

RESOLVE

Results Through Consensus

MEMORANDUM

TO: Wolf Working Group Members (WWG) and WDFW Staff
FROM: Paul De Morgan, RESOLVE and Rob Williams
SUBJECT: Action Items from the May 21, 2008 Meeting #8 – FINAL
DATE: Wednesday, June 11, 2008

This memo includes action items agreed to during the May 21 meeting, a list of future meeting dates, a summary of WWG discussion, and meeting flipchart notes for your information.

Please review the action item list for tasks assigned to you and/or the Working Group in general (highlighted in yellow). After reviewing the memo, please let us know if we missed any action items and/or if you identify any omissions or changes to more accurately capture the conversations.

Upcoming Meetings	When and Where	Suggested Agenda Items
WWG Meeting #9	TBD	<ul style="list-style-type: none"> Review of public review process results (possibly to happen after peer review process instead)

I. ACTION ITEMS

Action Items Memo	Who	Completed by
1. Distribute draft Action Items memo for review	RESOLVE	COMPLETED
2. Provide edits/comments on Action Items Memo to RESOLVE	WWG members	COMPLETED
3. Finalize and distribute final Action Items memo to WWG and WDFW	RESOLVE	COMPLETED

Outstanding Issues	Who	Completed by
4. Develop final language to clarify the “lethal take” provision representing the group discussion	George and John	Friday, June 13

Outstanding Issues (cont.)	Who	Completed by
5. Draft rationale for compensation language concerning size difference	Group of Four	Friday, June 13
6. Draft language pertaining to the establishment of an Advisory Group to oversee implementation of the compensation program	Group of Four	Friday, June 13
7. Draft "cover memo" to accompany Working Draft submission to WDFW and peer reviewers for review by WWG	Group of Four	Friday, June 20
8. Submit revised Minority Report regarding the breeding pair numbers	Jack Field	COMPLETED
9. Check to see if more updated numbers are available for Table 5 and 6 (Working Draft; pg. 50-51.)	Gary Wiles	For revised draft
10. Develop public education safety appendix	WDFW	For revised draft
11. Add clarifying language regarding Plan initiating SEPA process	WDFW	For revised draft
12. Consider ways an indirect compensation program might work	WWG members	During public review process

Plan Development Next Steps	Who	Completed by
13. Submit proposed edits on the May 2 Working Draft to Harriet Allen and Gary Wiles	WWG members	Friday, June 6
14. Provide revised version of draft Working Document to WWG (and redline if requested)	WDFW	Monday, June 30
15. Ensure WDFW revisions accurately captured WWG discussion and submit clarifying edits if necessary	WWG members	Friday, July 18
16. Initiate Peer Review	WDFW	Monday, August 18 (tentative)

Plan Development Next Steps (cont.)	Who	Completed by
17. Receive Peer Review Comments	WDFW	Friday, October 20 (tentative)
18. Review peer review comments and revise Working Draft	WDFW	Friday, December 5 (tentative)
19. Send summary of Peer Review comments and revised Working Draft (and redline if requested) to WWG	WDFW	Friday, December 5 (tentative)
20. Consider scheduling another WWG meeting if time permits and it seems as though it would be helpful	WDFW	Friday, December 19 (tentative)
21. Initiate 90-day public review process	WDFW	Early 2009 (tentative)
22. Revise Draft Plan based on public review	WDFW	Late April 2009 (tentative)
23. Review revised Draft Plan and hold meeting (#9) to discuss potential issues and recommendations	WWG	May/June 2009 (tentative)
24. Revise Draft Plan for submission to the WDFW Fish and Wildlife Commission	WDFW	June/July 2009 (tentative)

Ongoing	Who	Completed by
25. <u>Hard Copy Packet Distribution</u> – Mail information to Daryl Asmussen and Jeff Dawson	WDFW and RESOLVE	Ongoing as pertaining to WWG specific transmissions
26. Update website as necessary	WDFW	Ongoing through review process

II. OVERVIEW OF DISCUSSIONS

A. Welcome, Introductions, and Agenda Review

Harriet Allen, WDFW, welcomed the members to the Wolf Working Group (WWG) meeting and thanked participants on behalf of WDFW for their involvement. The facilitator, Paul De Morgan, invited all participants and guest to introduce themselves reviewed the meeting objectives, agenda, and materials. The objectives for the meeting were outlined as follows:

- Reach closure on outstanding issues within the Working Draft of the Wolf Conservation and Management Plan;
- Finalize WWG recommendations to the WDFW regarding the draft Wolf Conservation and Management Plan; and
- Agree on actions to be taken after the meeting.

Mr. De Morgan highlighted the key objective of this meeting for the WWG to come to consensus agreement on the Working Draft of the Wolf Conservation and Management Plan. Both the Draft Plan and the proposal to address outstanding issues from the March meeting were circulated to the WWG in advance of the meeting and no additional concerns or significant issues were expressed by the group. Mr. De Morgan referenced the May 13 memo he circulated that was included in the meeting packet. This memo addressed the resolution of the outstanding issues, the process for consensus decision making at the meeting and option of developing a minority report if particular issues were unable to be resolved, and the next steps for moving forward with the draft plan. WWG members were reminded that if agreement was reached on the Working Draft, its submission would be the first official document from the WWG and would represent the culmination of an eight meeting process that began in February 2007. At the same time the submission of this Working Draft would initiate the process of peer review, Department review, and public review that would result in a revised document to be reviewed and discussed by this group, likely in early 2009, before submission to the WDFW Fish and Wildlife Commission.

B. Updates since the March Meeting

Commission Meeting

Rocky Beach, WDFW, provided a brief summary of the WDFW Fish and Wildlife Commission meeting held May 3 in Colville, WA. The Department provided an overview of the WWG work, presented the general framework being developed, and addressed potential confusion between the difference between federal and state listing. Paul De Morgan, as the neutral facilitator, was invited to attend the Commission meeting and provide a summary of the WWG work from all perspectives. Mr. De Morgan spoke to the constructive way all parties were working together to develop the best plan possible. He also indicated that issues such as translocation, numbers of breeding pairs, and compensation, for example, were still being discussed.

A few WWG members were in attendance at the Commission meeting and some provided public testimony. The Commissioners present at the WWG meeting indicated the summary provided captured the essence of the May 3 meeting.

Overview of the Working Draft of the Wolf Conservation and Management Plan

Gary Wiles, WDFW, provided an overview of the Working Draft of the Wolf Conservation and Management Plan. The document was circulated to the WWG in advance of the meeting and was posted on the website. Additional copies were provided at the meeting for the public in attendance. A redline version of the Working Draft, indicating changes made to the previous draft, was available on the website. This redline version was not included in the meeting packet since many of the changes made were formatting issues moving blocks of unedited text to different sections of the document which made the resulting document difficult to read. Mr. Wiles highlighted some areas of change in the document as a prelude to the ensuing discussion about the identification of issues with the Working Draft.

As the group was transitioning into the discussion of additional significant issues with the Working Draft that would need to be discussed and resolved today, one WWG member expressed concern over the aggressive pace of the meeting and the need to reach consensus agreement on the Working Draft today when the Commission did not indicate a pressing need for the document now. The issue of timing was discussed. The group was reminded that agreement on the Working Draft at this time was not a final decision, rather it was the initiation of a process that involved a number of steps and result in a revised document for the WWG to consider and discuss within a number of months. These steps include peer review, Department review, public review and comment, and document revision to incorporate changes made during these reviews. Consensus agreement on the Working Draft today would indicate the document being submitted to the Department represented the best effort of the WWG at this time based on the information available. WWG members would have the opportunity to both remain engaged in the review processes and reconvene to discuss the revised document following the reviews.

It was also confirmed by the Department that the Wolf Conservation and Management Plan would be a living document and subject to review and revision in a manner similar to all other species management plans. Tools such as the Department's website announcement of the consideration of any potential changes could be used in the future to keep WWG members and the public informed. With this clarification the group proceeded to identify any pending significant issues that still needed discussion.

C. Identification of Issues with the Working Draft

Mr. De Morgan provided process clarification at the outset of this agenda item. He reminded the group that some issues had been flagged as "outstanding issues" that were not resolved during the March WWG meeting. Four WWG members, George Halekas, Colleen McShane, John Stuhlmiller, and Arthur Swannack, were tasked as the "Group of Four" (GO4) to work together on behalf of the WWG following the March meeting to develop a proposal for addressing all outstanding issues. Understanding that the discussion of this proposal and the outstanding issues from the March meeting was to follow, WWG members were asked if there were any additional significant issues that would need to be discussed by the group during this meeting.

The following four additional items were added to the list of key issues for discussion later in the agenda:

- Tribal issues
- Public safety education
- Compensation
 - Advisory group
 - Weight loss
 - Rationale
- Depredation numbers – "coyotes and dogs" (Table 5; pg. 50)

D. Resolving Outstanding Issues from the March Meeting

The "Group of Four" (GO4) met numerous times in advance of the May meeting to develop a proposal that considered and balanced the needs of all WWG members in addressing outstanding issues identified at the March WWG meeting. The May 19 GO4 document, "Proposal to Address

Outstanding WWG Issues - v5,” was circulated to WWG members in advance of the meeting and included in the meeting packet. George Halekas, John Stuhlmiller, and Arthur Swannack provided an overview of the document which contained a proposal for addressing the twelve outstanding issues from the March WWG meeting and two additional issues surfaced during the GO4 discussion. The GO4 proposal document was organized into the following sections:

- I. Conflict Management
- II. Compensation
- III. Translocation
- IV. Distribution
- V. Timing/Transitions
- A-1. Numbers of Breeding Pairs
- A-2. Distribution of Breeding Pairs Across Conservation Regions

The overview and brief discussion of the proposal document preceded the working lunch break. During the break both the conservation caucus and producer caucus met to discuss the proposal. Discussion of these issues both before and following the lunch caucus are included below and organized according to the document sections.

I. Conflict Management

The group discussion centered on Table 7 (pg. 2 of the document) and was primarily related to the issue of lethal take. Concern was raised over the 150 yard limit around the landowner residence (part of the “homestead” provision); but the distance was a component of the negotiated package represented by the entire table. The group agreed to replace the language “landowner lives” with “livestock owner resides.” The discussion also related to the “green sheet” document in the meeting packet which contained a redline version of pg. 54-57 of the Working Draft (without the table on pg. 55). The group agreed to remove the second sentence on pg.3 under confirmed non-wolf depredation since the wording was confusing and the intent was captured in the previous sentence. The sentence to be removed read, “Wolf hybrids and wolves that appear to have been raised in captivity will be treated as domestic animals.” The group also agreed to have George Halekas and John Stuhlmiller draft language to clarify the language pertaining to “lethal take by livestock owners.” The intent is to clarify the language and ensure that livestock producers who were renting their lands (or hired hands) would have the same rights and obligations as producers who owned their lands.

It was also noted that the contingency plan (issue #4; pg. 3) provided an opportunity to reconvene the WWG if the plan was not working as intended.

II. Compensation

The issue of compensation was discussed at length by the WWG. It was noted that the proposal developed by GO4 is unlike any other plan in the nation and breaks new ground on a compensation approach.

Size Differentiation

The distinction made between producers on small blocks of private land (less than 100 acres) and public lands and large blocks of private land (100 acres or more) was intended to provide fair compensation for all producers. The size distinction was made because producers are likely to have much more difficulty finding both confirmed and probably depredated livestock. Therefore the

higher compensation rate for producers on larger blocks of land was intended to address this difficulty. There was discussion about the concern of creating animosity between the two groups, but the WWG determined that in the context of the complexity of the overall compensation package that the proposal represented the best available alternative and WWG members would actively work to help explain the rationale for this size distinction.

Harrassment Loss

There was also discussion about economic loss to ranchers due to livestock harrassment by wolves. It was acknowledged that harrassment can result in weight loss and lowered birthrates in livestock and can therefore be a significant cause of monetary loss suffered by the livestock producer. While the group had worked at length to address this concern it was determined that the complexity of the program necessary to create a mechanism for determining, verifying, and allocating compensation for loss due to harrassment would be unworkable. Though it might be possible to develop such a program it was likely that the bureaucratic cost of administering the program would consume a major proportion of the funds and get fewer dollars to the intended target, the livestock producers. WWG members were encouraged to continue to think of ways to address the complicated problem of harrassment loss, but the group moved forward with the proposal as written without this component.

Advisory Group

Due to the complexity and importance of the compensation portion of the plan, it was suggested that a recommendation for the formation of an Advisory Group be included. It was suggested that the establishment of an Advisory Group would help avoid some of the problems encountered in other states. This goal would be furthered if the group had balanced representation of all interested stakeholders and if the group addressed issues of implementation not actual allocation decisions. Language concerning the Advisory Group formation was to be submitted to WDFW for inclusion in the revised draft.

Indirect Compensation

It was noted that this section was another component of the compensation package that made this compensation package nationally unique. Further, the program specifics needed developing and a good opportunity for WWG members to continue to build plan specifics would be while the draft plan is undergoing peer, Department, and public review.

Additional Clarifications

For the purpose of clarity it was agreed that “for confirmed and probable” would be removed from the first sentence of the Phasing Out section (GO4; pg. 4). It was also affirmed that references made to depredation in the GO4 document carried the same clarification for loss that occurred “within twelve months” that was contained in the Working Draft. For example, the first sentence under Indirect Compensation (GO4; pg. 4) would contain this language at the end of the first sentence.

III. Translocation

The group affirmed the translocation language included in the GO4 document and stressed the fact that this was an important component to be considered in the package of management tools being presented in the Working Draft and inavailability of this or related tools would likely have dramatic consequences on the viability of the entire plan. It was also confirmed that the soft release component of the plan was important and similar to the approach taken in Montana and Idaho.

IV. Distribution

The deliniation of the boundaries as outlined by the referenced map was confirmed.

V. Timing/Transitions

The concept of the acceleration approach was confirmed but it was noted that this approach was part of the package that included the 6 – 12 – 15 breeding pair numbers not the 3 – 6 – 9 numbers included in the minority report. (See issues A-1 and A-2 for additional information.) It was agreed that a feasibility assessment and implementation plan for translocation would be initiated upon establishment of 2 wolf pack territories in eastern Washington, with at least one pack containing a breeding pair. A SEPA and/or NEPA process, with the corresponding public review opportunities, would be conducted following completion of the feasibility assessment and implementation plan. The need to help ensure sufficient funding at the outset was emphasized to complete the feasibility assessment and implementation plan and trigger the SEPA/NEPA review.

A-1. Numbers of Breeding Pairs

The issue of numbers of breeding pairs was discussed at length by the group. The numbers 6 (triggering a transition from endangered to threatened), 12 (triggering a transition from threatened to sensitive) and 15 (triggering a transition from sensitive to ‘Phase IV’) were the result of a negotiated agreement. The rationale was discussed before the group broke for lunch and caucus meetings. Following those meetings Jack Field presentated the numbers 3 – 6 – 8 to be in a minority report.

Numerous reasons for both sets of numbers were voiced. Ultimately the group acknowledged that the plan would include 6-12-15 numbers and the minority report of 3-6-8 would also be included. All participants retain the ability to add their names to the minority report during any time in the forthcoming review and revision of the Plan. The following WWG participants indicated they would include their name on the minority report: Daryl Asmussen, Duane Cocking, Jeff Dawson, Jack Field, and Ken Oliver.

A-2. Distribution of Breeding Pairs Across Conservation Regions

The group acknowledged that the GO4 proposal for the distribution of breeding pairs across conservation regions was the more flexible approach. To this end the total numbers of breeding pairs remained the same but the minimum number of pairs in each region was reduced by the inclusion of an “anywhere in the state” category. It was acknowledged that this category was intended to help “give credit” to the eastern Washington region that was likely to receive more breeding pairs first. The table presented in the GO4 draft was to be included as Table 3 (Working Draft; p.41).

E. Resolution of Additional Key Issues with the Current Draft Plan

Earlier in the day the group surfaced additional issues for group discussion including the following:

- Tribal issues
- Public safety education
- Compensation
- Depredation numbers

Tribal Issues

It was acknowledged that the Tribal Reservations constituted a portion of the likely wolf habitat. Since the Tribal plans for wolf management were not clear to the WWG, developed tribal plans may

affect the viability of the Working Draft plan developed by this group. It was recommended that the WWG address this issue in a cover memo to be included with the Working Draft.

Public Safety Education

It was agreed to add a section describing ways to minimize wolf-human interactions and to inform the public on how to conduct oneself more safely in the presence of a wolf.

Compensation

This issue was discussed at length and the discussion was captured in Section D.II. above.

Depredation Numbers

A participant requested the depredation numbers due to coyotes and dogs be removed from Table 5 (Working Draft; pg. 50). It was suggested that the inclusion of these numbers may mislead readers and the Legislature into believing the presence of wolves was not as significant. Following discussion and the importance to other WWG members of retaining those numbers, the numbers due to coyotes and dogs were retained and the group agreed to help convey the message that there were already established management tools for coyotes and dogs which differentiated them from wolves.

F. Finalization of Recommended Draft Wolf Conservation and Management Plan

The WWG agreed they could live with this Working Draft, pending satisfactory revisions to reflect the group discussion, and that it should be submitted to WDFW in order to initiate the peer review process. It was acknowledged that the group did not achieve consensus around the question of breeding pair numbers and a minority report to the Working Draft plan was to be submitted. No further issues or concerns were raised and the group agreed to review revisions to the Working Draft before submission to peer review. These revisions should include the GO4 proposal, edits raised through WWG discussion, and an appendix with the breeding pair numbers minority report.

G. Updates, Next Steps, and Acknowledgements

Art and George H. agreed to draft, along with John S. and Colleen, the initial version of the cover memo to accompany the submission of the Working Draft document. The following components of the cover memo were suggested by the WWG:

- Funding: The importance of providing adequate funding for all aspects of the plan to ensure the establishment and success;
- Tribal issues: Address the fact the Tribal management plans for the wolf are unknown and are likely to impact the plan;
- Adaptability: Emphasize that the plan is a living document;
- Key Objectives: Reaffirm attempts to achieve the two key objectives and highlight key agreements;
- Mission statement: Include the mission statement of the WWG; and,
- Economic realities.

Mr. De Morgan also reviewed the next steps for the submission of this Working Draft and the development of a Wolf Conservation and Management Plan. Following the meeting WWG members with identified tasks are to submit their work products to WDFW. The Department will incorporate those submissions and make the changes identified during the WWG meeting and

provide a revised version (redline document) to the WWG for review. Following the review and minor edits/clarifications as necessary, WDFW will send the revised Working Draft for peer review by a broad range of agency staff, wolf experts, and academics. It is expected that this peer review process will take approximately 2 months. The peer review comments will be submitted to WDFW and another draft of the plan will be developed for the public review process. The WDFW is also looking into the option of having a blind review done of the draft. This would involve contracting out to a third party to have the document reviewed by anonymous experts and the comments would be submitted to WDFW. WDFW will send the WWG an overview of the peer review comments and the changes made as a result of the review. It is possible a WWG meeting could be scheduled at this time if appropriate to review and discuss the results of the peer review.

The draft plan will then go through a 90-day public review process which will include the opportunity for the public to comment in writing and at public meetings. It is likely that this process will begin in early 2009 following the holidays, which are generally not good times for public review. The WWG will then meet following the public review process to determine whether additional recommendations are needed. Building upon the public comments and the WWG deliberations, WDFW will develop another draft of the plan and present that version to the WDFW Fish and Wildlife Commission in 2009.

The initial approximate timeframes for these steps are as follows and subject to modification:

- WWG comments to WDFW on May 2 draft – By June 6
- Revised version (redline) of plan by WDFW to WWG – By June 30
- Comments on redline version by WWG to WDFW – By July 18
- Initiate Peer Review – August 18
- Peer Review – Responses due October 20
- WDFW – Review comments and revise document – By December 5
- WDFW – Send out summary to WWG (and redline if requested) – By December 5
- WDFW – Send revised Draft Plan for public review – Early 2009 (90-day process)
- WDFW – Revise Draft Plan based on public input – Likely Late April
- WWG – Review Revised Draft Plan and hold meeting to discuss potential issues – Likely May/June
- WDFW – Revise draft plan for submission to the Fish and Wildlife Commission – Likely June/July

H. Public Comment and Adjournment

Two individuals provided public comment. One person provided written comment, and L.D. Green provided oral comment and also submitted the comment in written form to the Department.

Paul De Morgan and Harriet Allen complimented the WWG members for their diligent and tireless work. The also recognized the dedication of the members of the public in attendance as many had been to almost every meeting. Chuck Perry, one of the WDFW Fish and Wildlife Commissioners in attendance, praised the work of the WWG and thanked all the participants for their work on behalf of Commission.

Attachment A
May 21, 2008 WWG Meeting Attendees
(Based on attendance sign-in sheets)

WWG Members in Attendance:

- Daryl Asmussen
- John Blankenship
- Duane Cocking
- Jeff Dawson
- Jack Field
- George Halekas
- Kim Holt
- Derrick Knowles
- Georg Ziegltrum
- Hon. Ken Oliver
- Tommy Petrie, Jr
- John Stuhlmiller
- Arthur Swannack
- Greta M Wiegand

WWG Members Not in Attendance:

- Colleen McShane
- Bob Tuck
- Gerry Ring Erickson

WDFW Project Staff and RESOLVE Staff in Attendance:

- Harriet Allen
- Rocky Beach
- Paul De Morgan
- Madonna Luers
- Kevin Robinette
- Gary Wiles
- Rob Williams

Other Individuals in Attendance:

- Joe Antolick
- Michele Beal-Erwin
- L.D. Green
- Mike Hyink
- Gwen Green
- Bill Liggett
- Kristin Mitchell
- Koni Oliver
- Chuck Perry
- Shirley Solomon
- Bobbe Thorniley

Attachment B
May 21, 2008 WWG – Flipchart Notes

ADDITIONAL ISSUES

- How tribal issues/effect are considered/incorporated (include in cover memo)
 - How will plan change on basis of Tribal comments?
- Section on how public safety can be enhanced (include as an Appendix)
 - React safely in presence
 - Minimize
- Table on P.50 – strike “coyotes and dogs” - advance efforts/ability to get funding (Not to be struck)
- Compensation
 - Can you go to 2x or 1.5x for confirmed on “small areas” (not included)
 - 100 acres? More clearly define? What about the 80 acres that is ten miles away? (not included)
 - Add “within 12 months” (include)
 - Add “Advisory Group (include)
 - Advisory only
 - Serve in advisory capacity on implementation not on Decision-making
 - Serve as sounding board
 - Address accountability and verification
 - Balanced membership
 - Strike out “for confirmed and probably in 1st line under “Phasing Out”
 - Add working dogs (include)
 - Address weight loss (not included – make reference to issue/concern)
 - Add rationale for the compensation program (include)

COVER MEMO

- Funding – need and challenges to secure it
- Tribal comments
- Living plan
- Mission statement
- Reaffirm attempts to achieve 2 key objectives – highlight agreements
- Economic realities

ACTION ITEMS / NEXT STEPS

- Specific comments to WDFW on May 2 draft – By 6/4
 - And comments on Peer Review (e.g., Shannon Nyberg)
- Revised version (redline) of plan by WDFW to WWG – By 6/30
- Comments on redline version to by WWG to WDFW – by 7/18
- Initiate Peer Review
 - Experts
 - Interagency
 - Blind peer review (concurrent)
- Peer Review - responses due 10/1
- WDFW – address review comments, formatting, etc. (1-2 months)
 - WDFW Send out summary to WWG (and redline if requested)
 - Send Revised Draft Plan for public review