

**Mexican Wolf Management in Arizona and New Mexico:
 Apache County, AZ Alternative
 to the U.S. Fish and Wildlife Service Proposed Preferred Alternative in a
 Draft Environmental Impact Statement on a Proposed Nonessential
 Experimental Population Rule for the Mexican Wolf in the Southwest
 April 11, 2014**

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Introduction

The United States Fish and Wildlife Services (USFWS) has developed a Draft Environmental Impact Statement (DEIS) on a Proposed Nonessential Experimental Population Rule (“Rule”) for the Mexican Wolf in the Southwest. The Proposed Rule would supersede the 1998 Final Rule. USFWS has developed a range of alternatives, including the Proposed Action (“Preferred Alternative”), to: (1) modify the geographic boundaries established for the Mexican wolf reintroduction in the 1998 Final Rule; (2) modify the management regulations established in the 1998 Final Rule that governs the release, translocation, natural dispersal, and take of Mexican wolves, and; (3) implement a management plan for Mexican wolves for those areas of Arizona and New Mexico that are outside of the Mexican Wolf Experimental Population Area (MWEPA).

In accordance with National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) guidance to Federal agencies on the consideration of alternatives in an Environmental Impact Statement (EIS), the range of alternatives considered should include reasonable alternatives that must be rigorously and objectively explored. NEPA regulations further require study of methods to mitigate adverse environmental impacts as well as mitigation measures not already included in the Proposed Action or alternatives (40 C.F.R. § 1502.14 [h]).

Apache County has previously submitted detailed concerns and recommendations regarding the processes that USFWS used to develop the DEIS and Proposed Rule. USFWS claims that the alternatives selected for further consideration and evaluation were developed based on the experience and information the agency gained since the reintroduction of Mexican wolves in the United States in 1998. In fact no alternative of the DEIS reflects the *real world* experience that came of the implementation of the 1998 Rule and as a result no alternative provides *effective* mitigation of the actual on-the-ground adverse impacts. There is a failure of the USFWS to address the concerns and issues of citizens brought about by the presence of wolves that has resulted in a tremendous waste of taxpayer money and in extreme hardship for not only the humans who have been impacted by the implementation of the 1998 Rule but hardship for the wolves themselves, who have suffered over the fifteen years of implementation in spite of intensive management.

This document is an Apache County Alternative to the Proposed Rule that has been developed with the goal of providing a far more realistic chance of success for Mexican wolf reintroduction, since it is based not on ideals and wishes as much of the current program is, but more on the realities of lessons learned along with the best available science.

Note that sections of *CFR Title 50; Part 17 - Endangered and Threatened Wildlife and Plants; Subpart H - Experimental Populations* would necessarily require revision pursuant to implementation of the Apache County Alternative.

Apache County Alternative

- Make geographic boundary changes that reflect the Mexican wolf's historical range of 10% United States land-base and 90% Mexico land-base. Mexican wolf management shall be restricted to the historical range of the subspecies, which in Arizona and New Mexico is restricted to the highlands (typically but not always above about 4000 feet elevation) from south of Interstate 40 to the Mexican border. This area shall be referred to as the Mexican Wolf Reintroduction Area (MWRA).
- Move active Mexican wolf management from USFWS to State and Tribal authorities, with oversight by USFWS. The USFWS will provide the needed funding to accomplish the management programs by the Counties, States and Tribes.
- Make management changes that:
 - Allow initial release of Mexican wolves from captivity to the wild throughout the entire MWRA; releases shall not be restricted to Apache and Greenlee Counties Arizona and Catron County New Mexico; released wolves shall be allowed to disperse naturally throughout the MWRA.
 - Prohibits any further initial releases or translocations in Apache and Greenlee Counties Arizona and Catron County New Mexico until populations in those counties reach carrying capacity using the 3:1,000 wolf-to-elk ratio described below.

- Prevent exceeding the carrying capacity of the release areas.
- Reduce conflicts with humans and land uses through hazing, trapping, translocations, and removals; activities such as timber-sales, dispersed recreation, motorized recreation, Solar Energy Zones, agriculture, multiple-use on public lands, and other fundamental concepts of our government land use and management shall not be impeded by Mexican wolf management.
- Modify the provisions for the take of Mexican wolves on Tribal or private land.
- Make management action changes for private and tribal lands within the MWRA that:
 - Allow Tribal authorities and private property owners to harass, pursue and take a wolf that is deemed a threat to their health, safety and welfare.
 - Meaningfully involve Tribal government, local government and impacted private property owners in development and implementation of management actions on Tribal, public or private lands including but not limited to initial release, translocation, capture, and removal of Mexican wolves if requested by the tribal government, local government or impacted private property owner.
- Implement a Mexican Wolf Management Plan (“Plan”) for Mexican wolves within the MWRA.

Discussion

The Apache County Alternative includes management changes that provide for the initial release of captive-raised wolves throughout the MWRA and would allow the natural dispersal of wolves throughout the MWRA. The Apache County Alternative would:

- Define the geographic boundaries of the Mexican Wolf Reintroduction Area to the historical range of 10% United States land-base and 90% Mexico land-base. Mexican wolf management would be restricted to the historical range of the subspecies, which in Arizona and New Mexico is restricted to the highlands (typically but not always above about 4000 feet elevation) from south of Interstate 40 to the Mexican border. Patchy habitats, diminished prey base and landscape dynamics (i.e. the human footprint) preclude wolf occupancy west of Interstate 17/Highway 19 in Arizona or east of I-25 in New Mexico.
- The geographic boundaries of the historical range within the United States would be referred to as the Mexican Wolf Reintroduction Area (MWRA) and would replace any other Mexican wolf reintroduction area designations.
- Pursuant to the new geographic boundaries, remove the designation of the White Sands Wolf Reintroduction Area (WSWRA) as an area for the reintroduction of Mexican wolves.

- Pursuant to the new geographic boundaries, remove the small portion of Texas lying north of U.S. Highway 62/180 to the Texas-New Mexico boundary from the MWEPA.
- Revise the bi-national 1982 Mexican Wolf Recovery Plan. Given that approximately 90 percent of Mexican wolf historical range is in Mexico, true recovery of the species is not possible without significant progress in wolf conservation in Mexico. Any draft bi-national plan would recognize and support a Mexican Wolf Management Plan for the MWRA.
- Move active Mexican wolf management from USFWS to State and Tribal authorities, with oversight by USFWS through USDA-APHIS Wildlife Services.
 - It is a matter of common sense that management of wildlife resources should be the responsibility of those who have the greatest stake in those resources, and who are closest, on a day-to-day basis, to those resources. Wildlife and habitat already fall under the jurisdiction of State and Tribal authority; it is only logical that this authority should extend to species under the protection of the ESA. Artificially separating certain species out of the context of management of all other species and habitat is not only inefficient, but leads to management failure, as has been experienced with the Mexican wolf over the past fifteen years.
 - State and Tribal wildlife agencies along with local government and USDA-APHIS Wildlife Services are best suited to cooperatively implement wolf management and should be recognized and empowered by USFWS to collaboratively exercise wildlife management authorities for Mexican wolves. These agencies and local government are uniquely positioned to form partnerships with local communities, stakeholders and businesses that could be impacted by Mexican wolves.
 - State and Tribal governments have well-established and successful policies for wildlife management and conservation that nevertheless may be in conflict with USFWS interpretation of how to implement the actions of ESA managed species. Examples of potential conflicts include, but are not limited to, the San Carlos Apache Tribe policy prohibition of wolf presence on the San Carlos Apache Reservation; Catron County, NM policy prohibiting release of *canids* within the county boundaries; Arizona and New Mexico's Game and Fish guiding principles and requirements relative to Mexican wolf conservation and game management; the White Mountain Apache Tribe's commitments to wolf conservation. USFWS has, in the past, simply ignored State and Tribal policies as well as the desires of local government and citizens. State and Tribal implementation of Mexican wolf management alongside local government, with appropriate USFWS oversight, would enhance the potential for successful reintroduction of the Mexican wolf.
 - Wolves have the potential to dramatically influence native ungulate populations. States and Tribes would implement management strategies to drive a Mexican wolf management plan that considers long-term sustainability of predators and their prey such that baseline sport hunting and trapping opportunities are maintained (or enhanced) in terms of both quality and quantity. It is fundamental

in wildlife conservation in the United States that State and Tribal wildlife agencies alongside local government expertise are statutorily mandated to manage wildlife populations. Such management is not static but rather is subject to influence by (among other factors) habitat conditions, short and long-term population trends and societal preferences.

- USFWS oversight of wolf management would be provided through: a current, approved Recovery Plan; ESA Section 6 Cooperative Agreements with the States; cooperative agreements with Tribes; and a Mexican Wolf Management Plan that covers all non-Reservation lands within the MWRA.
- Make management changes so that:
 - The Plan prohibits any further initial releases or translocations in Apache and Greenlee Counties Arizona and Catron County New Mexico until populations in those counties reach carrying capacity using the 3:1,000 wolf-to-elk ratio described below.
 - Mexican wolves would be released from captivity to the wild throughout the entire MWRA and allowed to disperse naturally. Initial releases of captive-raised Mexican wolves shall not be restricted to the former Blue Range Wolf Reintroduction Area (BRWRA). Given that regions of Apache County are still deemed suitable habitat for wolves despite decimation by catastrophic wildfire and mismanagement, it is clear that suitable habitat can be found beyond the areas of the current maps referenced in the DEIS. Since potential release areas would include all suitable habitat of the MWRA, these areas should be expanded on the maps and in the program guidelines to reflect this status.
 - Management and biological objectives can be met through the translocation process into unconnected areas. This provides a desirable building of distinct and separated populations that limits risk from contagious disease, natural interruptions like wildfire, flooding, drought, etc. Translocation is additionally a useful management tool to reduce concentrations of predator species that may negatively impact game herds, industry, natural resource management activities, multiple land-use objectives, as well as predators' prey-base.
 - USFWS population objective should be amended to “establishing a population of at least 100 wolves or a population no greater than the number of wolves that can be sustained by the natural carrying capacity of the prey base within the MWRA, whichever is healthiest for the habitat”. This reflects the realities of climate change, ongoing drought in the MWRA, and the associated catastrophic wildfires, each of which in turn stresses the prey base and increases competition with other predators. A hard objective of 100 wolves is unrealistic if those numbers can only be sustained by wolves preying on pets and livestock or by being fed by humans. Note that the current reintroduction project in Arizona and New Mexico is approaching (or has surpassed) the USFWS population objective of at least 100

Mexican. Management approaches must be significantly revised to accommodate and to limit future wolf population growth so balance is maintained relative to other species of wildlife and to lawful human uses of the areas occupied by wolves (e.g. livestock production and outdoor recreation activities such as hunting, trapping, fishing, camping, hiking, bird watching, etc.). States and Tribes must use the best available science each year to define acceptable wolf densities that enable them to sustain populations of prey and other species.

- The number of Mexican wolves in the wild in the US and in Mexico would be used to determine if USFWS objectives have been met (i.e. the Mexican wolf would be considered fully recovered) would be based on the actual count of the population. This count would include wolves on government, Tribal, state and private lands, including collared and uncollared wolves. The program cannot use the best available science in reintroduction efforts if all packs and population segments are not counted into the total species population, as is the method currently used in the program, and which is a contributing and artificial factor in USFWS's not meeting management objectives.
- Carrying capacity is defined for the purposes of this alternative to mean a density of Mexican wolves that does not substantially limit or reduce the numbers or productivity of state game species resources. The wolf densities will also be assessed and adjusted based on impacts to private property.
- Ideal wolf population for any habitat area cannot be determined by total estimated wolf population, but necessarily must be determined by the carrying capacity of the release area. In other words, wolf populations would be determined within the context of the habitat rather than by the total number of wolves estimated for the MWRA.
- Habitat supports prey (elk) and prey numbers determine capacity of wolves. Also, wolves are adept at switching prey species as primary prey numbers drop (either from habitat change, disaster or predation). Wolf numbers (density) will be determined by state game agencies in conjunction with county government based on available habitat and prey population estimates.
- The carrying capacity of the release areas would not be exceeded. Translocation management would consider the available prey-base as well as the habitat and prey needs of other predator species already present in an area in order to avoid overburdening any one area's carrying capacity. Based on the best available science (latest survey by Arizona Game and Fish Department (AZGFD), the lead agency for game management in AZ) the number of wolves allowable to meet prey-base, habitat and carrying capacity would be set at a wolf-to-elk ratio of 3:1000. Wolf population would not be concentrated in any given area and would not exceed the 3:1000 ratio in order to best adapt the species to varied prey-base. This ratio would be adjusted for the presence of other predators dependent on the same prey-base. Densities also may need to be adjusted to limit impacts to humans (livestock depredation or similar losses).

- Mexican wolf numbers must not exceed the capacity of State, Tribal and Federal wildlife agencies to manage them. Approved levels of funding and human resource (staff) capacity are finite and may limit wolf populations in the MWRA.
- Translocations would be used to reduce population to the acceptable limits within Apache County as per the table below, and would be used for removal of excess population to maintain the species at that ratio. Using the 3:1,000 wolf-to-elk ratio for a sustainable population without damage to big game herds means a calculated (high) carrying capacity of wolves in Apache County of 26 wolves.

Land in Apache County	Square miles
Apache County total	11,174
Tribal lands	7,666
Other lands within Apache County	3,508
Private property	1,473
Land excluding private property and Tribal	2,035
Game Management	
Game Management Units (GMU), sq. mi.	1,981
GMU 1, sq. mi.	844
GMU 2B, sq. mi.	823
GMU 2C, sq. mi.	314
Elk population survey 2013/2014 (GMU 1,2B,2C)	8,412 elk
Elk population elk/sq. mi.	4.25 elk
Calculated carrying capacity of wolves in Apache County at 3:1000, rounded upward	26

- In use of the full MWRA for initial release, the Apache County Alternative eliminates the need to define primary and secondary recovery zones within the BRWRA. Therefore, this alternative discontinues the use of these zones and their definitions.
- Reference to “6 breeding pairs” should be omitted. There are no circumstances, no population numbers or other parameters that justify wolves hunting and feeding themselves on livestock or pets.
- Provisions would be included for take by pet owners of any Mexican wolf engaged in the act of killing, wounding, or biting pets on private or Tribal land anywhere within the MWRA; provided that evidence of a freshly wounded or killed pet by wolves is present. The State, County and WS will develop appropriate criteria for determining permit issuance.
- Provisions would be included for the issuance of permits on private or land anywhere within the MWRA to allow livestock owners or their agents to take any

Mexican wolf that is present on private or tribal land that meet conditions to be defined before such a permit is issued.

- Make management action changes for private and tribal lands within the MWRA that:
 - Allow Tribal authorities and private property owners to harass, pursue and take a wolf that is deemed a threat to their health, safety and welfare. It should be noted that if taking by trap, snare or other type of capture device is prohibited then lethal take will be the only option left.
 - Shall meaningfully involve Tribal government and coordinate with local government pursuant to Arizona Coordination Act and provide early consultation to impacted private property owners in development and implementation of management actions on Tribal, government and private lands including but not limited to initial release, translocation, capture, and removal of Mexican wolves if requested by the tribal government, local government or the private land owner.
 - Mexican wolves would be allowed to disperse naturally throughout the MWRA. Tribal government and impacted private landowners would be involved with decisions regarding removal on tribal or private land. Wolves would not be removed from public land except in the case of depredation or other nuisance behavior that cannot be effectively managed through non-removal techniques, except in all cases of depredation, other nuisance behavior, or populations in excess of county carrying capacity. There would be capture and removal of wolves on tribal land if requested by the tribal government.
 - Non-nuisance/non-problem wolves captured in the MWEPA pursuant to an authorized management purpose could be translocated (re-released) at approved translocation sites on public land within the MWEPA (inclusive of the BRWRA) with the option to translocate or release wolves directly from captivity on tribal or private land when requested by the tribal government or landowner.
 - Reduce conflicts with humans and land uses through hazing, trapping, translocations, and removals. Activities such as timber-sales, dispersed recreation, motorized recreation, Solar Energy Zones, agriculture, multiple-use on public lands, and other fundamental concepts of our public lands use and management, shall not be impeded by Mexican wolf management.
 - Intergovernmental coordination should be a priority between the USDA, USDI and local state and county governments to actively manage forests and rangelands to improve habitat for prey species and wolves, change distribution of livestock (ostensibly to reduce depredation issues).
 - Mexican wolf management would be accompanied by an appropriately federally-authorized and federally-funded mitigation program that is administered by USDA-APHIS Wildlife Services for interdiction, incentives and compensation payments to prevent or offset direct (depredation) and indirect (weight loss and birthing rates) economic impacts incurred by livestock owners as a result of

Mexican wolf presence. The Mexican Wolf/Livestock Coexistence Council Strategic Plan officially debuted via USFWS News Release of March 25, 2014 is not a plan to adequately nor realistically address these issues and should not be considered in the planning efforts.

- Make management action changes for private and tribal lands within the MWRA that:
 - Modify the provisions for the take of Mexican wolves on Tribal or private land.
 - Allow Tribal authorities and private property owners to harass, pursue and take a wolf that is deemed a threat to their health, safety and welfare.
 - Shall meaningfully involve Tribal government, local government and private property owners in development and implementation of management actions on Tribal or private lands including but not limited to initial release, translocation, capture, and removal of Mexican wolves if requested by the Tribal government, local government or private property owner. Successful reintroduction and management of Mexican wolves in the MWRA is dependent upon wolves being accepted or at least tolerated by the public in the context of modern working landscapes that provide for multiple public uses. Mexican wolf conservation efforts must therefore not cause unacceptable impacts to the economic well-being of rural communities or to State and Tribal sport hunting and trapping opportunities. Wolf management in the MWRA must be transparent, with ample opportunity for impacted stakeholder, tribal government and local government engagement in shaping current and future approaches.
 - Since the current USFWS approach to Mexican wolf management in Arizona and New Mexico is highly controversial regarding wolf conservation objectives and minimizing operational impacts on rural communities and backcountry residents. Remove USFWS' emphasis on management of individual (problem) wolves and alternately coordinate management at the population level for both wolves and native ungulates.
 - Since by law (i.e. ESA, Section 10(j)), any wolf in the MWRA is a member of a Nonessential Experimental Population and is expendable in terms of survival of the Mexican wolf subspecies. Management of wild wolves should reflect that legal fact. If livestock depredation, predation on native ungulates, or other wolf behavior rises to the point at which recapture and/or removal is warranted, authorities must be able to use any available, approved means of effecting immediate removal.
 - Impacts to game activities and populations, which are the funding source for the Arizona Lead Agency, shall be compensated as well at least until State and Tribal Agencies are in full management control. Such a compensation program would not involve reliance on funding or administration by non-governmental organizations.

- Implement a Mexican Wolf Management Plan (“Plan”) for Mexican wolves within the MWRA only. Mexican wolves that disperse beyond the MWRA would be managed the same as any other non-listed gray wolf in the United States. Wolves found outside of the MWRA would not be fully protected under the ESA and would be captured and taken to captivity or released back into the MWRA with suitable habitat and prey base. This would apply to the entirety of Arizona and New Mexico regardless of being within the MWRA.

Apache County Terms and Conditions for Accepting 10-J Rule

Apache County finds and determines that fair compensation is not afforded to livestock producers who sustain livestock losses due to direct impacts (depredation) and indirect impacts of wolf presence. Indirect impacts to livestock losses result in costly effects such as calf losses, weight losses, poor conception rates, inferior meat quality and unsound management practices such as over or under-utilization of the resource base. In addition, those producers implementing wolf/livestock conflict avoidance measures for an ecological service must receive just remuneration.

Furthermore, USFWS is not in compliance with the Fifth Amendment of the US Constitution to provide fair compensation when private property rights are violated by government agencies.

Under 50 CFR 17.81(d), the Service must consult with appropriate State fish and wildlife agencies, local governmental entities, affected Federal agencies, and affected private landowners in developing and implementing experimental population rules. To the maximum extent practicable, section 10(j) rules represent an agreement between the Service, affected State and Federal agencies, and persons holding any interest in land, which may be affected by the establishment of an experimental population.

Apache County can only accept changes to the 10-J Rule, per 50 CFR 17.81(d) that not only have a reasonable chance of supporting reintroduction of the Mexican wolf but that also support the human environment of the County. Because the 10-J Rule is an agreement with local governments, Apache County will only agree to the Apache County Alternative presented in this document, with the following stipulations, which are based on USFWS Regional Director Dr. Benjamin Tuggle’s commitment to make livestock producers whole:

- Before the approval and implementation of the new 10-J Rule, the federal government shall have in-place adequate compensation funds at a minimum of \$3.5 million annually for the Mexican wolf population that is responsible for unacceptable expenses to producers. Expanded populations will necessitate increased funding.
- The compensation plan will apply to all victims of direct and indirect impacts, to include impacts on private and tribal lands.
- Direct and indirect losses to producers shall be determined through a collaborative process between the producer and the investigating officer. The actual compensation amount will be derived from evidence presented by the producer and the investigating officer. The investigating officer shall be chosen by the county, and be a state certified law enforcement officer such as the State Cattle Inspector or County Sheriff’s Deputy.

Tribal lands will of necessity need to identify an authorized tribal inspector, whether that be through the use of the local county's state certified officer or the use their own tribal authorized officer.

- Affected Counties cooperating with University Extension Research, NMSU Range Improvement Task Force, Dr. Nick Ashcroft, and University of Arizona Range Specialist, Dr. George Ruyle, will further develop the criteria for evaluating compensation claims of direct and indirect losses to livestock producers.
- The compensation and management plans must be in-place for any tribal lands connected to or within Apache County before Apache County can agree to approval of the plan.
- Compensation will be based on fair market value of incurred expenses. See Dr. Nick Ashcroft, et. al. study (Nicholas K. Ashcroft, Clay P. Mathis, Samuel T. Smallidge, John M. Fowler, and Terrell T. Baker, *Reestablishment of the Mexican Gray Wolf: The Economics of Depredation, Technical Report 80*, Range Improvement Task Force, New Mexico State University, September 2010).

Comparison of USFWS Proposed Action and Apache County Alternative		
	USFWS Proposed Action	Apache County Alternative
<i>Remove the designation of the White Sands Wolf Recovery Area as an area for the reintroduction of Mexican wolves.</i>	X	X
<i>Remove the portion of Texas lying north of U.S. Highway 62/180 to the Texas-New Mexico boundary from the Mexican Wolf Experimental Population Area (MWEPA).</i>	X	X
<i>Move the southern boundary of the MWRA in Arizona and New Mexico from Interstate 10 to the United States-Mexico international border.</i>		X
<i>Make geographic boundary changes that reflect the Mexican wolf's historical range of 10% United States land-base and 90% Mexico land-base. Mexican wolf management shall be restricted to the historical range of the subspecies, which in Arizona and New Mexico is restricted to the highlands (typically but not always above about 4000 feet elevation) from south of Interstate 40 to the Mexican border. This area shall be referred to as the Mexican Wolf Reintroduction Area (MWRA). Eliminate the designation of the Primary and Secondary Recovery Zone within the BRWRA.</i>		X
<i>Move active Mexican wolf management from USFWS to State and Tribal authorities, with oversight by USFWS.</i>		X
Management Changes		

<p><i>Allow initial release of Mexican wolves from captivity to the wild throughout the entire BRWRA. This change would eliminate the need to define the Primary and Secondary Recovery Zone within the BRWRA.</i></p>	<p>X</p>	
<p><i>Allow initial release of Mexican wolves from captivity to the wild throughout the entire MWRA.</i></p>		<p>X</p>
<p><i>Allow Mexican wolves to disperse naturally from the BRWRA into the MWEPA and occupy the MWEPA. .</i></p>	<p>X</p>	
<p><i>Manage Mexican wolves in the MWEPA by reducing conflicts with humans and land uses through such means as hazing, trapping, translocations, and removals.</i></p>	<p>X</p>	<p>X</p>
<p><i>Amend USFWS population objective to “establishing a population of at least 100 wolves or a population no greater than the number of wolves that can be sustained by the natural carrying capacity of the prey base within the MWRA, whichever is healthiest for the habitat”.</i></p>		<p>X</p>
<p>Provisions for take (see the definition of “take” provided in the List of Definitions) of a Mexican wolf are modified to:</p> <ul style="list-style-type: none"> - <i>Identify section 6 of the Act as authorizing language for take pursuant to 50 CFR 17.31 for state wildlife agencies with authority to manage Mexican wolves under the nonessential experimental population rule.</i> - <i>Clarify that an individual can be authorized to take Mexican wolves under specific circumstances.</i> 	<p>X</p>	
<p><i>-Revise the conditions that determine when we would issue a permit to livestock owners or their agents to allow take of Mexican wolves that are engaged in the act of killing, wounding or biting livestock on public lands allotted for grazing from “6 breeding pair” to “100 Mexican wolves” to be consistent with our population objective of establishing a population of at least 100 wolves.</i></p>	<p>X</p>	

<p><i>-Revise the conditions that determine when USFWS would issue a permit to livestock owners or their agents to allow take of Mexican wolves that are engaged in the act of killing, wounding or biting livestock on public lands allotted for grazing by omitting “6 breeding pairs”.</i></p>		<p>X</p>
<p><i>- Revise the prohibitions for take such that taking a Mexican wolf with a trap, snare, or other type of capture device within occupied Mexican wolf range is prohibited and will not be considered unavoidable or unintentional take, unless due care was exercised to avoid injury or death to a Mexican wolf.</i></p>	<p>X</p>	<p>X</p>
<p>Provisions for take (see the definition of “take” provided in the List of Definitions) of a Mexican wolf are modified to:</p> <p><i>- Include provisions for take by pet owners of any Mexican wolf engaged in the act of killing, wounding, or biting pets on private or tribal land anywhere within the MWRA; provided that evidence of a freshly wounded or killed pet by wolves is present.</i></p> <p><i>- Include provisions for the issuance of permits on private or tribal land anywhere within the MWRA to allow livestock owners or their agents to take any Mexican wolf that is present on private or tribal land and what conditions must be met before such a permit is issued.</i></p>		<p>X</p>
<p>Management Actions</p>		

<p><i>Develop and implement management actions on private land within the MWEPA by the Service or an authorized agency to benefit Mexican wolf recovery in voluntary cooperation with private landowners, including but not limited to initial release and translocation of wolves if requested by the landowner. Wolves present on private lands within the MWEPA would not be subject to management removal except in the case of depredation or other nuisance behavior that cannot be effectively managed through nonremoval techniques.</i></p>	<p>X</p>	
<p><i>Develop and implement management actions on tribal land within the MWEPA by the Service or an authorized agency in voluntary cooperation with tribal governments including but not limited to initial release, translocation, capture, and removal of Mexican wolves if requested by the tribal government.</i></p>	<p>X</p>	
<p>Implementation of a management plan</p>		
<p><i>Implement a management plan (Mexican Wolf Management Plan) for the Mexican wolf for those portions of Arizona and New Mexico that are outside of the MWEPA.</i></p> <p>Note: Under Alternatives One and Two the proposed management plan would be implemented for those areas of Arizona and New Mexico north of Interstate 40 AND south of Interstate 10.</p>	<p>X</p>	
<p><i>Implement a management plan (Mexican Wolf Management Plan) for the Mexican wolf within the MWRA.</i></p>		<p>X</p>

MWRA Management Plan

State and Tribal wildlife agencies in Arizona and New Mexico, alongside local government and in partnership with USDA APHIS Wildlife Services, will develop and implement a Mexican Wolf Management Plan (“Plan”) for Mexican wolves within the MWRA. The Plan would replace any existing Mexican wolf plans, and would necessitate the revision of sections of *CFR Title 50; Part 17 - Endangered and Threatened Wildlife and Plants; Subpart H - Experimental Populations*.

The Plan would not be used to manage gray wolves of any species, subspecies or population group outside of the MWRA.

This plan shall identify and describe:

- Overall Plan goals and objectives
- General management practices
- Geographic areas or habitats (“management areas”) that wolves will be allowed to occupy and those from which they will be excluded.
- Specific management practices intended and allowed for each management area.

Goal

Mexican Wolf Recovery would consist of a population of entirely wild-born Mexican wolves that thrive in balance with the human and natural environment through the use of State and Tribal adaptive management alongside local government and in partnership with USDA APHIS Wildlife Services.

Objective One

Adaptive management of Mexican wolves within the MWRA strives for minimal contact with wolves; employs maximum use of best science, local input and common sense to determine management actions; and includes full consideration of multiple use of habitat, including other animal species’ needs and the traditional uses of land and natural resources by humans.

Adaptive management principles include on-the-ground experience and local familiarity with the human and natural environment in order to respond to local conditions that affect Mexican wolves. Tribal and State wildlife commissions already monitor and manage wild ungulate population objectives and other predator species, and therefore are in the best position to monitor and manage the Mexican wolf population numbers that are entirely dependent on wild prey (rather than livestock and pets).

Best science (biological, economic and sociological) is used to develop and implement adaptive management practices. This science incorporates quantitative and qualitative measures of effectiveness and success where applicable. Issues are to be clearly

addressed by affected stakeholder; defined as someone with an economic stake in Apache Co.. These issues include: annual population survey methodology, prey requirements, predator-prey relationships, genetic purity, taxonomic validity and human-predator relationships.

Objective Two

Release of captive-raised wolves and translocation of wolves are gradually phased out over time, until all Mexican wolves in the wild are wild-born and non-habituated.

Because of reduced familiarity with human scent and activities (as is currently the case with wolves released from captivity into the wild) wild-born populations would be non-habituated to humans and would therefore have a lower negative effect on human activities within the MWRA.

The total Mexican wolf population in the United States is derived from an extremely limited genetic base of seven animals captured from Mexico. While captive breeding can strive to compensate for low genetic variation, without new genetic material captive breeding is a dead-end solution to Mexican wolf viability. A wolf population with no genetic variation (in which every individual is genetically identical) cannot evolve in response to environmental or situational changes.

Genetic exchange between wolf populations in the MWRA and Mexico is essential to long-term conservation of the Mexican wolf in the wild. The past fifteen years have clearly demonstrated that a captive breeding program cannot select for traits that will be most advantageous for a predator to thrive in the wild if the animal is expected to successfully survive in captivity. Gradual phasing out captive breeding, accompanied by a “hands-off” management approach allows wolves to naturally select mates, packs and territories and thereby provides for genetic variation and viability.

The current population of Mexican wolves in the MWRA is based on genetically limited, human-habituated, captive-raised animals that have been released into the wild. Wolves become habituated in order to survive without developing human confinement smell habituation or going insane in captivity, as they are flooded with scent, sight and sound of human beings that they cannot escape. Habituated wolves become problem wolves, and problem wolves require intensive management that encourages habituation.

More intense management of Mexican wolves, including translocation, will be necessary until the influence of habituation is reduced. Wolves that have committed livestock depredation are more likely to seek livestock as prey and translocation may not resolve that problem. Problem wolves will require active, intensive management to prevent, lessen or mitigate any negative impacts on wildlife resources (or on sport hunting or trapping opportunity) and livestock predation.

Some measure of management of Mexican wolves will always be necessary on an as-needed basis. States and Tribes already have management policies for other predator species and are capable of managing problem wolves. Specific management for genetic

purity of Mexican wolves includes reducing wolf- dog hybridization potential by limiting the presence of feral dogs in the MWRA and limiting wolf occupation of areas in close proximity to known domestic (or feral) dog concentration.

Objective Three

Management areas, identified geographically, are habitats suited to Mexican wolves within the MWRA where the Plan is implemented. The Plan would not be implemented outside the MWRA, where other management objectives apply to gray wolves of any species, subspecies and population groups.

Management areas are geographic areas within the MWRA where Mexican wolf populations are supported biologically, and where humans do not actively oppose the presence of resident populations of Mexican wolves. Wolf populations will be established through coordination with local governments or similar.

Management areas are located only within components of Mexican wolf historical range. The historical range is 10% United States land-based and 90% Mexico land-based. In Arizona and New Mexico management areas are restricted to the highlands (typically but not always above about 4000 feet elevation) from south of Interstate 40 to the Mexican border.

Management areas provide contiguous, suitable habitat to support wolves while minimizing human conflict. The boundaries of management areas are subject to alteration since natural dispersal of wolves occurs as a result of changes in natural conditions and other factors.

The carrying capacity of a management area is based on the wolf-to- elk population ratio, as well as other factors. As prey-base population levels fluctuate in response to predation, disease, changes in climate and natural conditions (such as catastrophic wildfire) and other factors, Mexican wolf populations would self-regulate, including natural dispersal throughout the MWRA in response to these conditions.

Exclusions: Human communities are not to be considered management areas. Patchy habitats, diminished prey base and landscape dynamics (i.e. the human footprint) preclude wolf occupancy west of Interstate 17/Highway 19 in Arizona or east of I-25 in New Mexico.

Include in the management plan for the MWEPA that wolves found outside of the MWRA would be captured and taken to captivity or released back into the MWRA with suitable habitat and prey base. This would apply to the entirety of Arizona and New Mexico regardless of being within the MWRA.

Objective Four

Mexican wolves comprise a population of predator in balance with the environment.

The only place where the Mexican wolf exists independent of the environment is in zoos and captive management facilities. In the wild, the role of the Mexican wolf is limited by and contributes to the balance of nature, and as such management of the Mexican wolf in the wild is adaptive and holistic.

Mexican wolf management objectives and the attendant management practices reflect acceptable occupation by wolves at population levels that are sustainable in the natural as well as the human environment of the MWRA landscape. The Plan is the primary mechanism by which the States and Tribes continue to represent their interests in all areas of Mexican wolf conservation, including how reintroduction in the MWRA relates to overall Mexican wolf recovery in its historical range.

This Plan is supported by appropriate revisions of ESA Section 4(d) and/or Section 10(j) rules that define acceptable management practices that accord with the authorities conveyed to the States by their ESA Section 6 Cooperative Agreements and are endorsed by USFWS under auspices of State and/or Tribal Memoranda of Agreement with the Secretary of the Interior. The development and implementation of a Mexican wolf management plan is further endorsed in the draft EIS for the USFWS proposed revision to the 10(j) rule.

This Plan will be developed through strong public engagement, including effective outreach with targeted constituents such as livestock producers, sportsmen conservationists, local governments, Tribal governments, conservation groups (and the public at large).

Enforcement measures are incorporated into this Plan that address upper limit on wolf impacts on game ungulate populations such that the current quantity and quality of hunting opportunity are sustained at or above current levels.

Interagency Field Team (IFT) structure and function

- Cost effective;
- Work within the WWRA area only;
- Responses to potential depredation incidents continue to be initiated within 24 hours of receiving depredation reports;
- Initial releases and planned translocations of Mexican wolves are vetted with the public; and depredation incident investigations are timely and transparent;
- Wolf conservation efforts are appropriately balanced by on-the-ground interdiction, incentive and compensation measures that effectively offset impacts to the private sector;
- Appropriate federal funds are secured (appropriated) and directed to USDA-APHIS Wildlife Services to support wolf conservation (including necessary control and translocation actions) by providing interdiction incentives and measures, to include:
 - Productively engaging public lands grazing permittees and private lands livestock operators in voluntary, incentives-based Mexican wolf conservation measures;
 - Cooperating with any interdiction, incentives and compensation program that attempts to address the direct and indirect impacts of Mexican wolf reintroduction

- on the private sector and create incentives for enhanced conservation and stewardship; and
- Cooperating with local governments and participating Tribes within the MWRA.
- Clearly defined limits on the following and immediate management actions to remedy the problems when limits have been reached:
 - Nuisance behavior and problem wolves (as defined by ESA and USFWS);
 - Livestock depredation (e.g. 2 confirmed depredation incidents within a rolling 12 months must require removal).
 - No reassigning of depredations to other pack members.
 - Clearly defined upper limit of 15 percent for wolf impacts on ungulate populations.
- Wolves subject to removal will be removed without delay from the wild by any authorized method. State and Tribal wolf management plans, in conjunction with local government, must define how they will determine when upper limits are approached or have been reached.

Abbreviations

APHIS – Animal and Plant Health Inspection Service

AZGFD – Arizona Game and Fish Department

BRWRA – Blue Range Wolf Reintroduction Area

CEQ – Council on Environmental Quality

DEIS – Draft Environmental Impact Statement

EIS – Environmental Impact Statement

ESA – Endangered Species Act

MWRA – Mexican Wolf Reintroduction Area

MWEPA – Mexican Wolf Experimental Population Area

NEPA – National Environmental Policy Act

USDA – United States Department of Agriculture

USFWS – United States Fish and Wildlife Services

WSWRA – White Sands Wolf Recovery Area