

**WASHINGTON WOLF WORKING GROUP MEETING #9
SEPTEMBER 1-2, 2009**

Overview of Discussions and Flipchart Notes

OVERVIEW OF DISCUSSIONS

Day 1 – September 1, 2009

NOTE: Discussion at this two-day meeting was largely focused on providing comments, suggestions and edits for the revision of the draft *Wolf Conservation and Management Plan* (the Plan). This Overview tracks the comments and concerns that attracted significant discussion. It does not track the multitude of minor edits, clarifications, and revisions that group members provided. All edits, clarifications, and revisions were tracked by the Department in their copy of the draft document and will be addressed as appropriate.

A. Welcome, Introductions, and Agenda Review

Harriet Allen, Washington Department of Fish and Wildlife (WDFW), welcomed the members to the Wolf Working Group (WWG) meeting and thanked members on behalf of WDFW for their involvement. Paul De Morgan, RESOLVE and WWG facilitator, reviewed the meeting objectives, agenda, and materials.

B. Updates on Non-Plan Activities Since the May 2008 Meeting

WDFW noted the status of wolf packs in Washington. A new (second) confirmed pack has been discovered and is referred to as the Diamond Pack. There are two adults and four pups. The male has been collared and has been tracked covering a 100 square mile area in just a month. There is ongoing radio tracking of the Lookout Pack in the Methow area. This pack frequents the valley in the winter and moves up into the Chelan Sawtooth region during the summer and fall. There are two (possibly three) new pups this year. There are no other confirmed packs in Washington, although there have been some signs of wolves in the Blue Mountains. (Oregon has confirmed two packs). WDFW has no formal estimate of the number of wolves in Washington outside of the two packs. Remote cameras and howling surveys are used to try to confirm or refute reports of other packs forming.

A question was asked of the Department about cross-border coordination. WDFW confirmed they had a good working relationship with Idaho (regarding transboundary packs) and some coordination/communication with Canada as well as with the tribes.

In other news, there was some discussion of the illegal “take” of two wolves from the Lookout Pack. Charges have not yet been filed by the U.S Attorney. The group was also reminded that wolves are now federally delisted in the eastern half of Washington.

C. Overview of the Peer Review Process and Noteworthy Changes to the Plan Based on Peer Review

The Department provided an overview of the peer review process and the ensuing re-draft of the Plan. The Department noted that the resulting changes primarily consisted of improvements in wording, corrections and additional citations or background information. A lot of material, although unchanged, was moved around in the document – this has resulted in a misleadingly large amount of red ink (strikeouts). And, as some members noted, it made the document appear unfamiliar to the WWG members.

One member expressed a general concern related to the peer review process, specifically that there should be an attached list of who did the peer review. In response to a question, the Department noted that it was generally Gary and Harriet who authored the Department's response to peer review comments, and that those responses were then run through appropriate approvals. WDFW noted that it gave all comments equal weight and that the number of comments on any given topic were not treated like votes. The number of comments was only a reflection of interest/expertise, and the Department independently considered all comments and responded as it thought appropriate.

The Department walked the members through the changes to the document that were substantial or noteworthy. The group moved through the document section by section, guided by a document that summarized such changes. The section by section summary of member concerns and discussion follows below.

D. WWG Member Discussion of Noteworthy Changes

Minority Opinion. At the outset, several members noted concerns about the treatment of the Minority Opinion within the document. Some members noted that although there was an opening letter from the WWG included in the plan, it made only general reference to the fact there was a Minority Opinion and there was nothing else to direct a reader's attention to the fact that there was a Minority Opinion. Even the appendix containing the Minority Opinion was not identified as the Minority Opinion in the table of contents. Also related to the Minority Opinion, some members questioned why the Department stated in its response to comments that it agreed with peer review comments that were critical of views expressed in the Minority Opinion. A number of members seemed to support the idea that the Department should refrain from commenting on the Minority Opinion (with some noting that the Minority Opinion was more in the nature of a comment itself) although some other members noted that a Department response to the peer review comments was appropriate (as was done elsewhere in the document).

Recovery Regions. There was a significant discussion about the merits of the Department's change from three recovery regions to four (splitting the South Cascades region to create a separate region for the Pacific Coast, including the Olympic Peninsula). Concerns were expressed that the Plan could be challenged for its inequitable treatment of the different recovery region goals (i.e., no separate recovery goal for new Olympics and South Cascades regions). The group identified three possible options/outcomes:

1. 3 regions – with one numerical goal per region (what was in the original Plan)
2. 4 regions – only a name change, with Pacific Coast and South Cascades sharing a single numeric goal

3. 4 regions – with one numerical goal for each region

Translocation. Some members were concerned about what would happen if the Department could not get NEPA/SEPA approval for wolf translocation. Such a scenario would have significant implications for (1) achieving recovery goals and (2) impacts on eastern Washington Counties (where wolves could begin to accumulate in high numbers. Some members thought there should just be more “oomph” in the discussion of translocation as this was very important to some members as a tool for achieving recovery (delisting) more quickly (see WWG language removed on p. 63 of the draft Plan). There was also some discussion of the translocation trigger and the fact that WDFW did not discuss in the Plan the health risks of translocation or its potential utility as a genetic management tool.

Delisting and Relisting. It was noted that connectivity with other states is considered in management decisions, but is not a factor in a delisting decision, although it might be a factor in a re-listing decision. Some members identified a need for greater specificity in state re-listing criteria (e.g., a decline to delisting numbers or other factors). Regarding Federal delisting in the western half of the state, the Department noted it had asked USFWS for a description of the criteria for delisting, but had not yet received a response. Some speculated FWS might defer to a solid state plan.

Relocation (includes discussion from both days). Members noted the need to clarify the distinction between translocation and relocation, the latter being a tool to move problem wolves to more remote areas within a recovery region. Relocation is a tool to try before lethal take is required but after other tools have failed. The plan no longer specifies that relocation must be to the “nearest” suitable area. The question was asked whether relocation could be to a different recovery region (like translocation) without having a SEPA process. It was also suggested that the glossary definition be made consistent with the language in the body of the Plan. The Department routinely relocates other problem wildlife. The Department acknowledged that if a particular wolf is a serious problem offender, relocation is probably not the answer.

Wolf/Livestock Conflicts – in General. Some members noted that this chapter should retain language referring to the impact on the “livestock industry,” not merely on “livestock” because the effects may be broader than just animal depredation, including effects on industry infrastructure. Some members also felt that the Chapter should include additional positive language about getting to recovery. There was some debate among the members as to the importance of the language describing the relative impacts of various other predators on livestock as compared to the experience with wolves in other states. Some members felt the information was irrelevant while others thought the context was important.

Some members noted some problems with the Department’s list of “practices” to reduce wolf/livestock conflicts (e.g., some inconsistencies with practices currently required/preferred in forest land leases). Members were concerned that these suggested practices could be viewed (like best management practices as conditions for getting reimbursement and that they all would have associated costs justifying higher compensation levels. Members suggested resetting the context of these “suggestions.” It was noted that there are actual requirements for certain practices in areas near the Lookout Pack. Members asked what are the trigger points for such mandatory practices?

Purchase of Grazing Rights. There was some strongly voiced concern over the inclusion of grazing rights purchase as a management tool for reducing wolf/livestock conflicts. Although the

Department referred to purchase from “willing sellers” only, some members identified this as a fundamental policy concern and a “walk-out” issue.

Day 2 – September 2, 2009

E. WWG Member Discussion of Noteworthy Changes – Continued

Lethal Take. There was significant discussion of several issues related to lethal take of wolves as a management tool, including comments on the changes to what was previously referred to as the “homestead protection” provision (summarized in the *Summary of Significant Changes* document).

Points of discussion among members included the following:

- Some members wanted language in the table regarding lethal take of wolves in the “Sensitive” listing phase to more clearly show that “as permitted” means with a permit issued by the Department.
- Some members stated they were “OK” with the expanded scope of the homestead provision (‘lethal take of a wolf in the act of depredation’ allowed anywhere on private lands, not just within 150 yards of the residence) so long as there were additional safeguards/sideboards (e.g., using a permit/training system for ranchers in vicinity of wolf activity); however, the conservation groups voiced strong concern about this being used anytime the species is listed, especially during endangered status.
- Some members thought the Department should reconsider the use of the word “rescinded” with respect to the authorization of lethal take ‘in the act’ by landowners (currently it is proposed that the authorization be rescinded if used inappropriately or there are > 2 incidents annually statewide). Different language would allow greater flexibility according to the circumstances – alternative language might be “suspended” or “reconsidered” or “consider rescinding.” It was suggested that WDFW review the lethal take provision and consider the following options based on that review: retention of the provision, temporarily rescinding, or permanently rescinding the provision.
- Others thought the “rescinded” language should be retained to provide added incentive to avoid lethal takes, including illegal takes or poaching. Members representing the livestock industry and others noted that the legitimate use of lethal take ‘in the act’ by ranchers should not be compromised by the illegal or inappropriate acts of others.
- Some members thought there should be greater clarity/emphasis on the scope of state management tools (i.e., in the eastern half of the state where wolves are federally delisted) and on the penalties under state law for the take of protected species (especially in light of the recent illegal wolf takes).
- Sideboards the conservation community would consider as helpful in addressing their concerns about the expansion of lethal take included:
 - Unreported lethal take (whether in the act of attack or not) should be considered an inappropriate use that could result in the provision being temporarily or permanently rescinded. It should be noted in the document that unreported lethal take is illegal and could result in penalty.
 - Reporting requirements for lethal take in the act of attack need to be clearly spelled out.
 - The lethal take provision should be reviewed on a regular basis. There are limited actions that WDFW can do to minimize loss of animals during recovery stages or to prevent relisting if a recovered population goes into a serious decline. Temporarily or permanently rescinding the expanded lethal take provision is one of the few management

- actions available that should be considered if the recovery is stalled or heading towards relisting. This is particularly relevant when considering the high levels of wolf poaching (which can't be controlled) that USFWS has documented within the Northern Rockies DPS. Illegal and legal lethal take should be linked in a consideration of impacts to a population while listed, and whether the lethal take provision will be continued.
- The term 'incident' needs to be defined as the lethal take of one animal. If two wolves are killed during a single act of attack, then it counts as two incidents. The term incident is not currently defined in the glossary.

Other Management Tools. Pointing out that they did not believe the Department will have the resources to provide adequate coverage, some members suggested that citizens should be allowed to use non-lethal injurious harassment as a deterrent by permit (as previously included in the Plan). With respect to removal/relocation, some members wanted to be sure the Plan was clear that “suitable remote” public lands were in fact remote from grazing areas (public and private), and some questioned whether there were many areas in the state that could meet that criteria.

Notice to Operators. The Department noted that language changes were intended in part to clarify that the burden was on WDFW to notify livestock producers of wolf activity in their vicinity, although some members felt there was some word-smithing needed to ensure operators would get the information they needed. Some members also asked how the Department obtained information about where grazing was taking place. The Department said it could get information on public lands grazing from the relevant land management agencies, but acknowledged that information on private lands grazing was obtained informally through field staff.

Rendezvous Sites. A recommendation was made that WDFW follow up with biologists (e.g., Scott Fitkin and John Rohrer) involved in setting up temporary restrictions around Lookout Pack rendezvous sites. The intent of the follow-up was to understand the need for this temporary restriction, and to incorporate a rendezvous site conservation measure within the Wolf Conservation and Management Plan if warranted.

Compensation. There was significant discussion on compensation issues. Points of discussion included the following:

- Some members felt the current language reads as if the operator must observe all animals every day. They felt it was important to make any pre-requirements reasonable in light of standard operator practice.
- Some members noted that “practices” are required but not defined and that the language should be adjusted to read that “practices” will “seek to limit” wolf attractants and not imply that they will in fact limit wolf attraction; alternatively (or in addition) some members suggested the term “practices” be replaced with another terms such as “methods.”
- Some members questioned the special exclusions for sheep from Schedule 1 compensation (based on the assumption that sheep carcasses are easier to find based on herding behavior). They noted that wolves tend to scatter sheep and can actually carry off carcasses in some cases.
- Some members wanted clarification that compensation for unknown losses (see below) cannot be used if the operator is getting compensation for confirmed or probable losses (especially under Schedule – 2x compensation).

- It was recommended that the Department prepare a table for insertion in the Plan that clearly summarizes the compensation provisions.

Unknown Loss Compensation Program. There was brief discussion of the expanded language in this section calling for a multi-interest stakeholder group to help the Department establish the program. Some members noted that Idaho may not be the only state with such a program (Wyoming was offered as another possibility). [After the meeting it was noted that Wisconsin also has a program with well developed reporting requirements.]

Wolf/Ungulate Interactions. It was suggested that this Chapter include some language in the very beginning that speaks to/acknowledges/resonates with the interests of hunters in this topic. Some members suggested that the Chapter acknowledge up front that many people believe that wolves are causing problems, but also lay out the facts as experienced in other states. Other members pointed out the issue is not just about hunting – ungulates are part of the ecosystem, like wolves, and as such are in fact a natural food source for wolves.

Wolf/Human Interactions. There was brief discussion about the single reported possible death in North America due to wolves. The official coroner's report determined the cause of death was wolves, but, reportedly, some wildlife biologists still question that finding. There was also brief clarifying discussion about the protection of domestic dogs (lethal take is now allowed in Sensitive phase) and the state's policy on wolves/hybrids as pets.

Land Management. There was brief discussion clarifying that it is not anticipated that the USFWS would be moving to designate any critical habitat for wolves, and none has been designated to date. Some members felt that more details or context might be helpful in this section.

Goals, Objective, Strategies, and Tasks. It was noted throughout the two-day discussion that there needs to be much clearer linkages from this chapter (Chapter 12) back into the substantive Plan chapters. In addition, members voiced the following comments and concerns related to this chapter:

- *Funding Contingency.* Many members felt that here and throughout the Plan, language suggesting that certain agency actions are contingent on receiving adequate funding should be removed because it is unnecessary.
- *Ungulate Populations.* Some members felt that new language about managing ungulate populations to “maintain” current harvest opportunities was less definite than the prior language (“provide current harvest opportunities”). Other members noted, however, that “providing current harvest opportunities” is in fact contingent on many other factors other than wolves and that therefore such a statement is inappropriate here.
- *Reporting Sightings.* Some members observed that there may be disincentives to reporting wolf sightings by resource users for fear of being excluded from the area in the future, although this only happens in rare circumstances (e.g., with bears or lynx). The Plan should note that such impacts – including impacts to recreational uses, are not expected.
- *Rendezvous Sites.* Some members recommended not including a reference to rendezvous sites in the section about reducing impacts at denning sites – the concern was that mention here could drive later criticism of the Plan. A USFS observer commented that first rendezvous sites may also be important if there are young pups present (they are of less importance once pups are bigger).

- *Translocation.* Regarding translocation, some members advocated for clearer trigger language (“will” instead of “should”). Details on a translocation strategy (e.g., hard release vs. soft release) will be developed in the specific translocation implementation plan.
- *Wolf/Livestock Conflicts.* Members discussed (1) adding County Commissioners to the list of entities to consult on education efforts and (2) mentioning guard dogs as a technique to minimize conflicts. Some members also wanted a general statement here about the economic effect of wolves on the livestock industry.
- *Wolf/Ungulate Interactions.* There was additional discussion/debate here about the issue of managing ungulates for human harvest vs. wolf prey.
- *Habitat Connectivity.* Some members believed that language in section 7.1 could fan flames of discontent with the Plan. Language like “conserve” instead of “preserve” and a reference to “willing landowners” would help. Others suggested reiterating the goal of maintaining working landscapes and adding clarifying language about conservation easements.

Budget. There was a brief discussion of the budget needed to implement the Plan. It was noted that for only the high priority items (as identified by the Department), necessary funding exceeded \$500,000 in the first year alone. There was also some discussion about alternative sources of funding through partnerships etc., and the suggestion was made to seek separate, independent funding for the compensation program.

Economic Analysis. There was some discussion here of ecotourism with some members suggesting that the benefits may be overstated (as compared, for example, to the measurable economic benefits flowing from hunting). Other members made the case for the existence of meaningful benefits (e.g., real data on economic significance of wildlife viewing) and additional opportunities to develop wolf related tourism (e.g., a visitor center).

Lookout Permittee. Members received a brief recap of the situation that occurred with a USFS grazing permittee near the Lookout Pack. In brief, the local USFS office took the time to update its consultation paperwork on the lease with USFWS prior to authorizing the permittee to turn out his livestock. This slightly delayed turnout by the permittee but helped ensure that their action was less vulnerable to attack. The permittee was advised of den and rendezvous locations.

F. Overview of Public Review Process Including EIS

WDFW staff provided an overview of the upcoming three-month public review process, which will include 12 public meetings, as part of the State Environmental Policy Act (SEPA). The department noted that the public review would include a draft EIS (DEIS) for the draft plan, and that the DEIS will include a range of alternatives, as required by SEPA. The Department also noted that it will be conducting a blind peer review process through a university contract concurrent with the public review process. Some members urged the Department to be thoughtful about how the document is provided for public review noting that many rural communities and citizens may not have adequate internet connections to support very large document downloads.

G. Next Steps for the Wolf Working Group

In the near term, the Department will provide a revised introductory paragraph that better describes the WWG process and recent changes (by the end of the week). This was in part to respond to the

concern expressed by some members that the Plan is now quite different than the Plan that was previously agreed to (with the accompanying Minority Opinion). The Department also stated it would provide members with a new redline version of the Plan reflecting the discussion at this meeting once the plan is shared with the public. Following the public review and blind peer review processes, the Department anticipates having the next draft back to the WWG for review in the Spring of 2010 along with comments from the reviews and Department responses.

H. Public Comment and Adjournment

At the opportunity for public comment, there were several members of the audience who offered comments. Some of the points made included:

- Appreciation for the efforts of the WWG members
- Support for translocation
- Support for the creation a specific recovery goal for the Pacific Coast recovery region
- Support for the notion that wolves are an important component of the ecosystem
- Concern about potential abuse of an Unknown Loss Compensation program
- Support for livestock producers and other resource users (e.g., hunters, loggers, etc.) taking a strong stand against poachers
- Information about community efforts to address coexistence with wolves (including a film, *Lords of Nature* about living with predators).

The Department again thanked the members for their time and commitment to this process as the meeting adjourned.

FLIPCHART NOTES

Day 1 – September 1, 2009

Issues/Possible Changes

- WWG Letter
- List of Peer Reviewers
- WDFW comments on the Peer Review of the Minority Report – consider removing
- Clarify p.14, lines 32-34 – “Federal listing implications on options”
- p. 39, line 4 “harvestable” removed?
 - May run info
- Ch.3, Section A – number of questions/comments
- 4 instead of 3 (recovery regions) ...? – Why? – Creates potential challenge to plan?
- 3 Options:
 - 3 regions – w/ a number per region
 - 4 regions – only name change
 - 4 regions w/ a number per region
- Translocation vs. Relocation
 - Need to be very clear
- Translocation
 - What if it fails
 - If serious, need to address feasibility and trigger for when
- Relocation
 - Clarify what is intended
- Translocation for “genetic” work ... safety measures?
- Delisting/Relisting – p. 58-59
 - Clarification

Day 2 – September 2, 2009

- Ch. 4, p. 66 – add clarification, context for the other species taking livestock
- p. 70-71 – list causes lots of issues
 - implications now ... future
 - BMPs, compensation
- Ch. 4, p. 74 – purchase of grazing rights – Remove?
- Appendix J
- Lethal take in the act
 - Consider rescind
 - Temp
 - Perm
 - Okay
 - 1 incident
 - Context for WDFW
 - Rationale for provision
 - Sideboards

- Be very careful tying livestock community's action w/ others' actions
- Glossary – update
- Compensation Program
 - Good husbandry methods
 - Sheep on > 100
 - Unknown loss program
- Ch. 12 – Goals
- Rendezvous sites - ?