



NATIVE ENDANGERED SPECIES RECOVERY

**Permit Number:** ESPER0048320

**Version Number:** 1

**Effective:** 2024-09-04 **Expires:** 2027-12-27

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**Issuing Office:**

**Department of the Interior**

**U.S. FISH AND WILDLIFE SERVICE**

ES Albuquerque Permit Office

500 Gold Avenue S.W., P.O.Box 1306

Albuquerque, New Mexico 87103-1306

**Permittee:**

U.S. Fish & Wildlife Service, Region 2

Mexican Wolf Recovery Program

2105 Osuna Road, NE

Albuquerque, New Mexico 87113-1001

U.S.A.

**Name and Title of Principal Officer:**

Brady McGee

**Marty Tuegel**

**Digitally signed by**

Marty Tuegel

2024-09-04 09:15:10

Program Leader - Division of  
Environmental Review

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Authority: Statutes and Regulations: 16 U.S.C. 1539 (a) 50 CFR 17.22, 50 CFR 13

**Location where authorized activity may be conducted:**

At locations specified within permit terms and conditions.

**Reporting requirements:**

See permit terms and conditions.

**Authorizations and Conditions:**

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accord with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. The validity of this permit is also conditioned upon strict observance of all applicable foreign, state, local tribal, or other Federal law.



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C. Valid for use by Permittee named above.

D. Your permit has been amended as follows. The terms and conditions set forth in the most recent permit (ESPER0048320-0 dated December 27, 2022), and any previous amendments or renewals are hereby superseded by this document.

E. Acceptance of this permit serves as evidence that Permittee agrees to abide by the "General Conditions for Native Endangered and Threatened Wildlife Species Permits" (copy attached).

F. Acceptance of this permit serves as evidence that Permittee agrees to abide by all conditions stated. **Some terms and conditions within this permit may have changed, either to reflect the most current language available or in response to requests by applicants or requirements by species' lead biologist(s).** Terms and conditions of this permit are inclusive. Any activity not specifically permitted is prohibited. Please read through these conditions carefully as violations of permit terms and conditions could result in your permit being revoked or denial of a new permit when the current one expires. Violations of your permit terms and conditions which contribute to a violation of the Endangered Species Act (ESA or Act) could also subject the Permittees to criminal or civil penalties.

G. Disposal, transplant, or release of live wildlife/plants or plant parts taken or held under the terms of this permit, unless specifically authorized, requires prior written approval by the species' lead U.S. Fish and Wildlife Service (USFWS) office. You must dispose of dead wildlife/plants or plant parts as specified by the terms of this permit. If terms are not specified, specimens can be destroyed or transferred to a public institution. A copy of this permit and a cover letter referencing your permit number, must accompany each shipment and must be retained with the specimens. The cover letter must specify who will receive the specimens and the numbers involved. A copy of the letter must be furnished to the following addresses:

U.S. Fish and Wildlife Service  
Southwest Region 2 Office  
Division of Environmental Review - Recovery Permits  
P.O. Box 1306  
Albuquerque, New Mexico 87103  
***fw2\_te\_permits@fws.gov***

U.S. Fish and Wildlife Service  
Mexican Wolf Recovery Program  
2105 Osuna NE  
Albuquerque, New Mexico 87113  
505/346-2525



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A copy should also be retained in your files. Transfers deviating from the above conditions require prior written approval by the USFWS.

H. *Unless otherwise instructed within the species-specific language below*, an **annual report** based on each species and activity conducted under the authority of this permit (including where activities took place, number and location of species collected/captured, and field data forms, if appropriate) must be **uploaded to** <https://fwsepermits.servicenowservices.com/fws/> (<https://fwsepermits.servicenowservices.com/fws/%20>) as an attachment to your most current permit record in ePermits, *and* submitted to the respective **Ecological Services Field Office (ESFO)** listed above, including negative data (i.e., negative survey findings or lack of breeding success) **by March 1<sup>st</sup> following each year the permit is in effect.** The annual report should also include recovery permit number, species' common and scientific name, date of survey, observer, observer contact information (in case of questions), location (provide GPS or UTM coordinates, or Township and Range and at least quarter Section), number of individuals observed, their sex, age class, and breeding condition, if known or determined in recovery permit report for all surveys conducted. If habitat quality/condition was noted at the time of surveys, please include that information.

Data collected in lat/long, NAD 83 is preferred. If collected in an alternate coordinate system, please report the coordinate system and datum the information was collected in. Optional information that can be included to help further define the precision of the locational information includes: 1) Positional Dilution of Precision (PDOP) level at time of acquisition, and 2) whether the Wide Area Augmentation System (WAAS) was enabled.

If no activities were conducted under this permit, for one or more species during the calendar year, a report stating such will satisfy the annual reporting requirements. Failure to submit a report, or failure to submit an adequate report, is a violation of the permit and is cause for suspension or revocation of the permit. A violation may disqualify a person from receiving or exercising the privileges of a permit as long as the deficiency exists.

For all surveys conducted within New Mexico, you must submit your annual report in the University of New Mexico's Natural Heritage Program **USFWS Permit Data Template** available at [http://nhnm.unm.edu/data/fws\\_permit\\_template](http://nhnm.unm.edu/data/fws_permit_template) ([http://nhnm.unm.edu/data/fws\\_permit\\_template](http://nhnm.unm.edu/data/fws_permit_template)). Completed annual reports must be submitted to **[nhnm@unm.edu](mailto:nhnm@unm.edu)** as well as the appropriate ESFO listed above in Condition G. If your annual report is too large to send via e-mail, you may submit required copies on a CD. To send a CD to the Natural Heritage Program by mail or courier, please use the following addresses:

**Mail To:**

Natural Heritage New Mexico  
UNM Biology Department  
MSC03 2020  
1 University of New Mexico  
Albuquerque, NM 87131-0001  
505/277-3822

**Courier Delivery:**

Natural Heritage New Mexico  
University of New Mexico Main Campus  
Castetter Hall – Room 167  
Albuquerque, NM 87131



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Email: ***nhtm@unm.edu***

- I. Copies of any unpublished or published reports generated by the studies or projects covered by this permit and other data that would be useful for the conservation or recovery of the species should also be submitted to the ESFO(s). Reports should include one copy of USGS 7.5 minute quad sheets or larger scale maps, depicting sites where listed species covered by this permit were found or not found. These reports may be disclosed pursuant to the Freedom of Information Act.
- J. Should any mortality or physical injury occur to an individual of the species during permitted activities (above the amount that may be specified below for a specific species) all operations must immediately cease and you are required to contact the ESFO(s) above within 24 hours.
- K. Please note that this permit is limited to the activities and species described below, and is functional only when used in combination with a valid state permit.
- L. Activities involving migratory birds and their parts (see 50 CFR 10, Migratory Bird Treaty Act (16 USC 703 et seq.) and implementing Regulations at 50 CFR 21) or bald and golden eagles (see Bald and Golden Eagle Protection Act (16 USC 668a) and 50 CFR 22), may require additional permits or authorizations. Please contact the respective Regional Migratory Bird Permit Office, [FWS Contact Us \(servicenowservices.com\)](mailto:FWS.Contact.Us@servicenowservices.com) ([https://fwsepermits.servicenowservices.com/fws?id=fws\\_contact\\_us](https://fwsepermits.servicenowservices.com/fws?id=fws_contact_us)), for additional information.
- M. This permit does not, either directly or by implication, allow or grant right of trespass. Permission to enter lands must be obtained in writing from the landowner or land managing agency.
- N. If conducting research on a National Wildlife Refuge, you must obtain a refuge special use permit. The refuge permit will need to be used in conjunction with this permit and a valid state permit in order to meet all applicable laws.
- O. You must furnish the USFWS, Division of Environmental Review - Recovery Permits (address above) with a copy of the permit issued to you by the Indian Tribal Government(s) prior to conducting research and recovery activities on Tribal lands.
- P. You must have a copy of this permit and any other pertinent information in your possession while conducting the authorized activities.
- Q. A request for renewal, if appropriate, must be submitted via ePermits prior to the expiration date of the current permit. Any person holding a valid, renewable permit who submits an electronic request ([application 3-200-59 \(https://fwsepermits.servicenowservices.com/fws/?id=fws\\_kb\\_view&sys\\_id=881899b11b5f50101f45dbdbe54bcb33\)](https://fwsepermits.servicenowservices.com/fws/?id=fws_kb_view&sys_id=881899b11b5f50101f45dbdbe54bcb33)) for renewal at least 30 days prior to the expiration date, may continue to conduct those activities under the expired permit while the USFWS takes action on such person's request for renewal.



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If a request for permit renewal is received less than 30 days prior to permit expiration, all activities authorized by the permit must cease upon permit expiration.

All requests to renew, amend, or obtain a new permit will require submittal of an application via ePermits. Applicants can create an account and apply by going to the following website: <https://fwsepermits.servicenowservices.com/fws/> (<https://fwsepermits.servicenowservices.com/fws/>). Please submit this application and a cover letter describing your request.

### **MEXICAN GRAY WOLF**

R. Subject to Condition R.3 below, this programmatic recovery permit is being issued under 50 CFR 17.22 and 50 CFR 17.32, as well as in accordance with the revised Mexican wolf nonessential experimental population rule (10(j) rule) under 50 CFR 17.84(k). Should a conflict arise between the language found in this permit and the language found in the final 10(j) rule, the language found in the 10(j) rule shall prevail.

Authorized Permittees, defined below under Condition R.1, may take any Mexican gray wolf (*Canis lupus baileyi*) in a manner consistent with a USFWS-approved management plan, special management measure, biological opinion pursuant to section 7(a)(2) of the Act, conference opinion pursuant to section 7(a)(4) of the Act, section 6 of the Act as authorized pursuant to § 17.31 for State game and fish agencies with authority to manage Mexican wolves, or this permit.

Authorized Permittees may conduct activities related directly to the conservation, protection, and recovery of Mexican wolves within Arizona, Colorado, New Mexico, Texas, and Utah.

Authorized Permittees may capture and at the direction and discretion of the USFWS Mexican Wolf Recovery Coordinator, return to the Mexican Wolf Experimental Population Area (MWEPA), or transfer to captivity or Mexico, any Mexican wolves that have dispersed from the experimental population and that establish wholly outside of the MWEPA in Arizona, Colorado, New Mexico, Texas, or Utah, according to the terms and conditions below. Purposeful lethal take outside of the MWEPA is not authorized under this permit.

1. The USFWS Mexican Wolf Recovery Coordinator; U.S. and Mexico Mexican Wolf Recovery Program staff including staff associated with captive facilities; Federal, State, and Tribal staff; official USFWS volunteers; and other associated persons under the direct supervision of, direction of, or in coordination with the USFWS's Mexican Wolf Recovery Coordinator, are authorized for scientific research and recovery purposes to conduct activities related directly to the propagation, management, and recovery of captive and wild Mexican wolves in a manner consistent with a USFWS-approved management plan, special management measure, biological opinion pursuant to section 7(a)(2) of the Act, conference opinion pursuant to section 7(a)(4) of the Act, section 6 of the Act as authorized pursuant to § 17.31 for State game and fish agencies with authority to manage Mexican wolves, the final 10j rule (87 FR 39348; July 1, 2022; and subsequent revisions), or this permit. Specifically, authorization includes all actions related to: capture including, but not limited to, leg-hold traps, helicopter or ground darting and net-gunning, and captive capture methods; handling; possessing;



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administering health care; propagating; radio collaring, or other marking techniques; releasing, translocating, and cross-fostering; obtaining and preserving blood, tissue, fur, semen, oocytes, and other samples that are considered parts of Mexican wolves (scat is not considered a part of a Mexican wolf and can be collected without a permit); transporting between approved Mexican wolf captive management facilities in the United States and Mexico, to and from Veterinarian care facilities, and to approved release sites; purposeful lethal take (purposeful lethal take is limited to Mexican wolves within the MWEPA in Arizona and New Mexico); hazing via less-than-lethal projectiles; injurious harassment; investigating known wolf GPS radio collar clusters indicative of den, rendezvous or kill sites; research; and carrying out any other USFWS-approved husbandry practice, law enforcement, or management action for Mexican wolves. Furthermore, with prior coordination with the USFWS Mexican Wolf Recovery Coordinator, these activities may be carried out in other States where captive Mexican wolves are held.

2. Permittees authorized by this recovery permit have met the qualification of this permit and are experienced in the handling and care of gray wolves or similar species. All are either: (1) employees of the USFWS or other individuals and agency staff with expertise in wolf monitoring, management, care, and handling; (2) are trained, experienced, and licensed veterinarians; (3) are individuals with specific skills (e.g. horse packing or riding, and helicopter flying) that are necessary to achieve gray wolf management objectives, (4) conducting scientific studies and research approved by the USFWS or a designated agency. Permittees, and other personnel under their direct supervision or direction, are authorized to conduct activities listed in this permit. The Permittees are/will be approved by the USFWS Mexican Wolf Recovery Coordinator and must have their names on file with the USFWS Mexican Wolf Recovery Program office prior to being considered Permittees under this permit or conducting any permitted activities. The file will include each Permittee's name and a list of authorized activities. The most current list of Permittees held by the USFWS Mexican Wolf Recovery Coordinator will be updated as appropriate to include names of individuals who meet the permit requirements or delete those who no longer meet the permit requirements or are no longer involved in the program. A copy of the USFWS's list of Permittees may be obtained from the USFWS Mexican Wolf Recovery Coordinator. A copy of the list will be available to USFWS Law Enforcement upon request.

In the case of an emergency situation involving a Mexican wolf or wolves, notification of the action taken and the employees involved who were not currently considered a Permittee, or under a Permittee's direct, on-site supervision, must be provided to the USFWS Mexican Wolf Recovery Program Office within two working days. Direct, on-site supervision is defined as physical presence of a Permittee during a permitted activity.

- a. Designated employees of the White Mountain Apache Tribe are authorized to conduct management activities on White Mountain Apache Tribal lands in accordance with the 2000 White Mountain Apache Tribe Mexican Wolf Management Plan, and any amendments, pursuant to 50 CFR 17.84(k)(9)(ii).
- b. Under this permit, permitted employees of the White Mountain Apache Tribe are authorized to conduct permitted activities off of White Mountain Apache Tribal lands if requested by other authorized Permittees.



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3. Recovery Permit and State Authorities: This programmatic permit covers management activities for Mexican wolves within Arizona, Colorado, New Mexico, Texas, and Utah, including Mexican wolves within and outside of the MWEPA (50 CFR 17.84(k)). It is intended to supplement any authorities that the States (as Permittees under other permits) may have for management of threatened and endangered species that are granted through implementing regulations for Section 6 of the Endangered Species Act (50 CFR parts 17.21 and 17.31), existing Section 6 Cooperative Agreements and associated work plans, the Mexican wolf nonessential experimental population (50 CFR 17.84(k)), and State Research and Recovery permits issued by the USFWS.

4. Permittees whose duties include leading capture or handling events, including handling chemical immobilization agents, will be given approval to conduct these events by Peter Alcumbrac, DVM, Susan Dicks, DVM, Anne Justice-Allen, DVM, or another licensed DVM with relevant qualification and experience approved by the Mexican Wolf Recovery Coordinator. All individuals whose duties include leading capture or handling events will be required to attend wolf handling and chemical immobilization training by Peter Alcumbrac, DVM, or other veterinarian approved by the Mexican Wolf Recovery Coordinator, every two years. The USFWS Mexican Wolf Recovery Coordinator maintains the list of Permittees approved to lead such events (see condition R.2. above).

5. Biological samples, such as blood, pelts, skulls, or other tissue, will be stored at the University of New Mexico's Museum of Southwestern Biology, under the direction of Dr. Joseph Cook, unless otherwise directed. The University of New Mexico will also track the use of these samples. Before samples are shipped for storage at the Museum of Southwestern Biology, please contact Dr. Cook at 505/277-1358 for instructions on correct shipping. If Dr. Cook is not available, please contact the museum's main office at 505/277-1360. Additional biological samples, such as blood or tissue, will be stored at the USFWS Ashland Forensics Laboratory and at the University of Idaho, under the direction of Dr. Lisette Waits. The University of Idaho has entered into an agreement with the USFWS to conduct genetic analyses for the USFWS's Mexican Wolf Recovery Program. In addition, biological samples such as semen, ova, ovarian and testicular tissue, will be stored with the Research Department of the Saint Louis Zoo, under the direction of Karen Bauman, Manager of Reproductive Sciences. The Saint Louis Zoo began storing Mexican wolf gametes at the request of the USFWS in 1991 to help slow the loss of gene diversity through utilization of assisted reproductive technologies. Requests for access to such samples will be submitted to Dr. Cook, Dr. Waits, or Ms. Bauman who will review the request and make recommendations to the Mexican Wolf Recovery Coordinator who may authorize release of such samples.

6. Mexican wolf captive holding facilities must meet the standards of the Mexican wolf captive breeding program. Only facilities approved by the American Zoo and Aquarium Association (AZA) and the Mexican Wolf Species Survival Plan (SSP) program will be authorized by the USFWS to hold Mexican wolves. A list of USFWS-approved, permitted captive facilities that house Mexican wolves as part of the SSP are maintained by the SSP Coordinator, not by the USFWS Mexican Wolf Recovery Program. Staff authorized by individual SSP facility to handle Mexican wolves and collect samples will be maintained by the individual SSP facility and available through contacting the Mexican wolf SSP coordinator, Kim Scott, Cincinnati Zoo and Botanical Garden, 3400 Vine Street, Cincinnati, Ohio, 45220. The individual SSP facility can utilize licensed veterinarians to conduct capture and handling of wolves, or approve staff to conduct capture and handling of Mexican wolves, as appropriate and documented by the individual SSP facility. Each SSP facility will report activities to the SSP Coordinator; the SSP Coordinator will merge all authorized activities under this permit in the Annual Population



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Analysis & Breeding and Transfer Plan. Note, the SSP program will likely transition to AZA's Saving Animals From Extinction (SAFE) program within one year of the issuance of this permit. The acronyms "SSP" and "SAFE" are considered synonymous for the purpose of this permit.

7. It is understood that all Mexican wolves and subsequent offspring held at the SSP facilities are on loan and part of the U.S./Mexico Mexican Wolf Captive Breeding Program. A copy of the USFWS's loan agreement letter for the Mexican wolf captive breeding facilities may be obtained from the USFWS Mexican Wolf Recovery Coordinator.

8. The Mexican wolves and subsequent offspring at the SSP facilities are and will remain the property of the USFWS and/or the Mexican government and may be recalled by the USFWS or the Mexican government, as needed.

9. Animals in captivity are to be maintained in accordance with the Mexican Wolf Husbandry Manual and other guidance provided by the Mexican Wolf SSP Management Group or the USFWS.

10. Health, medical, and dietary records for each Mexican wolf held at SSP facilities, and records on reproductive success and mortalities must be reported to the Mexican Wolf SSP Coordinator, Kim Scott, Cincinnati Zoo and Botanical Garden, 3400 Vine Street, Cincinnati, Ohio, 45220, each year prior to the annual meeting of the SSP, for inclusion in the minutes and annual reporting.

11. SSP facilities are required to promptly report any captive Mexican wolf mortalities to the SSP Coordinator and to the USFWS Mexican Wolf Recovery Coordinator or designee at 505/761-4748. Animals must be disposed of in strict accordance with established procedures by the Mexican Wolf SSP Management Group. Animals may not be euthanized without prior consent of the USFWS Mexican Wolf Recovery Coordinator, or designee. In urgent humane or public health emergencies, the captive institutional representative and veterinarian may together decide to euthanize a Mexican wolf and notify the USFWS Mexican Wolf Recovery Coordinator at their earliest convenience.

12. With prior authorization from the USFWS Mexican Wolf Recovery Coordinator, or a designated USFWS employee, SSP facilities and Permittees are authorized to transport wild-captured or captive-reared Mexican wolves within and across state lines and international borders to various approved sites for research, reintroductions (releases and translocations), rehabilitation, breeding, or treatment of sick or injured individuals. In transporting Mexican wolves across state lines, should a conflict arise between Federal and State possession or transport laws, Federal law shall take precedence over conflicting State law (United States Constitution, Article VI, Clause 2). International transport of wild-captured or captive-reared Mexican wolves shall be in conjunction with the appropriate Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) permits.

13. With prior authorization from the USFWS Mexican Wolf Recovery Coordinator, or a designated USFWS employee, SSP facilities, Permittees, and collaborating scientists are authorized to conduct appropriate research on Mexican wolves in captivity. Examples include, but are not limited to, conditioned taste aversion, aversion training to humans and human stimuli, reproductive studies, and radio-collaring methods for pups.





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14. Live captive Mexican wolves will remain under the care of SSP facilities authorized to hold Mexican wolves by the USFWS. Remains of dead Mexican wolves will typically be held by the University of New Mexico's Museum of Southwestern Biology under agreement with the USFWS. On occasion, but only with written permission from the USFWS Mexican Wolf Recovery Coordinator, remains of Mexican wolves may be used to create Mexican wolf mounts for educational purposes or will be used as pelts, skulls, and/or skeletons for educational purposes and may be loaned to organizations or institutions in support of the subspecies' recovery.

15. The annual report for all field activities authorized under this permit will be combined with the annual Mexican Wolf Recovery Program Report and will be due on or before August 31 of each year and subsequently posted on the Mexican wolf web page. Captive activities authorized under this permit will be available in the Annual Population Analysis & Breeding Transfer Plan and available upon request after August 31 of each year. These annual reports will be used to meet the requirements of sections H. and I. above.

LETHAL TAKE SUB-PERMITS (ONLY WITHIN MWEPA)

S. Until the USFWS has achieved the genetic objective for the MWEPA by documenting that at least 22 released wolves have survived to breeding age in the MWEPA, the USFWS or designated agency may issue take permits only on a conditional, annual basis for Conditions S.1-S.2 below according to the following provisions: Either (i) annual release benchmarks (for the purposes of this paragraph, the term "benchmark" means the minimum cumulative number of released wolves surviving to breeding age since January 1, 2016, as documented annually in March) have been achieved based on the following schedule:

YEAR	BENCHMARK
2021	7
2022	9
2023	11
2024	13
2025	14
2026	15
2027	16
2028	18
2029	20
2030	22

; or (ii) permitted take on non-Federal or Federal land during the previous year (April 1 to March 31) did not include the lethal take of any released wolf or wolves that were or would have counted toward the genetic objective. After achieving the genetic objective (a sufficient number of releases into the MWEPA from captivity to result in at least 22 released



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Mexican wolves surviving to breeding age), the conditional annual basis for issuing take permits will no longer be in effect.

1. Take on Federal land: Within the MWEPA, based on the Service's or a designated agency's discretion and in conjunction with a removal action authorized by the Service, the Service may issue take permits to livestock owners or their agents (e.g., employees, land manager, local officials) to take (including intentional harassment or killing) any Mexican wolf that is in the act of biting, killing, or wounding livestock on Federal land where specified in the permit. Take permits issued under this provision will specify the number of days for which the permit is valid and the maximum number of Mexican wolves for which take is allowed. Take by Permittees under this provision will assist the USFWS or designated agency in completing control actions. Livestock owners or their agents must report this take as specified in accordance with Condition J of this recovery permit. After the take of a Mexican wolf, the USFWS must be provided evidence that the wolf was in the act of biting, killing, or wounding livestock at the time of take, such as evidence of freshly wounded or killed livestock. The take of any Mexican wolf without evidence of biting, killing, or wounding livestock may be referred to the appropriate authorities for investigation.

2. Take on Non-federal land: Within the MWEPA based on the USFWS's or a designated agency's discretion and in conjunction with a removal action authorized by the USFWS, the USFWS or designated agency may issue take permits to domestic animal owners or their agents (e.g., employees, land manager, local officials) to take (including intentional harassment or killing) any Mexican wolf that is present on non-Federal land where specified in the permit. Take permits issued under this provision will specify the number of days for which the permit is valid and the maximum number of Mexican wolves for which take is allowed. Take by Permittees under this provision will assist the USFWS or designated agency in completing control actions. Domestic animal owners or their agents must report this take as specified in accordance with Condition J of this recovery permit.

T. Take for research purposes: Within the MWEPA, the Service may issue recovery permits under 50 CFR 17.32, and its designated agencies may issue permits under State and Federal laws and regulations, for individuals to take Mexican wolves pursuant to scientific study proposals approved by the agency or agencies with jurisdiction for Mexican wolves and for the area in which the study will occur. Such take should lead to management recommendations for, and thus provide for the conservation of, the Mexican wolf.

U. Take in response to unacceptable impacts to a wild ungulate herd. No requests for take in response to unacceptable impacts to a wild ungulate herd may be made by the State game and fish agency or accepted by the USFWS until the genetic objective (a sufficient number of releases into the MWEPA from captivity to result in at least 22 released Mexican wolves surviving to breeding age) has been met. Following achievement of the genetic objective, and only if an Arizona or New Mexico game and fish agency determines that Mexican wolf predation is having an unacceptable impact to a wild ungulate herd, the respective State game and fish agency may request approval from the USFWS that Mexican wolves be removed from the area of the impacted wild ungulate herd. Upon written approval from the USFWS, the State (Arizona



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or New Mexico) or any designated agency may be authorized to remove (capture and translocate in the MWEPA, move to captivity, transfer to Mexico, or lethally take) Mexican wolves. These management actions must occur in accordance with the following provisions:

1. Arizona or New Mexico game and fish agency must prepare a science-based document that:
  - a. Describes what data indicate that the wild ungulate herd is below management objectives, what data indicate that the impact on the wild ungulate herd is influenced by Mexican wolf predation, why Mexican wolf removal is a warranted solution to help restore the wild ungulate herd to State game and fish agency management objectives, the type (level and duration) of Mexican wolf removal management action being proposed, and how wild ungulate herd response to Mexican wolf removal will be measured and control actions adjusted for effectiveness;
  - b. Demonstrates that attempts were and are being made to identify other causes of wild ungulate herd declines and possible remedies or conservation measures in addition to wolf removal;
  - c. If appropriate, identifies areas of suitable habitat for Mexican wolf translocation; and
  - d. Has been subjected to peer review and public comment prior to its submittal to the USFWS for written concurrence. In order to comply with this requirement, the State game and fish agency must:
    - i. Conduct the peer review process in conformance with the Office of Management and Budget's most recent Final Information and Quality Bulletin for Peer Review and include in their proposal an explanation of how the bulletin's standards were considered and satisfied; and
    - ii. Obtain at least three independent peer reviews from individuals with relevant expertise other than staff employed by the State (Arizona or New Mexico) requesting approval from the USFWS that Mexican wolves be removed from the area of the impacted wild ungulate herd.
2. Before the Service will allow Mexican wolf removal in response to impacts to wild ungulates, the USFWS will evaluate the information provided by the requesting State (Arizona or New Mexico) and provide a written determination to the requesting State game and fish agency on whether such actions are scientifically based and warranted.
3. If all of the provisions above are met, the USFWS will, to the maximum extent allowable under the Act, make a determination providing for Mexican wolf removal. If the request is approved, the USFWS will include in the written determination which management action (capture and translocate in MWEPA, move to captivity, transfer to Mexico, lethally take, or no action) is most appropriate for the conservation of the Mexican wolf subspecies.

### LESS-THAN-LETHAL PROJECTILE USAGE



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V. After the USFWS or its designated agency has confirmed Mexican wolf presence on any land within the MWEPA, the USFWS or its designated agency may issue take permits valid for not longer than 1 year, with appropriate stipulations or conditions, to allow intentional harassment (as defined in 50 CFR 17.84(k)(3)) of Mexican wolves. The harassment must occur in the area and under the conditions specifically identified in the take permit. Permittees must report this take to the USFWS's Mexican Wolf Recovery Coordinator or a designated agency of the USFWS within 24 hours.

The USFWS's Mexican Wolf Recovery Program, Arizona Game and Fish Department, New Mexico Department of Game and Fish, USDA-Wildlife Services, U.S. Forest Service, and Tribes that choose to participate are authorized for research and recovery purposes to designate as Permittees, certain residents, ranchers, and/or private landowners with a demonstrated history (one or more instances in the last 365 days as documented by a designated agency) of interactions with problem Mexican wolves within the MWEPA. Permittees may be authorized to use approved less-than-lethal projectiles (e.g., paint balls, bean bag rounds, and rubber bullets) to harass problem Mexican wolves.

The authorization to designate Permittees (and the authorization for Permittees to use less-than-lethal projectiles) will be reviewed in years where less-than-lethal projectiles contact a wolf, as part of the annual reporting requirements of this permit to determine the effectiveness of less-than-lethal projectile use on Mexican wolf behavior. Results of the review will be used to evaluate whether the program will be continued, revised, or discontinued. The evaluation shall be conducted within the Mexican Wolf Annual Report in years where less-than-lethal projectiles contact a wolf. The following conditions also apply:

1. Authorization for use of approved less-than-lethal projectiles will only be granted to individuals following training and certification in their proper use by an employee(s) designated by the USFWS Mexican Wolf Recovery Coordinator, Forest Supervisor, State Director, or by the Director of a state or tribal game and fish agency that has designated agency status as a Permit Administrator. Authorization as Permittee is non-transferable to any other party (including family members or employees).
2. Administration and designation of private individuals as Permittees of the USFWS, USDA-Wildlife Service, U.S. Forest Service, State or Tribe, for use of less-than-lethal projectiles, shall be by an employee designated by the USFWS Mexican Wolf Recovery Coordinator or an agency that has designated agency status as a Permit Administrator(s).
3. When Permit Administrators from the USFWS, USDA-Wildlife Services, U.S. Forest Service or State or Tribal game and fish agency that have designated agency status are satisfied that training criteria of issuance have been met, the respective Permit Administrator will issue a signed, dated take permit letter with appropriate stipulations for specific authorized uses. Less-than-lethal projectile take permit letters will be valid for up to a year from date of issuance, and may be renewed, if warranted by problem Mexican wolf activities and by the agent's compliance with permit terms. The respective Permit Administrator shall provide the original permit letter (or renewal permit letter) to the authorized agent, provide a copy to other agencies in the Mexican Wolf Recovery Program, and retain a copy in their project files.
4. Mexican wolves cannot be purposely attracted and then harassed.



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5. Notwithstanding this Permit's terms regarding harassment, or rules regarding harassment found in the revised Mexican wolf nonessential experimental population rule-10(j) management rule under 50 CFR 17.84(k), Mexican wolves shall not be harassed at or within 500 yards of a known den or rendezvous site. USFWS or Permit Administrator will communicate the location of known sites to Permittees.
  
6. In years where less-than-lethal projectiles come in contact with a wolf, the USFWS and Permit Administrators shall submit a report regarding all less-than-lethal projectile usage. The report shall be an appendix to the Mexican Wolf Recovery Program Annual Report, which is due August 31. The report will contain:
  - a. The number of incidents where contact was made;
  
  - b. any resulting injuries; and
  
  - c. whether an animal that was "hit" was seen again or not in the 30 days following an incident where contact was made.
  
7. Unintended mortality or injury that interferes with normal behavior patterns of a Mexican wolf that occurs as a consequence of less-than-lethal activities conducted by agents is authorized under this permit, provided all actions are implemented as described in the Less-Than-Lethal-Projectile Guidance issued to the Permittee when authorized for use of approved less-than-lethal projectiles. If such mortality or injury occurs, Permit Administrators will immediately suspend all activity under these take permits of all Permittees conducting less-than-lethal activities and notify the USFWS Law Enforcement Office (1-844-397-8477) and Mexican Wolf Recovery Coordinator. USFWS Law Enforcement will investigate the mortality or injury to ensure that such a mortality or injury was unintended and within the actions authorized in the Less-Than-Lethal Guidance. Permit Administrators will complete a review of the specific incident after the Law Enforcement investigation is concluded and may modify the Less-Than-Lethal-Projectile Guidance to limit the probability of future mortalities. Once completed, the Permit Administrators will determine whether reauthorization is appropriate, including appropriate modifications, and may reauthorize activities under the take permits of some or all the Permittees.
  
8. Designated agents can choose the appropriate regulatory mechanism to utilize in accordance with this permit or other regulations in CFR 17.84(k), including provisions for take in defense of human life, and for take on non-Federal lands inside the MWEPA, or permits issued under paragraph S or T above.

### **GRAY WOLF**

- W. Subject to Condition W.3. below, this 10(a)(1)(A) programmatic recovery permit is being issued under 50 CFR 17.22 and 50 CFR 17.32.



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1. The USFWS Mexican Wolf Recovery Coordinator; U.S. and Mexico Mexican Wolf Recovery Program staff; Federal, State, and Tribal staff; official volunteers; and other associated persons under the direct supervision of, direction of, or in coordination with the USFWS's Mexican Wolf Recovery Coordinator, are authorized for scientific research and recovery purposes to conduct activities related directly to the management and recovery of wild gray wolves (*Canis lupus*) in a manner consistent with a USFWS-approved management plan, 10(j) rule(s), special management measure, biological opinion pursuant to section 7(a)(2) of the Act, section 6 of the Act as authorized pursuant to § 17.21 for State game and fish agencies with authority to manage gray wolves, or this permit. Specifically, authorization includes all actions related to: capture including, but not limited to, leg-hold traps, helicopter or ground darting and net-gunning; handling; possessing; administering health care; radio collaring, or other marking techniques; translocating; obtaining and preserving blood, tissue, fur, semen, oocytes, and other samples that are considered parts of gray wolves (scat is not considered a part of a gray wolf and can be collected without a permit); transporting to and from veterinarian care facilities; hazing via less-than-lethal projectiles; injurious harassment; law enforcement; and research. Purposeful lethal take of gray wolves is not authorized under this permit.

2. Permittees authorized by this recovery permit have met the qualification of this permit and are experienced in the handling and care of gray wolves or similar species. All are either: (1) USFWS employees or other individuals with expertise in wolf monitoring, management, care, and handling; (2) are trained, experienced, and licensed veterinarians; (3) are individuals with specific skills (e.g. horse packing or riding, and helicopter flying) that are necessary to achieve gray wolf management objectives or (4) conducting scientific studies and research approved by the USFWS or a designated agency. Permittees, and other personnel under their direct supervision or direction, are authorized to conduct activities listed in this permit. The Permittees are/will be approved by the USFWS Mexican Wolf Recovery Coordinator and must have their names on file with the USFWS Mexican Wolf Recovery Program office prior to being considered Permittees under this permit or conducting any permitted activities. The file will include each Permittee's name and a list of authorized activities. The most current list of Permittees held by the USFWS Mexican Wolf Recovery Coordinator will be updated as appropriate to include names of individuals who meet the permit requirements or delete those who no longer meet the permit requirements or are no longer involved in the program. A copy of the USFWS's list of Permittees may be obtained from the USFWS Mexican Wolf Recovery Coordinator. A copy of the list will be available to USFWS Law Enforcement upon request.

In the case of an emergency situation involving a gray wolf or wolves, notification of the action taken and the employees involved who were not currently considered a Permittee, or under a Permittee's direct, on-site supervision, must be provided to the USFWS Mexican Wolf Recovery Program Office within two working days. Direct, on-site supervision is defined as physical presence of a Permittee during a permitted activity.

3. Recovery Permit and State Authorities: This programmatic permit covers management activities for gray wolves within Arizona, New Mexico, and Texas, where listed as endangered or threatened. It is intended to supplement any authorities that the States (as Permittees under other permits) may have for management of threatened and endangered



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species that are granted through implementing regulations for Section 6 of the Endangered Species Act (50 CFR parts 17.21 and 17.31), existing Section 6 Cooperative Agreements and associated work plans, the Mexican wolf nonessential experimental population (50 CFR 17.84(k)), and State Research and Recovery permits issued by the USFWS.

4. Permittees whose duties include leading capture or handling events, including handling chemical immobilization agents, will be given approval to conduct these events by Peter Alcumbrac, DVM, Susan Dicks, DVM, Anne Justice-Allen, DVM, or other licensed DVM with relevant qualification and experience approved by the Mexican Wolf Recovery Coordinator. All individuals whose duties include leading capture or handling events will be required to attend wolf handling and chemical immobilization training by Peter Alcumbrac, DVM, or other veterinarian approved by the Mexican Wolf Recovery Coordinator, annually. The USFWS Mexican Wolf Recovery Coordinator maintains the list of Permittees approved to lead such events (see Condition W.2 above).

5. Biological samples, such as blood, pelts, skulls, or other tissue, will be stored at the University of New Mexico's Museum of Southwestern Biology, under the direction of Dr. Joseph Cook, unless otherwise directed. The University of New Mexico will also track the use of these samples. Before samples are shipped for storage at the Museum of Southwestern Biology, please contact Dr. Cook at 505/277-1358 for instructions on correct shipping. If Dr. Cook is not available, please contact the museum's main office at 505/277-1360. Additional biological samples, such as blood or tissue, will be stored at the USFWS Ashland Forensics Laboratory and at the University of Idaho, under the direction of Dr. Lisette Waits. The University of Idaho has entered into an agreement with the Service to conduct genetic analyses for the Service's Mexican Wolf Recovery Program. In addition, biological samples such as semen, ova, ovarian and testicular tissue, will be stored with the Research Department of the Saint Louis Zoo, under the direction of Karen Bauman, Manager of Reproductive Sciences. The Saint Louis Zoo stores gametes from captive gray wolves as a model species as part of the Mexican wolf reproductive research at the request of the USFWS. Requests for access to such samples will be submitted to Dr. Cook, Dr. Waits, or Ms. Bauman who will review the request and make recommendations to the Mexican Wolf Recovery Coordinator who may authorize release of such samples.

6. The annual report for all field activities authorized under this permit will be combined with the annual Mexican Wolf Recovery Program Report and the Annual Population Analysis & Breeding and Transfer Plan and will be due on or by August 31 of each year.

**\*\*\*End Permit ESPER0048320-1\*\*\***