



# FAQs

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## Proposal to Revise Mexican Wolf 10(j) Rule Frequently Asked Questions

### *On the Mexican Wolf Reclassification and Revised 10(j) –*

**Q: What action is the Service taking regarding Mexican wolves?**

**A:** We are proposing to revise the 1998 Nonessential Experimental Population designation rule for the Mexican wolf (*Canis lupus baileyi*) under section 10(j) of the Endangered Species Act (Act). On June 13, 2013, we published our *Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf in the Federal Register* ([78 FR 35719](http://www.federalregister.gov/?page=1&title=Proposed+Revision+to+the+Nonessential+Experimental+Population+of+the+Mexican+Wolf)). Based on public comment on the proposal and NEPA scoping and cooperator input, on July 25, 2014, we published a revised proposed rule ([75 FR 13358](http://www.federalregister.gov/?page=1&title=Revised+Proposed+Rule+for+the+Nonessential+Experimental+Population+of+the+Mexican+Wolf)) and released a [draft Environmental Impact Statement](#).

At this time, we are announcing the availability of the [final Environmental Impact Statement](#) (fEIS) that analyzes the impacts on the human environment from our proposed revisions to the 1998 Final 10(j) rule and from our proposal to extend the authority of the Mexican Wolf Recovery Program's ESA Section 10(a)(1)(A) research and recovery permit to areas that are outside of the Mexican Wolf Experimental Population Area (MWEPA). We are also making available a [draft Record of Decision](#) (ROD) for our preferred alternative. The fEIS is available on our website through December 27, 2014, to provide interested parties an opportunity to comment. Written comments on the fEIS will be considered in a final ROD in January 2015.

**Q: When will the fEIS be available, where can copies be obtained, how can you submit comments, and how long will the comment period be?**

**A:** The fEIS will be available from November 24, 2014, on the FWS Southwest Region Ecological Services Mexican Wolf Recovery Program [website](#). In cooperation with the U.S. Forest Service, we have also established information repositories at the Supervisor Offices for the National Forests throughout the project study area. For additional information or to access documents that we have made available for review with instructions on how to submit comments please visit our website:

[http://www.fws.gov/southwest/es/mexicanwolf/NEPA\\_713.cfm](http://www.fws.gov/southwest/es/mexicanwolf/NEPA_713.cfm)

**Q: Why is the Service taking these actions?**

**A:** We began reintroducing the Mexican wolf into the wild in 1998. Over the past 16 years, we have learned a great deal about reestablishing the Mexican wolf in a working landscape. In particular, we know more about the needs of the wolf population, are more experienced in the techniques and mechanics of such a program, are more engaged in programs to improve human acceptance of wolves and decrease conflicts, and are more committed than ever to working with diverse partners to promote a successful Mexican wolf program.

Together with our cooperating state, federal and tribal agencies, we have reintroduced and managed Mexican wolves under a 1998 experimental population rule. An experimental population designation provides increased management flexibility for wolf populations that are reintroduced into a designated experimental population area (in this case, the Mexican Wolf Experimental Population Area, or MWEPA) within their historical range.

Given what we now know about managing a wild population of Mexican wolves, it is clear that the 1998 regulations do not provide the clarity or the flexibility we need to effectively manage the experimental population. Specifically, we recognize that the regulations we established in 1998 limit our ability to achieve the necessary population growth, distribution, and recruitment that would contribute to the persistence of, and improve the genetic variation within, the experimental population. In June 2013 and July 2014, we published proposals to revise the 1998 experimental population rule for the Mexican wolf. The July 2014 proposed rule incorporates comments and information from the public and our partners that have been provided during scoping and throughout our proposal process.

**Q: Does the EIS address the nonessential experimental population designation of the Mexican wolf?**

**A:** Nothing in this rule changes the scope of the nonessential experimental population designation. The Mexican wolf population that is in the wild in Arizona and New Mexico today is the experimental population that was designated in the 1998 final rule. The proposed rule revises only the management regulations that apply to the population. Therefore reconsideration of whether the population is essential or nonessential is outside the scope of this rulemaking and not considered in the alternatives evaluated in the EIS.

**Q: What is the Service's preferred alternative for the 10(j) rule?**

**A:** Our preferred revisions include:

- Expanding the areas within which Mexican wolves can occupy and be released and disperse. In Arizona the releases would be methodically phased westward over up to 12 years,
- Extending the Mexican Wolf Experimental Population Area's (MWEPA) southern boundary from I-40 to the U.S.-Mexico border in Arizona and New Mexico to provide for a larger area where management flexibility applies,

- Clarifying definitions in the rule, including liberalizing when wolves can be taken while attacking domestic animals (livestock and non-feral dogs), or as needed to manage wild ungulate herds such as elk, deer, etc.,
- Modifying the conditions that determine when we would issue a permit to allow livestock owners or their agents (e.g., employees, land manager, local officials) to take a wolf (including intentional harassment or kill), in conjunction with a control action. The new rule would authorize the Service or a designated agency to issue permits to livestock owners or their agents to take any Mexican wolf that is in the act of biting, killing, or wounding livestock on Federal land where specified in the permit. It would also allow the Service or a designated agency to issue permits to domestic animal (includes livestock and non-feral dogs) owners or their agents to take any Mexican wolf in the act of biting, wounding or killing domestic animals on non-Federal land where specified in the permit.
- providing for take in response to unacceptable impacts to ungulates, and
- providing for a population objective of 300-325 wolves in Arizona and New Mexico in the MWEPA.

The regulatory flexibility provided by these proposed revisions to the 1998 rule would allow for management actions within the MWEPA that further the conservation of the Mexican wolf while being responsive to the needs of local communities in cases of problem wolf behavior.

**Q: How is the area within which Mexican wolves can be released being expanded and changed within the proposed revision?**

**A:** We are proposing to revise the 1998 nonessential experimental population 10(j) rule by removing the stipulation that captive-raised wolves may only be released into the Primary Recovery Zone (the southern portion of the Apache National Forest) of the Blue Range Wolf Recovery Area (BRWRA) in Arizona. The present BRWRA consists of the Apache and Gila National Forests located in east central Arizona and west central New Mexico respectively.

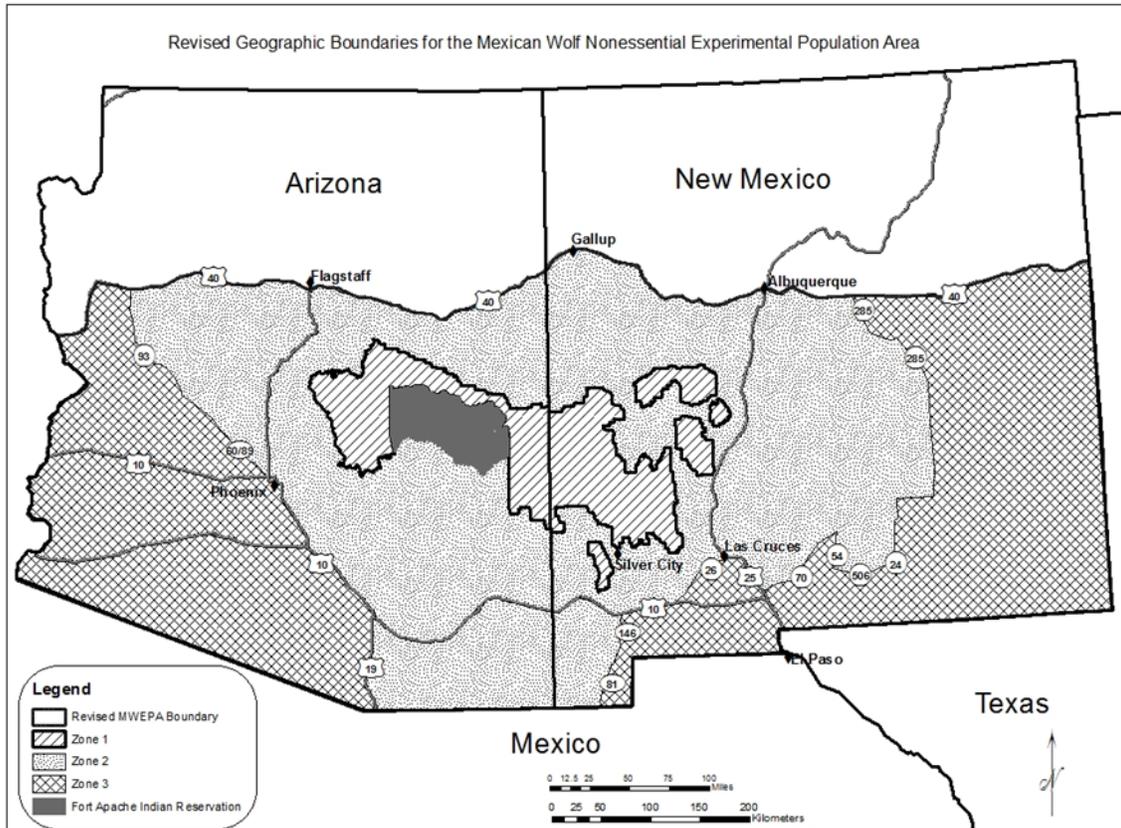
The revised proposal identifies Zones 1, 2, and 3 as different management areas within the MWEPA and discontinues the use of the presently recognized BRWRA designation.

- Zone 1 is where Mexican wolves may naturally disperse into and occupy, and where Mexican wolves may be initially released or translocated. It includes -- and would continue to include -- all of the Apache, Gila and Sitgreaves National Forests; the Payson, Pleasant Valley and Tonto Basin Ranger Districts of the Tonto National Forest; and the Magdalena Ranger District of the Cibola National Forest.
- Zone 2 is an area within the MWEPA into which Mexican wolves would be allowed to naturally disperse and occupy, and where Mexican wolves may be translocated. On federal land in Zone 2, initial releases of Mexican wolves would be limited to pups less than five months old, which allows for the cross-fostering of pups from the captive population into the wild, as well as enabling translocation-eligible adults to be re-released with pups born in captivity.

On private and tribal land in Zone 2, Mexican wolves of any age, including adults, can also be initially released under a Service- and state-approved management agreement

with private landowners or a Service-approved management agreement with tribal agencies. Translocations in Zone 2 will be focused on suitable Mexican wolf habitat that is contiguous to occupied Mexican wolf range.

- Zone 3 is where neither initial releases nor translocations will occur, but Mexican wolves will be allowed to disperse into and occupy. Zone 3 is an area of less suitable Mexican wolf habitat where Mexican wolves will be more actively managed under the authorities of this rule to reduce human conflict.



**Q:** Would the implementation of the wolf releases and translocations into Zones 1 and 2 occur immediately?

**A:** No. A Mexican Wolf Management Plan, including local public notification and participation, will be required prior to selecting release locations and schedules. However, areas within the former BRWRA in the Gila and Apache National Forests that have already been approved for releases and translocations could be used immediately. Mexican wolves would also be permitted to naturally disperse throughout the MWEPA, in accordance with our phased approach, upon completion of our rule making.

In Arizona, we evaluated and recommend a westward phased approach to wolf management including phased translocations, initial releases, and occupancy of Mexican wolves west of Highway 87. As part of the phased approach, Phase 1 will be implemented for the first 5 years following the effective date of this rule. Under this phase, we will be able to conduct initial releases of Mexican wolves throughout Zone 1 with the exception of the area west of State Highway 87 in Arizona (Figure 3). No translocations can be conducted west of State Highway 87 in Arizona (Zone 2). Mexican wolves can disperse naturally from Zone 1 into a

majority of the MWEPA (Zones 2 and 3) and occupy a majority of the MWEPA (Zones 1, 2 and 3), with the exception of dispersal and occupancy in Zone 2 west of State Highway 87. During Phase 1, dispersal will be limited to the area north of State Highway 260 and west to Interstate 17.

In Phase 2, initial releases of Mexican wolves can occur throughout Zone 1 including the area west of State Highway 87 in Arizona. Mexican wolves can disperse naturally from Zone 1 into, and within, the MWEPA (Zones 2 and 3) and occupy the MWEPA (Zones 1, 2 and 3) with the exception of those areas in Zone 2 west of State Highway 89 in Arizona (Figure 4). However, no translocations can be conducted west of Interstate Highway 17 in Arizona.

Phase 3 will only be initiated after Phase 2 if the 8-year evaluation determines it is necessary (Figure 5). In Phase 3, initial release of Mexican wolves can occur throughout Zone 1, including the area west of State Highway 87 in Arizona, and Mexican wolves can disperse naturally from Zone 1 into and within the MWEPA (Zones 2 and 3), and occupy the MWEPA (Zones 1, 2 and 3). However, no translocations can be conducted west of State Highway 89 in Arizona.

The phasing may be expedited with the concurrence of participating state game and fish agencies. Regardless of the phases implemented, by the beginning of year 12 from the effective date of this rule, we will move to full implementation of this rule throughout the MWEPA, and the phased management approach will no longer apply (Figure 2). Full implementation means that initial release of Mexican wolves can occur throughout the entire Zone 1 and in limited areas in Zone 2. Mexican wolves can disperse naturally from Zone 1 into, and within the entire MWEPA (Zones 2 and 3) and occupy the entire MWEPA (Zones 1, 2 and 3); and translocations can be conducted at selected translocation sites on Federal land within Zones 1 and 2 of the MWEPA.

**Q: Why is the Service proposing to extend the southern boundary of the current Mexican Wolf Experimental Population Area's southern boundary from I-10 to the U.S.-Mexico border?**

**A:** We are proposing this modification because the reintroduction effort for Mexican wolves now being undertaken by the Mexican Government has established a need to manage Mexican wolves that may disperse north into southern Arizona and New Mexico from reestablished populations in Mexico. Extending the MWEPA south to the international border with Mexico would allow us to manage all Mexican wolves in this area, regardless of origin, under the experimental population 10(j) rule.

**Q: How is the Service proposing to revise provisions for the taking (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct) of wolves within the experimental population area?**

**A:** It has always been and remains permissible to harass or kill a Mexican wolf in self-defense or in defense of the lives of others.

We have also clarified the take provisions for intentional harassment, opportunistic harassment, take for research purposes, take by Service personnel or designated agencies, and unintentional take. In addition, we have revised the "due care" criteria in regard to trapping activities.

We have provided language to clarify that personnel of the U.S. Department of Agriculture, APHIS - Wildlife Services will not be in violation of the Endangered Species Act or this rule for taking a Mexican wolf that occurs while conducting official duties associated with predator damage management activities for species other than Mexican wolves. This provision requires that the action be coincidental to a legal activity and that the Wildlife Services employees involved have adhered to all applicable Wildlife Services' policies, Mexican wolf standard operating procedures, and reasonable and prudent measures or recommendations contained in Wildlife Service's biological and conference opinions.

We have modified the conditions that determine when we would issue a permit to allow livestock owners or their agents (e.g., employees, land manager, local officials) to take a wolf (including intentional harassment or kill), in conjunction with a control action. The new rule would authorize the Service or a designated agency to issue permits to livestock owners or their agents to take any Mexican wolf that is in the act of biting, killing, or wounding livestock on Federal land where specified in the permit. It would also allow the Service or a designated agency to issue permits to domestic animal (includes livestock and non-feral dogs) owners or their agents to take any Mexican wolf in the act of biting, wounding or killing domestic animals on non-Federal land where specified in the permit.

We also added reporting requirements that clarify that, unless otherwise specified in this rule or in a permit, any take of a Mexican wolf must be reported to the Service or one of our designated agencies within 24 hours.

Finally, we have modified provisions in the 1998 Final Rule to allow for removal of Mexican wolves in response to unacceptable impacts to wild ungulates and we are clarifying the definition of "unacceptable impacts" based upon ungulate management goals, or a 15 percent decline in a wild ungulate herd.

**Q: How will the Service's proposal allow for the States' management of wild ungulate populations?**

**A:** If a state determines that Mexican wolf predation is having an unacceptable impact on a wild ungulate herd (pronghorn, bighorn sheep, deer, elk, or bison) based on established ungulate management goals, or a 15 percent decline in a wild ungulate herd, the respective state game and fish agency may request approval from the Service to remove Mexican wolves from the area of the impacted ungulate herd. The Service 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. These management actions must occur in accordance with established, science-based provisions spelled out in the rule.

Before the Service will allow Mexican wolf removal in response to impacts to wild ungulates, the Service will evaluate the information provided by the state and provide a written determination to the requesting state agency on whether such actions are scientifically based and warranted. If the request is approved, the Service 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 subspecies.

Because tribes are able to request the capture and removal of Mexican wolves from tribal trust lands at any time, take of a wolf in response to unacceptable impacts to wild ungulates is not applicable on tribal trust lands.

**Q: What is a 10(j) rule?**

**A:** The 1982 amendments to the Endangered Species Act included the addition of section 10(j), which allows for the designation of reintroduced populations of listed species as “experimental populations.” Under section 10(j) of the Act and our regulations at 50 CFR 17.81, the Service may designate a population of a listed species as experimental if it has been – or will be – released into suitable natural habitat outside the species’ current natural range, but within its probable historical range.

With the experimental population designation, the specified population is treated as threatened under the Act, regardless of the species’ designation elsewhere in its range. Treating the experimental population as threatened allows us the discretion to devise management programs and special regulations for that population. Section 4(d) of the Act allows us to adopt any regulations that are necessary and advisable to provide for the conservation of a threatened species. When designating an experimental population, the general regulations that extend most of the Act’s prohibitions to threatened species (section 9) do not apply to experimental species, so the 10(j) rule contains the prohibitions and exemptions necessary and appropriate to conserve the designated experimental population.

For purposes of section 7, nonessential experimental populations are treated as proposed for listing, except on National Wildlife Refuge System or the National Park System lands, where they are treated as threatened species. In these instances, a nonessential experimental population provides additional flexibility because Federal agencies are not required to consult with us under section 7(a)(2). Section 7(a)(4) requires Federal agencies to confer (rather than consult) with the Service on actions that are likely to jeopardize the continued existence of a species proposed to be listed. The results of a conference are in the form of conservation recommendations that are optional as the agencies carry out, fund, or authorize activities. Because the nonessential experimental population is, by definition, not essential to the continued existence of the species, the effects of proposed actions affecting the nonessential experimental population will generally not rise to the level of jeopardizing the continued existence of the species. As a result, a formal conference will likely never be required for Mexican wolves established within the experimental population area. Nonetheless, some agencies voluntarily confer with the Service on actions that may affect a proposed species. Activities that are not carried out, funded, or authorized by Federal agencies are not subject to provisions or requirements in section 7.

In addition, the Service does not designate critical habitat for nonessential experimental populations.

**Q: What is a Mexican wolf?**

**A:** The Mexican wolf (*Canis lupus baileyi*) is the rarest, southern-most occurring, and most genetically distinct subspecies of all the North American gray wolves. The distinctiveness of the Mexican wolf and its recognition as a subspecies is supported by both morphometric (physical measurements) and genetic evidence. The Mexican wolf is the smallest existing gray wolf subspecies in North America. Adults weigh 50 to 90 pounds with a length of 5 to 6 feet and height at shoulder of 25 to 32 inches. Mexican wolves are typically a patchy

black, brown to cinnamon, and cream color, with primarily light underparts. Solid black or white coloration, as seen in other North American gray wolves, does not exist in Mexican wolves. The basic life history for the Mexican wolf is similar to that of other gray wolves.

**Q: Where are Mexican wolves found?**

**A:** Mexican wolves historically inhabited mountainous woodlands and adjacent grasslands in northern Mexico, New Mexico, Arizona and the Trans-Pecos region of western Texas (Brown 1988) at elevations of 4000-5000 feet where ungulate prey were numerous (Bailey 1931). The subspecies may have also ranged north into southern Utah and southern Colorado within zones of intergradation where interbreeding with other gray wolf subspecies may have occurred (Parsons 1996, Carroll et al. 2006, Leonard et al. 2005).

Maps of Mexican wolf historical range are available in the scientific literature. The southernmost extent of the Mexican wolf's range in Mexico is consistently portrayed as ending near Oaxaca. Depiction of the northern extent of the Mexican wolf's pre-settlement range among the available descriptions varies depending on the authors' taxonomic treatment of several subspecies and their interpretation of where reproductive interaction between neighboring wolf populations occurred.

Mexican wolves in Arizona and New Mexico inhabit evergreen pine-oak woodlands (i.e., Madrean woodlands), pinyon-juniper woodlands (i.e., Great Basin conifer forests), and mixed conifer montane forests (i.e., Rocky Mountain, or petran, forests) that are inhabited by elk, mule deer, and white-tailed deer.

**Q: What is the current population of Mexican wolves?**

**A:** A binational captive-breeding program between the United States and Mexico, referred to as the Mexican Wolf Species Survival Plan (SSP), was initiated in 1977 to 1980 with the capture of the last remaining Mexican wolves in the wild in Mexico and subsequent addition of wolves from captivity in Mexico and the United States. Through the breeding of the 7 founding Mexican wolves and generations of their offspring, the captive population has expanded to approximately 248 wolves in 55 facilities, including 37 facilities in the United States and 18 facilities in Mexico (as of October 12, 2012).

The Mexican wolf recovery program's Interagency Field Team estimates the 2013 experimental population of Mexican wolves in the wild in Arizona and New Mexico to be a minimum of 83 animals, as determined by their most recent annual survey conducted in January 2014. The 2013 population survey showed the Mexican wolf population up from a count of 75 in 2012, and double the number of Mexican wolves living in the wild in 2009 (42).

Mexico initiated a reintroduction program with the release of five captive-bred Mexican wolves into the San Luis Mountains just south of the United States-Mexico border in October 2011. Through August 2014, Mexico released a total of 14 adult Mexican wolves, of which 11 died or are believed dead, and 1 was removed for veterinary care. The remaining two adult Mexican wolves were documented with five pups in 2014, marking the first successful reproductive event in Mexico since their extirpation in the 1980s. We expect the number of Mexican wolves in Mexico to fluctuate from zero to several wolves or packs of wolves during 2015 and into the future in or around Sonora and Chihuahua or other Mexican States.

*On the Final Environmental Impact Statement –*

**Q: Why has the Service prepared an EIS for the proposed changes to the Mexican wolf nonessential experimental population rule?**

**A:** The proposed rule revisions have been informed by – and are being evaluated through – the development of a comprehensive fEIS. The fEIS is required by the NEPA of 1969 to assess the environmental effects of proposed federal actions prior to making decisions. The environmental impact assessment process conducted under NEPA is intended to ensure federal agencies make better informed decisions and that the public has a meaningful opportunity to participate in the process.

In the fEIS, we analyzed the environmental consequences of four alternatives that met our purpose and need. Our preferred alternative (and proposed action) considers the potential impacts of the proposed revisions to the regulations for the experimental population of the Mexican wolf. Alternative Two considers the effects of not expanding the release areas, but increasing take provisions. Alternative Three considers the effects of expanding the release areas, but not increasing take provisions. Alternative Four is the no action alternative and considers the effects of not making any changes to our current 1998 Final Rule. We considered and addressed the best available science and public input to develop a draft EIS after the scoping period and to refine those alternatives and evaluations in the final EIS.

We also propose to extend the authority of the Mexican Wolf Recovery Program’s Section 10(a)(1)(A) research and recovery permit to areas that are outside of the MWEPA. The proposed action would be implemented through a final nonessential experimental rule, a revised Section 10(a)(1)(A) research and recovery permit and the provision of federal funding.

**Q: How is the NEPA process contributing to the Service’s development of a revised Mexican wolf nonessential experimental population rule?**

**A:** Public participation and input is an essential element of the NEPA process. We initiated the scoping process for this EIS by publishing a Notice of Intent (NOI) to prepare an EIS for the *Proposed Amendment of the Rule Establishing a Nonessential Experimental Population of the Arizona and New Mexico Population of the Gray Wolf (“Mexican Gray Wolf”)* in the *Federal Register* on August 7, 2007. On August 5, 2013 we published a *Federal Register* Notice of Intent (NOI) to prepare the Mexican wolf EIS, *Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (Canis lupus baileyi)* (78 FR 47268). The NOI solicited comments from the public, government agencies, tribes, industry, the scientific community, or any other interested parties concerning the scope of the EIS, pertinent issues to address, and alternatives that should be analyzed.

Based on public comment on the proposal and NEPA scoping and cooperator input, on July 25, 2014, we clarified and proposed additional revisions ([75 FR 13358](#)) and released a [draft EIS](#).

We received – and evaluated – more than 40,000 comments submitted by the public including members of the ranching and livestock community, the environmental community, sportsmen groups, counties and local governments, leaders and members of tribes, and others. We have factored components of many of the ideas received in comments into our revised proposed rule and the development of the fEIS.

As part of our NEPA process, we entered into formal cooperating agency agreements with 27 federal, state, tribal and county agencies and governments. These agreements allowed our cooperating agencies to provide pertinent information as we designed and wrote the dEIS alternatives and evaluated effects in the fEIS. The Arizona cooperating agencies submitted an EIS alternative, which was endorsed by the Arizona Game and Fish Commission. Like the other comments we received, the alternative presented by the Arizona cooperating agencies has been instructive and helpful in preparing and clarifying the alternatives that we considered, and many aspects were incorporated into the “definitions” of the proposed rule and EIS. Throughout the rulemaking and NEPA process, we met with Arizona and New Mexico game and fish agencies to resolve outstanding issues; this collaboration is consistent with the requirements of section 10(j) of the ESA.

**Q: What other significant aspects of the EIS process are being incorporated into the 10(j) rule for the Mexican wolf nonessential experimental population rule revision?**

**A:** There were some concerns posed regarding the NEPA and rule making process that are addressed in the fEIS and may affect change in the final rule under consideration, including:

- Concerns that the expansion of the Mexican wolf population will adversely affect counties’ economies with regard to livestock production, hunting, and tourism. We have addressed these economic sectors in the fEIS economic analysis.
- In regard to economic effects to the livestock industry, the effects standard is industry- and region-wide – on that basis, the fEIS determined that the effects are not significant. However, we acknowledge that effects to individual, especially small producers, can be substantial. Through the [Mexican Wolf/Livestock Coexistence Council](#), producers are being compensated at auction value for individual livestock documented to be depredated by wolves. With our participation, the Coexistence Council developed a plan that recognizes the real economic consequences to livestock producers coexisting with wolves in addition to losses from livestock depredations – including costs from undetected depredations and changes in livestock behavior in response to wolf presence (which can result in a reduction of livestock weight gain, reproductive rates, and meat quality), as well as increased costs tied to implementing proactive measures to reduce conflicts with Mexican wolves. The Coexistence Council calculates and disperses funds to help offset these losses. The “Payments for Wolf Presence” program creates incentives for ranching in ways that promote self-sustaining Mexican wolf populations, viable ranching operations, and healthy western landscapes. The Coexistence Council plan is not yet fully funded, and they are continuing to seek public and private funding sources.
- Regarding concern for losses to hunting revenues, we have modified provisions in the 1998 Final Rule to allow for removal of Mexican wolves in response to impacts to wild ungulates and we are clarifying the definition of “unacceptable impacts” (based upon established ungulate management goals, or a 15 percent decline in wild ungulate herds.

In Arizona, we are including a phased management approach to address Arizona Game and Fish Department's concerns regarding smaller and possibly more vulnerable elk populations west of Highway 87.

- Concerns that Mexican wolves will affect the safety and welfare of their citizens. The ESA and the 10(j) rule allow for killing any Mexican wolf that is threatening the safety of a human. Since we began releasing Mexican wolves, there have not been any attacks on humans.
- People from a variety of interests requested a population objective for the experimental population. We are including a population objective of 300-325, which may be revised after we complete a revision to the Mexican Wolf Recovery Plan.
- Several groups oppose the northern boundary at I-40. We will address this concern at a later time if deemed necessary in a future recovery plan.
- Tribal governments may choose to allow wolves on their lands or may request removal of wolves for any reason from tribal trust land.

**Q: How can I find out more about the NEPA planning process and the fEIS for the Mexican wolf nonessential experimental population rule?**

**A:** More information regarding NEPA can be found in "A Citizen's Guide to NEPA: Having Your Voice Heard" ([http://ceq.hss.doe.gov/nepa/Citizens\\_Guide\\_Dec07.pdf](http://ceq.hss.doe.gov/nepa/Citizens_Guide_Dec07.pdf)). We have developed a webpage for NEPA planning on the Mexican Wolf Recovery Program website and, in cooperation with the U.S. Department of Agriculture, Forest Service, Southwest Region, have established fEIS planning document repositories at the Forest Supervisor Offices for the National Forests throughout the project study area. For further information and to access the documents available for review, visit those locations or visit our website: [http://www.fws.gov/southwest/es/mexicanwolf/NEPA\\_713.cfm](http://www.fws.gov/southwest/es/mexicanwolf/NEPA_713.cfm). The documents will also be at <http://www.regulations.gov>. Search for FWS-R2-ES-2013-0056.

#### ***On the Current Comment Period –***

**Q: How can I comment on the fEIS?**

**A:** Written comments on the final EIS will be considered in a final Record of Decision in January 2015. Comments can be submitted until December 27, 2014, by one of the following methods:

- 1) *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Search for FWS-R2-ES-2013-0056, which is the docket number for this rulemaking. You may submit a comment by clicking on "Comment Now!". Please ensure that you have found the correct rulemaking before submitting your comment.
- 2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS-R2-ES-2013-0056; Division of Policy and Directives Management; U.S. Fish and Wildlife Service Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.