



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
International Affairs  
5275 Leesburg Pike, MS: IA  
Falls Church, VA 22041-3803

SEP 28 2018

Director Josue Rangel Diaz  
Zoologico de Morelia  
Calzada Juarez S/N  
A.P. 92, C.P. 58000  
Morelia, Michoacan  
Mexico

Dear Director Rangel Diaz:

In May 1992, the United States Fish and Wildlife Service (Service) transferred to the Zoologico de Morelia (Zoo), as a permanent loan, a four-month-old female polar bear (*Ursus maritimus*), "Yupik," orphaned in Alaska. The transfer and long-term maintenance of "Yupik" was authorized in accordance with 16 U.S.C. 1379, Section 109(h) of the Marine Mammal Protection Act. The Letter of Authorization (LOA) [copy attached] that allowed for the transfer and placement of "Yupik" also contained Conditions and Stipulations. Any violation to the Conditions and Stipulations constitutes potential grounds for revocation of the LOA to maintain "Yupik."

On April 6, 2018, we contacted the Zoo to discuss potential transfer and placement of the bear in the United States, but you informed us that you wanted to continue holding and maintaining the bear, and you pledged to meet the terms and conditions of the 1992 LOA. On April 9, 2018, we requested copies of inspection records or evaluations of the zoo facility for the past 5 years as required by Condition 5 of the LOA; see below.

**Condition 5:** The Zoologico de Morelia is required to remain in good standing with the Recursos Hidraulicos, under the Secretaria de Agricultura, the Federal agency responsible for maintaining standards for public display facilities in Mexico. Copies of all inspections or evaluations of the zoo facility under existing inspection protocols by the Recursos Hidraulicos shall be provided annually to the Office of Management Authority and the Marine Mammals Management Office.

On April 19, 2018, we requested specific documentation necessary for the USDA Animal and Plant Health Inspection Service (APHIS) to evaluate whether the facility meets standards comparable to those required under the U.S. Animal Welfare Act, as required by Condition 1 of the LOA; see below.

**Condition 1:** The transfer, care, and maintenance of this bear must be in compliance with the enclosed U.S. Department of Agriculture's Animal and Plant Health Inspection Service

Specifications for the Humane Handling, Care, Treatment, and Transportation of Marine Mammals (9 CFR Part 3 Subpart E).

In addition, Mr. E. Matthew Bendele, the Service's Wildlife Law Enforcement Attaché in Mexico City, Mexico, contacted Mr. Jose Luis Funes Izaguirre, Secretaria de Medio Ambiente y Recursos Naturales (SEMARNAT) on August 8, 2018, regarding this matter. Mr. Izaguirre requested 15 days to consult with you and gather additional information. Despite these efforts by the Service to obtain information and documentation showing compliance with the terms and conditions of the LOA, the Zoo has not provided a response.

Since you have not submitted the reports required by the LOA, as stipulated in the Service's permit regulations at 50 CFR 13.21(c)(4), the Zoo is disqualified from receiving or exercising the privileges of a permit, or LOA<sup>1</sup>, as long as this deficiency exists. We are, therefore, proposing revocation of your LOA, in accordance with the Service's regulations at 50 CFR 13.28(a)(3). In addition, we propose that polar bear "Yupik," be relinquished for return to the United States.

You may file a written objection to the proposed revocation (50 CFR 13.28(b)). Such objection must be in writing, must be filed within 45 calendar days of the date of this letter, must state the reasons why you object to the proposed revocation, and may include supporting documentation. The Service will make a decision on the revocation within 45 days after the end of the objection period. This decision could consist of the Service withdrawing the proposed revocation based on the documentation you provide to the Service, or revocation of the LOA. If you have any questions, please do not hesitate to contact me at +1 (703) 358-1991 or [mary\\_cogliano@fws.gov](mailto:mary_cogliano@fws.gov).

Sincerely,



Mary Cogliano, Chief  
Branch of Permits  
Division of Management Authority

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<sup>1</sup> In accordance with 50 CFR 13.3, "As used in this part 13, the term "permit" will refer to a license, permit, certificate, letter of authorization, or other document as the context may require, and to all such documents issued by the Service or other authorized U.S. or foreign government agencies."



IN REPLY REFER TO:  
MM

# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
1011 E. Tudor Rd.  
Anchorage, Alaska 99503



MAY 07 1992

LETTER OF AUTHORIZATION:  
TRANSFER AND PLACEMENT OF A FEMALE ALASKA POLAR BEAR CUB

Mr. Hugo Maciel Gudiño, Director General  
Zoologico De Morelia  
Calzada Juarez S/N  
A.P. 92, C.P. 58000  
Morelia, Michoacan  
Mexico

Dear Mr. Gudiño:

This letter is regarding the polar bear cub-of-the-year scheduled for transfer to the Zoologico De Morelia on or about May 17, 1992. The four month old female cub and a sibling male were orphaned on March 17, 1992, when a young Native hunter shot their mother. The hunter was unaware of the cubs' presence. Unfortunately the male cub died on April 13, 1992, at the Alaska Zoo when it fell from a slightly elevated platform. The female cub remained at the Alaska Zoo, Anchorage, under the care of Dr. Riley Wilson and Chief Curator, Mr. Wayne Ray.

This letter authorizes the transport and permanent loan of the Alaska polar bear cub to the Zoologico De Morelia. In relevant part, this transfer conforms to conditions contained within 16 U.S.C. 1374, Section 104 (c) of the Marine Mammal Protection Act (MMPA). In view of the U.S. Fish and Wildlife Service's (Service) continuing interest in this cub, the transfer and long term maintenance is hereby authorized in accordance with 16 U.S.C. 1379, Section 109(h) of the MMPA. Conditions and stipulations are listed below.

Conditions and Stipulations

1. The transfer, care, and maintenance of this bear must be in compliance with the enclosed U.S. Department of Agriculture's Animal and Plant Health Inspection Service Specifications for the Humane Handling, Care, Treatment, and Transportation of Marine Mammals (9 CFR Part 3 Subpart E).
2. Shipment of the cub from the Alaska Zoo, in Anchorage, Alaska, to the Zoologico De Morelia in the city of Morelia, State of Michoacan and Country of Mexico, is the responsibility of the recipient; the bear must be accompanied by qualified veterinary personnel.
3. The authorized wildlife may not be sold, donated, or transferred unless the recipient has first been issued authorization by the Service's Office of Management Authority (P.O. Box 3507, Arlington, Virginia 22203-3507;

telephone 703/358-2104). The Service is responsible for arranging for any subsequent placement of this animal.

4. The period of care authorized by this letter is for the life of the animal.
5. The Zoologico De Morelia is required to remain in good standing with the Recursos Hidraulicos, under the Secretaria De Agricultura, the Federal agency responsible for maintaining standards for public display facilities in Mexico. Copies of all inspections or evaluations of the zoo facility under existing inspection protocols by the Recursos Hidraulicos shall be provided annually to the Office of Management Authority identified above (3.) and to the Marine Mammals Management Office (U.S. Fish and Wildlife Service, 4230 University Drive, Suite 310, Anchorage, Alaska 99508).
6. Reporting Mortality:
  - (a) Death of the polar bear cub during transport from the Alaska Zoo in Anchorage, to the Zoologico De Morelia in the city of Morelia, State of Michoacan and Country of Mexico, must be reported in writing to the Office of Management Authority identified above (3.) and to the Marine Mammals Management Office identified above (5.). The report must be postmarked within 24 hours.
  - (b) The death, regardless of the period of survival, must be reported in writing to the Service offices identified in paragraphs 3. and 5. above, postmarked within seven (7) days.
  - (c) Following death, the polar bear must be necropsied by a qualified veterinary pathologist. The mortality report must include a copy of the necropsy results, clinical histories, histological records, if available, and a full evaluation of the cause of death.
7. Any violation of the preceding conditions and stipulations constitutes grounds for revocation of this Letter of Authorization to maintain the polar bear loaned by the Service to the Zoologico De Morelia. Revocation of the loan results in the Service taking possession of the polar bear.

This is the sole Letter of Authorization you will receive relative to the shipment (CITES permit withstanding) and permanent loan for the care and maintenance of this polar bear. If you have questions regarding this authorization, please contact Jon Nickles, Supervisor, Marine Mammals Management or Scott Schliebe, Wildlife Biologist (Polar Bear), at telephone number (907) 271-2394.

Sincerely,

  
Acting Regional Director

Enclosure

cc: Chief, OMA  
SAC, LE R-7  
MA