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**RE: PEER Comments on improving the propagation or survival of the affected species under the Endangered Species Act**

Docket FWS-HQ-ES-2025-0049  
Submitted electronically via <https://www.regulations.gov>.

These comments are submitted on behalf of Public Employees for Environmental Responsibility and focus on the insufficiencies of the Fish & Wildlife Service's captive breeding program for the masked bobwhite quail.

**Background**

Native to the Sonoran Desert in southern Arizona and northern Mexico, steady loss of its native grassland habitat had by 1950 driven the masked bobwhite to the brink of extinction in the wild. It was one of the original species listed as endangered under the Endangered Species Conservation Act and later the Endangered Species Act in 1973. It remains critically endangered today.

Its recovery plan depends upon a captive breeding program that in some form or another by one agency or another has taken place since before the 1970s. To date, these efforts have unfortunately been unsuccessful.

**Captive Breeding Mismanagement**

In 1985, the U.S. Fish and Wildlife Service (FWS) purchased the Buenos Aires Ranch and converted it into the Buenos Aires National Wildlife Refuge with the main intention of utilizing it to recover the masked bobwhite. While the refuge supports numerous federally listed threatened and endangered species, the recovery of the masked bobwhite remains its main objective.

The refuge has a captive breeding facility whose purpose is to maintain species genetics. This breeding facility consists of two very small, outdated buildings. Within the facility, quail are bred to maintain genetic diversity of the species and to produce young quail for

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future release. Since the mid-2000s, the captive birds have been housed in rabbit hutches and other similar enclosures.

These buildings lack appropriate ventilation making them hazardous to the health of the quail and can lead to respiratory issues and clogged nares. The buildings are too small and do not allow for larger runs to provide the quail more space. The lack of space becomes a major problem during the breeding season when the quail become aggressive towards one another as they do not naturally remain in coveys during the breeding season. This often leads to serious injuries. To prevent these injuries from leading to death, quail are divided into small pens and may spend the majority of a year alone.

### **Failure to Utilize GAOA Funding**

In the early to mid-2020s (approximately 2022), funding was secured through the Great American Outdoors Act to construct a new building to house the captive quail population, ideally one that would be large enough to meet the needs of the program and that would also have an appropriate ventilation system. By the end of 2024, ground had not been broken on the new facility.

### **Release Failures**

In addition to the captive breeding facility, the refuge also contains outdoor pens known as flight conditioning pens. These pens are meant to provide “education” to captive reared birds prior to their release into the wild. Unfortunately, these pens do not adequately reflect the habitat found out on the refuge landscape nor do they teach the birds how to forage for themselves and avoid predators.

Mainly, the birds are able to learn about the weather, scratching in the dirt and seeking cover under limited vegetation. The birds are still fed a kibble diet and provided standing water as the pens do not have appropriate native vegetation and invertebrates to optimize the birds’ survival once released into the wild.

When the time comes for release, it is a very hard release as the birds remain habitat naïve and are not prepared to survive in the wild in harsh conditions. Many are immediately predated and some die of starvation or dehydration.

Complicating these releases is the fact that the southwest, southern Arizona in particular, has been in a drought for years. The survival of masked bobwhite is dependent upon winter rains and summer monsoons. Ongoing drought prevents vegetation from going through its growth cycle properly which means that there is little green up of plants for the birds to forage on and get moisture from. It also means plants are not seeding out resulting in less food availability into the fall and winter. Drought also means few to no invertebrates such as crickets and grasshoppers which are imperative to the survival of masked bobwhite and are important in order to rear chicks.

Releasing birds onto a landscape severely damaged by drought with high temperatures and a scarce food supply does not contribute to the recovery of the masked bobwhite. Instead, it just results in the loss of life of these birds upon their release.

### **Lack of Appropriate Release Standards**

In addition to this hard release, where birds have to try and determine what is food and what will provide moisture and learn what directions predators come from, the “standards” of these releases vary based upon the individual in charge of the refuge and the masked bobwhite recovery program.

While the welfare of the quail is considered and biologically sound, sensible decision-making is carried out by some individuals, others show a distinct lack of understanding or interest in the welfare of the quail as well as an inability to understand the basic needs of the quail on the landscape and what is needed to ensure they have an actual chance at survival.

For example, drought conditions and temperatures above 102 degrees are exceedingly dangerous for bobwhite, and while some program leaders would not even consider releasing birds in such dangerous conditions, others insist on releasing birds in such conditions, even knowing that it will result in the birds’ deaths.

Additionally, some program leaders ensured appropriate habitat assessments were completed prior to release, and did not release quail into areas that did not pass the test criteria, while others simply ignored the habitat needs of the birds and released them wherever. Unfortunately, thoughtless releases result in the death of quail.

Moreover, inadequate targeted effort is made to restore the native habitat by reducing nonnative and invasive vegetation (i.e. Lehmann lovegrass). While prescribed burns are completed and mesquite grubbing occurs to help improve conditions on the refuge, this does not necessarily restore the native grasses on the landscape that the quail need for food and cover nor does it consider which trees should be left behind to benefit the quail. The removal of too many mesquites of certain proportions removes the shade and shelter structures that the quail need to survive predators and hot temperatures.

Over the last 50 years, thoughts and ideas for how the program should be run have often changed with each manager or program leader. Oftentimes, such decisions have not been based on meaningful data, research, or other sound science. Worst of all, very often appropriate consideration of the welfare of the masked bobwhite has been neglected.

### **Adoption of Appropriate Standards Necessary**

It is imperative that standards be established and used to help ensure the safety, quality of life and welfare of the captive birds as well as the masked bobwhite upon release. Standards of captive care and release standards must exist to ensure the well-being of the birds and lead to a successful masked bobwhite recovery program. Additionally, when

breeding birds are no longer needed for the program, but are beyond the safe age for release, contingency plans must be in place to allow them to live out their lives safely.

The Association of Zoos and Aquariums (AZA) has accreditation standards for captive breeding and release programs which are highly regarded in biological circles. PEER urges FWS to achieve AZA accreditation to ensure that the masked bobwhite quail recovery program is biologically sound and includes welfare standards from start to finish. Specifically, we suggest that FWS –

- 1) Seek AZA accreditation for its masked bobwhite recovery program;
- 2) Require that FWS contractors operating captive breeding programs, such as the George Miksch Sutton Avian Research Center in Oklahoma, where birds are prepared for release, must be AZA accredited; and
- 3) Regularly publish updates on the status and success of all of its captive breeding programs so that interested publics can monitor the quality of these operations.

Our principal concern is that continued operation of this captive breeding program under its current inadequate leadership and direction will prevent this most vulnerable species from ever returning to the wild in a sustainable manner. To that end, PEER urges that FWS consider extending this accreditation process to all of its captive breeding programs.

It is understood that years of funding and staffing cuts has made species recovery even more difficult. FWS has a heavy burden in their responsibility to recover threatened and endangered species, and it is imperative that the agency include adequate animal welfare standards for captive animals, and that welfare standards and release standards are followed to ensure species' optimum welfare when they re-enter the wild.

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