the United States. The Real Wolf does not call for the eradication of wolves from the United States, but rather advocates a new system of species management that would allow wolves, game animals, and farmers to live in harmony.

The Real Wolf presents hundreds of pages of documents, facts and real life stories about gray wolves, including over 460 references, footnotes, and links to sources and facts.

In the book, you will find that a massive disinformation campaign has been perpetrated upon America about wolves.

Myth: Wolves do not kill or attack people.

Fact: They do, and regularly, Chapters 3 and 4 will shock you.

Myth: Wolves are the sanitarians of nature and only kill the weak and the sick.

Fact: Wolves kill any and all forms of animals, strong as well as weak.

Myth: Wolves do not destroy game herds.

Fact: Chapter 5 and 8 document how wolves destroy large game herds quickly before moving on when a region can no longer sustain them.

Myth: Wolves are an economic boon to the economies of Idaho, Montana and Wyoming.

Fact: Chapter 7 and 10 document how and why wolves are a financial disaster for ranchers, farmers, businesses and states.

Myth: Wolves do not carry harmful diseases.

Fact: Chapter 14 lays out facts, backed by worldwide scientific data, proving that wolves are definite carriers of diseases dangerous to man and animals alike.

Critical Habitat: It Depends On The Definition Of “At”

from Cindy Coping

The U.S. Fish and Wildlife Service and the National Marine Fisheries Service (Services) have proposed three regulations that reinterpret the Endangered Species Act (ESA). The public comment period on the three rules ends July 11. Some of the important changes are described below. There is more in the Federal Register, (see last paragraph for details) but the following examples are provided to help you anticipate the serious effects of the rules. Some of this is driven by litigation, but that does not mean these interpretations reflect what Congress intended.

The Services propose to designate critical habitat (CH) where it is inappropriate but “correct.”

The [rule] would be revised to remove reference to critical habitat being designated or revised only “where appropriate.” This wording implied a greater flexibility regarding whether to designate critical habitat than is correct.

The “geographical area occupied by the species” will mean *the entire species range, including migration corridors*.

We also propose to define the previously undefined term “geographical area occupied by the species” as: “the geographical area which may generally be delineated around the species’ occurrences. . . and is what is often referred to as the “range” of the species.”

The word “at” will mean “*before and since*,” with regard to habitat occupied “at” the time of listing. The Service has already stretched “at the time of listing” of jaguars to mean *any time in the last 52 years*. The Services also grant themselves wide leeway defining, “the best available scientific data.”

The Services will rely on the best available scientific data, which may include indirect or circumstantial evidence, to determine occupancy. . . the determination of which geographic areas were occupied at the time of listing may include data developed since the species was listed.

“Occupied habitat” also is redefined.

. . . the meaning of the term

“occupied” includes areas that are used only periodically or temporarily by a listed species during some portion of its life history, and is not limited to those areas where the listed species may be found more or less continuously. . . [but excludes areas used by extreme-dispersing vagrants].

Here’s a zinger:

. . . The Services anticipate that critical habitat designations in the future will likely increasingly use the authority to designate specific areas outside the geographical area occupied by the species at the time of listing. [Remember they also want to define “occupied habitat” as the entire range of a species, so areas outside the entire species range will be designated.]

“Physical or biological features essential to the conservation of the species” will be defined as *any single element* or combination of elements, whether present or not, that supports its “life history needs.” In other words, even land bladed bare could be designated as critical habitat if, for example, it lies within a species’ “distribution distance.”

We propose to define “physical or biological features” as “the features that support the life-history needs of the species, including but not limited to water characteristics, soil type, [etc.]. A feature may be a single habitat characteristic, or a more complex combination of habitat characteristics. . . Features may also be expressed in terms relating to principles of conservation biology, such as patch size, distribution distances, and connectivity.” . . .

. . . However, an area within the geographical area occupied by the species, with habitat that is not ephemeral by nature but that has been degraded in some way, must have one or more of the physical or biological features at the time of designation.

“Special management considerations or protections,” are redefined so that substantially more land will be eligible for designation as critical habitat under the ESA.

. . . it is incorrect to read the [ESA] as asking whether *additional* special management may be required. The consideration of

whether features in an area may require special management or protection occurs independent of whether any form of management or protection occurs in the area. . .

Furthermore, it is not necessary that a feature *currently require* special management considerations or protection, only that it *may require* special management to meet the definition of “critical habitat.”

The Services are re-defining “adverse modification” of habitat.

“*Destruction or adverse modification*” means a direct or indirect alteration that *appreciably* diminishes the conservation value of critical habitat for listed species. Such alterations may include, but are not limited to, effects that preclude or significantly delay the development of the physical or biological features that support the life-history needs of the species for recovery.

The Services do not define “appreciably” as meaning *scientifically measurable*.

. . . we ultimately found it helpful to look at the definition of “appreciate,” which means to “recognize the quality, significance, or magnitude” or “grasp the nature, worth, quality or significance.”

. . . we determined that “conservation value” embodies the intended recovery role of critical habitat and, therefore, is relevant in a determination as to whether an action is likely to destroy or adversely modify that habitat. “Conservation value,” as used in the definition, then, is the contribution the critical habitat provides, or has the ability to provide, to the recovery of the species.

You can download the rules at www.regulations.gov. Unlike ObamaCare, this website is self explanatory and very easy to use. Just type or paste a docket number into the search window and you can access anything. The docket numbers for these three rules are FWS-HQ-ES-2012-0096 (re-defines “critical habitat”); FWS-R9-ES-2011-0072 (re-defines “adverse modification”); and FWS-R9-ES- 2011-0104 (New policy on partnerships, categorical exclusions and conservation plans).

Mark your calendar . . .

July 9 Quarterly meeting

**10:00 a.m.
Oracle State Park
Kannally House**

Lunch will be pot-luck.



photo by Becky Dunn

Join us for our Quarterly Meeting at the beautiful Kannally House at Oracle State Park. Guest speaker Patrick Bray will discuss the wolf expansion. We'll share news and views of events since our last meeting, and we'll talk about our future projects and plans.

The Education Center meeting will be held after the business of the regular quarterly meeting.

Check wnrcd.org for the agenda.



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