

Mexican Wolf Experimental Population Rule - January 1998

SUMMARY: The U.S. Fish and Wildlife Service (Service) will reintroduce the endangered Mexican gray wolf (*Canis lupus baileyi*) into the Blue Range Wolf Recovery Area in Arizona and New Mexico. This reintroduction within the subspecies' historic range will be the first step toward recovery of the Mexican wolf in the wild. The Blue Range Wolf Recovery Area consists of the entire Apache and Gila National Forests in east-central Arizona and west-central New Mexico. If the Service later finds it to be both necessary for recovery and feasible, it will reintroduce wolves into the White Sands Wolf Recovery Area, which also lies within the subspecies' historic range. This area consists of all land within the boundary of the White Sands Missile Range in south-central New Mexico with land immediately to the east of the missile range. By this rule, the Service classifies wolves to be reestablished in these areas as a nonessential experimental population under Section 10(j) of the Endangered Species Act (Act) of 1973, as amended. This final rule set forth management directions and provides for limited allowable legal take (killing or harm) of wolves within a defined Mexican Wolf Experimental Population Area. Some rule provisions follow.

Unavoidable and unintentional take of Mexican wolves, when non-negligent and incidental to a legal activity, is allowed.

Harassment of wolves (to scare away from an area) is allowed, provided they are not injured.

On private or tribal lands, livestock owners or their agents may kill or injure wolves engaged in the act of killing, wounding, or biting livestock.

On public lands, livestock owners or their agents may be issued a permit to kill wolves attacking their livestock after six breeding pairs of wolves have become established and agency efforts to resolve livestock depredation have been completed.

Take of wolves by livestock guarding dogs, when used in the traditional manner to protect livestock, is permitted.

Authorized agency managers may remove reintroduced wolves that cause problems, are being a nuisance, or wolf-like animals that appear to be wolf hybrids or domesticated.

Anyone may take a wolf in defense of a human life.

No land use restriction may be imposed on private or tribal lands for the purpose of Mexican wolf recovery without the concurrence of the landowner or tribal government.

Minor, temporary use restrictions may be imposed on public lands to protect wolves in release pens and active dens and rendezvous sites (areas used by pups after they leave dens.)