

	10(j) Proposed Rule	CPW Plan	NOTES	DEFINITIONS
<b>Take in defense of human life</b>	Any person may take a wolf in defense of the individual's life or the life of another person. The unauthorized taking of a wolf without demonstration of an immediate and direct threat to human life may be referred to the appropriate authorities for prosecution.	Same as 10(j)		
<b>Agency take of wolves determined to be a threat to human life and safety</b>	The Service, or our designated agents, may promptly remove (that is, place in captivity or kill) any wolf determined by the Service or designated agent to be a threat to human life or safety	Same as 10(j)		
<b>Opportunistic harassment</b>	Anyone may conduct opportunistic harassment of any gray wolf in a non-injurious manner at any time. Opportunistic harassment must be reported to the Service or our designated agent within 7 days.	Opportunistic hazing of any gray wolf in a non-injurious manner is permitted at any time. If a known injury or death occurs, CPW must be notified within 24 hours.	USFWS requires notification of it occurring; CPW requires notification if injury or mortality occurs	Definition from 10(j): Opportunistic harassment—Harassment without the conduct of prior purposeful actions to attract, track, wait for, or search out the wolf.
<b>Intentional harassment</b>	After the Service, or our designated agent, has confirmed wolf activity on private land, on a public land grazing allotment, or on a Tribal reservation, the Service or our designated agent may issue written take authorization valid for not longer than 1 year to any landowner or public land permittee to intentionally harass wolves in a nonlethal, injurious manner. The harassment must occur in the area and under the conditions as specifically identified in the written take authorization. Intentional harassment must be reported to the Service or a designated agent within 7 days.	Opportunistic hazing of any gray wolf in a non-injurious manner is permitted at any time. If a known injury or death occurs, CPW must be notified within 24 hours.	USFWS requires authorization; CPW does not.  USFWS requires reporting of it occurring; CPW requires notification if injury or mortality occurs	Definition from 10(j): Intentional harassment—The deliberate and pre-planned harassment of wolves, including by less-than-lethal munitions that are designed to cause physical discomfort and temporary physical injury but not death.
<b>Taking wolves “in the act of attacking” livestock on PRIVATE land</b>	Consistent with State or Tribal requirements, any landowner may take (injure or kill) a gray wolf in the act of attacking (wounding, harassing, molesting, or killing) livestock or dogs (working or pet) on their private land. Any wolf taken in the act must be reported to the Service or our designated agent within 24 hours. The carcass and surrounding area must not be disturbed in order to preserve physical evidence that the livestock or dogs were recently attacked by a wolf or wolves. The Service or our designated agent must be able to confirm that the livestock or dog were wounded, harassed, molested, or killed by a wolf or wolves. The taking of any wolf without such evidence may be referred to the appropriate authorities for prosecution.	After issuance of a permit, any landowner may immediately take a gray wolf in the act of attacking livestock on their private land or land that they are legally grazing using a federal land-use permit provided the landowner provides evidence of livestock, stock animals recently (less than 24 hours) wounded harassed or killed by wolves and state or federal agents are able to confirm that the animals were attacked by wolves. The carcass of any wolf taken and the area surrounding it should not be disturbed in order to preserve physical evidence.	USFWS does NOT require permitting, CPW does	Definition from 10(j): In the act of attacking—The actual biting, wounding, grasping, or killing of livestock or dogs or chasing, molesting, or harassing by wolves that would indicate to a reasonable person that such biting, wounding, grasping, or killing of livestock or dogs is likely to occur at any moment.
<b>Taking wolves “in the act of attacking” livestock on PUBLIC land</b>	Consistent with State or Tribal requirements, any livestock producer and public land permittee who is legally using public land under a valid Federal land-use permit may take a gray wolf in the act of attacking their livestock on the person's allotment or other area authorized for their use without prior written authorization. The Service or our designated agent must be able to confirm that the livestock or dogs were wounded, harassed, molested, or killed by a wolf or wolves. The carcass of any wolf taken and the area surrounding it should not be disturbed to preserve physical evidence that the take was conducted according to this proposed rule. Any person legally present on public land may immediately take a wolf that is in the act of attacking the individual's stock animal or dog, provided conditions noted in taking of wolves in the act on private land are met. Any take or method of take on public land must be consistent with the rules and regulations on those public lands. Any lethal or injurious take must be reported to the Service or a designated agent within 24 hours	same as above	USFWS does NOT require permitting, CPW does	Definition from 10(j): In the act of attacking—The actual biting, wounding, grasping, or killing of livestock or dogs or chasing, molesting, or harassing by wolves that would indicate to a reasonable person that such biting, wounding, grasping, or killing of livestock or dogs is likely to occur at any moment.
<b>Additional taking by private citizens on their PRIVATE LAND</b>	At the Service's or our designated agents' direction, the Service or designated agent may issue a “shoot on-sight” written take authorization of limited duration (45 days or less) to a landowner or their employees to take up to a specified (by the Service or our designated agent) number of wolves on their private land if: (1) The landowner has had at least one depredation by wolves on livestock that has been confirmed by the Service or our designated agent within the last 30 days; and (2) the Service or our designated agent has determined that problem wolves are routinely present on the private land and present a significant risk to the health and safety of livestock; and (3) the Service or our designated agent has authorized lethal removal of wolves from that same private land. These authorizations may be terminated at any time once threats have been resolved or minimized. Any lethal or injurious take must be reported to the Service or a designated agent within 24 hours.	This will only be conducted using limited duration permits if state/federal agents do not have the resources to implement on-the-ground lethal control actions.	USFWS considerations are more strict than what is discussed in the CPW memo	

<b>Additional taking by grazing permittees on PUBLIC LAND</b>	At the Service's or our designated agents' direction, the Service or designated agent may issue a "shoot on-sight" written take authorization of limited duration (45 days or less) to a public land grazing permittee to take up to a specified (by the Service or our designated agent) number of wolves on that permittee's active livestock grazing allotment if: (1) The grazing allotment has had at least one depredation by wolves on livestock that has been confirmed by the Service or our designated agent within the last 30 days; and (2) the Service or our designated agent has determined that problem wolves are routinely present on that allotment and present a significant risk to the health and safety of livestock; and (3) the Service or our designated agent has authorized lethal removal of wolves from that same allotment. These authorizations may be terminated at any time once threats have been resolved or minimized. Any take or method of take on public land must be consistent with the rules and regulations on those public lands. Any lethal or injurious take must be reported to the Service or a designated agent within 24 hours.	same as above	USFWS considerations are more strict than what is discussed in the CPW memo	
<b>Agency take of wolves that repeatedly depredate livestock</b>	The Service or our designated agent may carry out harassment, nonlethal control measures, relocation, placement in captivity, or lethal control of problem wolves. The Service or our designated agent will consider: (1) Evidence of wounded livestock, dogs, or other domestic animals, or remains of livestock, dogs, or domestic animals that show that the injury or death was caused by wolves, or evidence that wolves were in the act of attacking livestock, dogs, or domestic animals; (2) the likelihood that additional wolf-caused losses or attacks may occur if no control action is taken; (3) evidence of unusual attractants or artificial or intentional feeding of wolves; and (4) evidence that animal husbandry practices recommended in approved allotment plans and annual operating plans were followed.	State or federal agents may carry out hazing, non-lethal control measures, or lethal control of problem wolves. CPW or its designated agents will consider A) evidence of wounded livestock, working dogs, or other animals or remains of livestock that show that the injury or death was caused by wolves, B) the likelihood that additional wolf-caused losses or attacks may occur if no control action is taken, C) evidence of unusual attractants or artificial or intentional feeding of wolves and D) evidence that proper animal husbandry practices are implemented.	Similar	
<b>Incidental take</b>	Any person may take a gray wolf if the take is incidental to an otherwise lawful activity, if reasonable due care was practiced to avoid such taking, and such taking was reported within 24 hours. (The Service may allow additional time if access is limited.) Shooting a wolf as a result of mistaking it for another species is not considered accidental and may be referred to the appropriate authorities for prosecution.	??	Usa, how is this addressed?	
<b>Permits for recovery actions that include take of gray wolves</b>	Permits are available and required, except as otherwise allowed by this proposed rule, for scientific purposes, enhancement of propagation or survival, educational purposes, or other purposes consistent with the Act (50 CFR 17.32).	Specific to Federal rules		
<b>Additional taking provisions for agency employees and our designated agent</b>	Any Service employee or our designated agent may take a gray wolf from the NEP: (1) For take related to the release, tracking, monitoring, recapture, and management for the NEP; (2) to aid or euthanize sick, injured, or orphaned wolves or transfer to a licensed veterinarian for care; (3) to dispose of a dead specimen; (4) to salvage a dead specimen that may be used for scientific study; (5) to aid in law enforcement investigations involving wolves (collection of specimens for necropsy, etc.); or (6) to remove wolves with abnormal physical or behavioral characteristics, as determined by the Service or our designated agent, from passing on or teaching those traits to other wolves.	Any Service employee or our designated agent may take a gray wolf from the NEP: (1) For take related to the release, tracking, monitoring, recapture, and management for the NEP; (2) to aid or euthanize sick, injured, or orphaned wolves or transfer to a licensed veterinarian for care; (3) to dispose of a dead specimen; (4) to salvage a dead specimen that may be used for scientific study; (5) to aid in law enforcement investigations involving wolves (collection of specimens for necropsy, etc.); or (6) to remove wolves with abnormal physical or behavioral characteristics, as determined by the Service or our designated agent, from passing on or teaching those traits to other wolves.	Similar; need to update this language in next draft	
<b>Agency take to reduce impacts to wild ungulates</b>	NOT considered in Proposed Rule, listed as optional	Only considered in Phase 3. In considering an appropriate management response to wild ungulate impacts, CPW will require: <ul style="list-style-type: none"> <li>• Data or other information indicating that wolves are a known factor of ungulate herds not meeting objectives. <ul style="list-style-type: none"> <li>• CPW will consider the following: <ul style="list-style-type: none"> <li>o Level and duration of wolf removal necessary to achieve management objectives;</li> <li>o Ability to measure ungulate response to management actions;</li> <li>o Identification of other potential major causes of an ungulate population not meeting HMP population objectives and attempts made to address them;</li> <li>o Decline in ungulate license quotas and hunting opportunities</li> </ul> </li> </ul> </li> </ul> In employing this management action, wolf removals must not contribute to reducing the wolf population in the state below 150 wolves.	Not considered in Proposed Rule, listed as optional	
<b>Agency take to reduce impacts to other wildlife species</b>	Not considered in Propsoed rule, <b>NOT</b> listed as optional	Only considered in Phase 3, with similar considerations as described for wild ungulates	Not considered in Proposed Rule, <b>NOT</b> listed as optional	