State of Washington
DEPARTMENT OF FISH AND WILDLIFE
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December 13, 2013

Dan Ashe, Director
Public Comments Processing
Attn: Gray Wolf - Docket No. [FWS–HQ–ES–2013–0073]
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, MS 2042–PDM
Arlington, Virginia 22203

Dear Mr. Ashe:

Thank you for the opportunity to comment on the U.S. Fish and Wildlife Service's (USFWS) Federal Register FWS-HQ-ES-2013-0073 proposal for "Removing the Gray Wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf (*Canis lupus baileyi*) by Listing It as Endangered." The Washington Fish and Wildlife Commission and the Department of Fish and Wildlife (Department) support the proposal to delist gray wolves because we have adequate regulatory mechanisms, a Wolf Conservation and Management Plan, state funding to implement the Plan, and a rapidly growing wolf population, among other reasons further outlined below.

Gray wolves are a native species of Washington and have been state listed as "endangered" under the Washington Administrative Code (WAC) 232-12-014 since 1980. However, breeding populations (i.e., packs) of wolves have been absent from Washington since the 1930s. Not surprisingly, reports of wolf activity in Washington notably increased starting in 2002 following the rapid expansion of wolves in the Northern Rocky Mountain Distinct Population Segment (NRM DPS) between 1996 and 2002. In 2008, the first wolf pack with confirmed breeding activity was documented in north-central Washington.

With the rapid expansion of wolves in the NRM DPS, the Department anticipated that wolves would soon begin re-colonizing in Washington through natural dispersal. The Department began developing a Wolf Conservation and Management Plan for Washington (Plan) and an Environmental Impact Statement in 2007. The Plan was adopted by the Washington Fish and Wildlife Commission in 2011. By December 2011 when the Plan was adopted, the wolf population in Washington had expanded to 5 confirmed packs, and by December 2012 there were 9 confirmed packs.

The Plan serves as the Department's road map for wolf recovery per Washington's laws and sets the population recovery objective for delisting at 15 successful breeding pairs (SBPs) for three

consecutive years (with a distribution of 4 in each recovery area and 3 anywhere in the state) or 18 successful breeding pairs for one year (with a distribution of 4 in each recovery area and 6 anywhere in the state) (Figure 1). The Plan also outlines measures to address wolf-livestock and wolf-ungulate interactions.

In addition to the provisions and protections outlined in the Plan, Washington State also has adequate regulatory mechanisms in place to provide for the conservation of wolves in Washington. As stated above, gray wolves are state listed as 'endangered' throughout Washington. As such, state law (RCW 77.15.120) protects wolves from hunting, possession, malicious harassment, and killing, and the penalties for illegally killing a wolf range up to $5,000 and/or one year in jail. Once wolves reach recovery objectives outlined in the Plan, WAC 232-12-297 specifies the procedures and public input process for state delisting of gray wolves.

In addition to the regulatory mechanisms, Washington also has funding mechanisms in place to ensure the implementation of Washington's Plan. Starting in 2013, $1.5 million per biennium generated from a permanent increase to the cost of new and renewed personalized license plates is dedicated to wolf management in Washington. This new revenue stream will cover costs associated with monitoring the population of wolves in Washington, providing technical and financial support to livestock owners to prevent conflicts, compensating producers for unavoidable livestock losses, employing the use of lethal remedies to stop repeated chronic depredations when necessary (currently eastern third of Washington), facilitating extensive public involvement in management decisions, and extending outreach opportunities to a variety of those interested in as well as affected by wolves. This funding is paired with additional state funds already assigned to wolf conservation and some federal grants, bringing our total wolf conservation budget for the 2013-15 biennium to over $2 million.

In terms of monitoring wolf population growth, Washington's Plan adopted the same protocols as those used by other western states and USFWS for monitoring wolf populations in the NRM DPS. The Plan calls for annual winter surveys to estimate the number of packs, number of successful breeding pairs, minimum count, and estimated population size. A pack is defined as two wolves traveling together during winter; SBP is defined as an adult male and female wolf with at least two pups surviving until December 31 of a given year; minimum count is defined as the minimum number of individual wolves counted via visual, track, or howling observations; estimated population size is defined as the number of packs times the average pack size, plus estimated dispersers.

To meet the new workload of documenting wolf recovery in Washington, the Department has hired two permanent biologists to monitor and manage wolf populations, as well as two to three seasonal wolf technicians to assist with capture efforts. Coupled with shifting the priorities for existing district wildlife biologists, this workforce follows up on credible reports of new wolf activity to confirm the establishment of new packs. The Department has an online tool for the public to report wolf observations as well as a toll-free telephone number. To aid in estimating SBP, the Department's objective is to maintain at least two radio-collared wolves in each confirmed pack. During annual winter surveys, the Department estimates SBP, minimum count,

and estimated population size. Each year's monitoring results are published in an annual report, which is shared with state/federal partners, as well as the public.

One of the most important factors for successful recovery of wolves in Washington is connectivity between large source populations outside Washington and founder populations within the state. In the early years of population growth, adequate dispersal from neighboring jurisdictions is critical. Washington is in an ideal situation with strong connectivity, with wolves dispersing into Washington from all bordering jurisdictions; with 117 packs in Idaho, 6 packs in Oregon, and an estimated 8,500 wolves in British Columbia.

Not surprisingly, with the source populations surrounding Washington, wolf recovery in Washington State has occurred solely through natural dispersal and re-colonization from neighboring states and provinces as well as from resident Washington packs. The Department has documented multiple long-distance dispersal events where the distance of the dispersal is equivalent to the distance between major patches of wolf habitat in eastern and western Washington (Figure 2). This demonstrates that ecologically, wolves in Washington have the dispersal ability to colonize any suitable habitat in Washington. In addition, genetic testing from Washington packs has demonstrated gene flow into Washington from the NRM DPS as well as British Columbia.

Given the state regulatory mechanisms protecting wolves and strong connectivity, Washington is experiencing robust population growth. The first confirmed pack was documented in 2008. By 2011 there were 5 confirmed packs, and by 2012 there were 9 confirmed packs. Washington's wolf population is growing and expanding at a rate equal to that documented in the NRM DPS. Given the current growth rate, we can anticipate Washington's wolves reaching the planned recovery objectives within as few as seven years.

In addition to the observed strong growth rate, the wolf population in Washington is fast transitioning into a stable meta-population with long-term persistence. At the present time, there are 10 confirmed packs, 2 suspected packs, and 2 border packs in Washington. There is a core population of breeding packs in two of the three recovery areas with a pack structure of multiple age classes and older (4-5+ year olds) experienced alpha pairs. This level of complex pack structure is consistent with long-term stability and persistence.

A critical component for successful wolf recovery is social acceptance. Acceptance is advanced when we have the ability to resolve chronic wolf-livestock conflicts. Washington's Plan stresses the need for preventative, non-lethal measures for proactively managing conflict so chronic situations can be avoided as much as possible. However, wolves are a large carnivore that relies on killing prey. Despite our efforts to exhaust all practical non-lethal measures to prevent depredations, wolves can develop behavior patterns focusing on livestock as prey. Although these situations may not be common, when such a behavior pattern does occur, lethal removal of problem wolves may be necessary.

While lethal removal of a protected species may strike some as counterintuitive, past management experiences in the NRM DPS and elsewhere have clearly demonstrated that doing

nothing may make matters worse. By allowing wolves with a history of killing livestock to persist on the landscape, the depredation behavior continues, and is learned by all members of the pack. As this behavior continues and spreads, the social tolerance for wolves in general declines. In contrast, the lethal removal of problem wolves, used judiciously both resolves the situation and increases public tolerance in rural communities.

With the personalized license plate funding outlined above, paired with some other fund sources, the Department has established a program to anticipate and effectively respond to the inevitable conflicts that will arise as wolves occupy the landscape. Eleven wildlife conflict specialists are distributed around the state to assist landowners with implementing preventative measures to avoid conflicts with wolves. These specialists are trained and prepared to aid in the response to depredations once they have taken place.

Our state's abilities to resolve chronic wolf-livestock conflict are hampered by the complexities imposed by fragmented state jurisdiction. Wolves are classified as endangered statewide under state law, and thus protected from hunting, possession, malicious harassment, and killing by the public. Under federal law, wolves have been delisted in the eastern third of Washington and continue to be listed as endangered in the western two-thirds of the state. Thus, the Department can fully implement our Plan--which calls for both recovery actions *and management actions* in the eastern portion of our state. Under current federal listed status, the Department does not have the legal authority to manage conflicts in the western portion of our state even if problem wolves cause chronic wolf-livestock conflicts.

By applying the full toolkit of preventative non-lethal measures, we reduce the likelihood that lethal removal will be necessary. Thus far, the Department has only had to remove problem wolves once due to chronic wolf-livestock conflict since federal delisting in the eastern portion of the state took effect. We have seen an encouraging pattern among rural communities in the eastern portion of the state: more and more cooperative agreements have been signed by ranchers to receive assistance in implementing non-lethal preventative measures. Signs of increased social tolerance are visible. In contrast, we are constrained in what we can do to mitigate similar conflicts in the western portion of our state. Federal protections there tie our hands. If a pattern of wolf depredation on livestock occurs in the western two-thirds of the state, the depredation situation will likely persist and worsen. Our *inability to respond* in a meaningful way would *promote intolerance of wolves*. The long-term impacts could be severe: wolves that learned to prey on livestock would disperse and establish new packs, passing on that learned behavior to their offspring. Local communities would be left to resort to their own measures to protect their interests. The trust in the abilities of our Department to recover and manage wolves would be undermined.

The Wolf Conservation and Management Plan summarized four public opinion polls, some of which were contracted by the Department to gauge public support for wolf recovery in Washington and for anticipated management actions. They are summarized in Chapter 2 of the Plan, pages 41-46 (enclosed).

The 2008 phone poll of 805 Washington residents by Responsive Management and the 2009 mail-in survey that yielded 4,183 responses by Colorado State University (CSU), in collaboration with the Department, represent reliable and valid public opinion surveys in terms of the survey instrument and questions, the sample size, and the geographic distribution of respondents. The 2008 phone poll showed that a majority of Washington residents (75%) support allowing wolves to recover. That same poll also indicated that 61% of Washington residents support some level of lethal wolf control to protect at-risk livestock. In the CSU/Department survey, 74.5% of Washington residents found the natural recolonization of wolves in Washington to be acceptable. That same survey showed that 65.9% of residents thought acceptable the lethal removal of wolves that have caused loss of livestock. If they were contributing to localized declines in deer or elk, 69.8% of Washington residents supported limiting the number of wolves in certain areas. In summary, both surveys found strong public support for wolf recovery *and for wolf management actions*. These wolf management actions are precluded by continued federal protections under endangered listing status in the western portion of Washington.

In summary, the Commission and our Department are fully committed to wolf recovery. We pledge to manage for a sustainable wolf population in Washington. The Department has extensive and demonstrable experience managing other large carnivores. We have all the necessary components in place to successfully recover and manage wolves--a sound recovery and management plan, adequate regulatory mechanisms, sufficient ongoing funding, and a corps of trained specialists. Our state's wolf populations are ecologically connected to large neighboring populations. We have an established resident wolf meta-population that is expanding rapidly. Federal delisting of gray wolves would remove the impediments that now prevent us from implementing our plan and utilizing our full capabilities in the western two-thirds of our state. For these reasons, the Department supports the federal delisting of gray wolves as proposed and is committed to partnering with the USFWS in the post-delisting monitoring phase. Thank you again for the opportunity to comment on the proposed rule.

Sincerely,

Philip Anderson
Director
Washington Department of Fish and Wildlife

Miranda Wecker
Chair
Washington Fish and Wildlife Commission

Enclosure:

Wiles, G.J., H.L. Allen, and G.E. Hayes. 2011. Wolf Conservation and Management Plan for Washington. Washington Department of Fish and Wildlife, Olympia, Washington. 297pp.

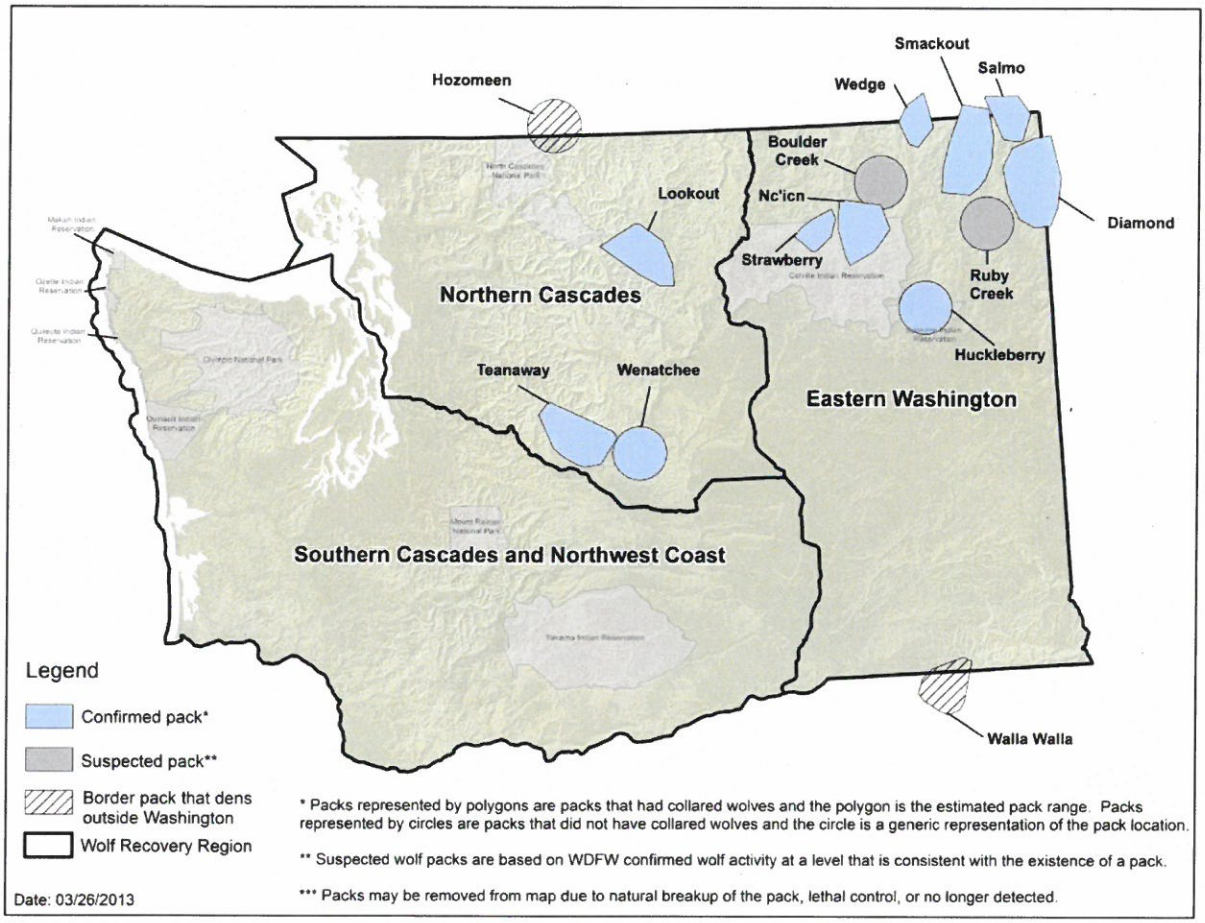

Figure 1. Wolf packs and Department wolf recovery regions in Washington, March 2013.

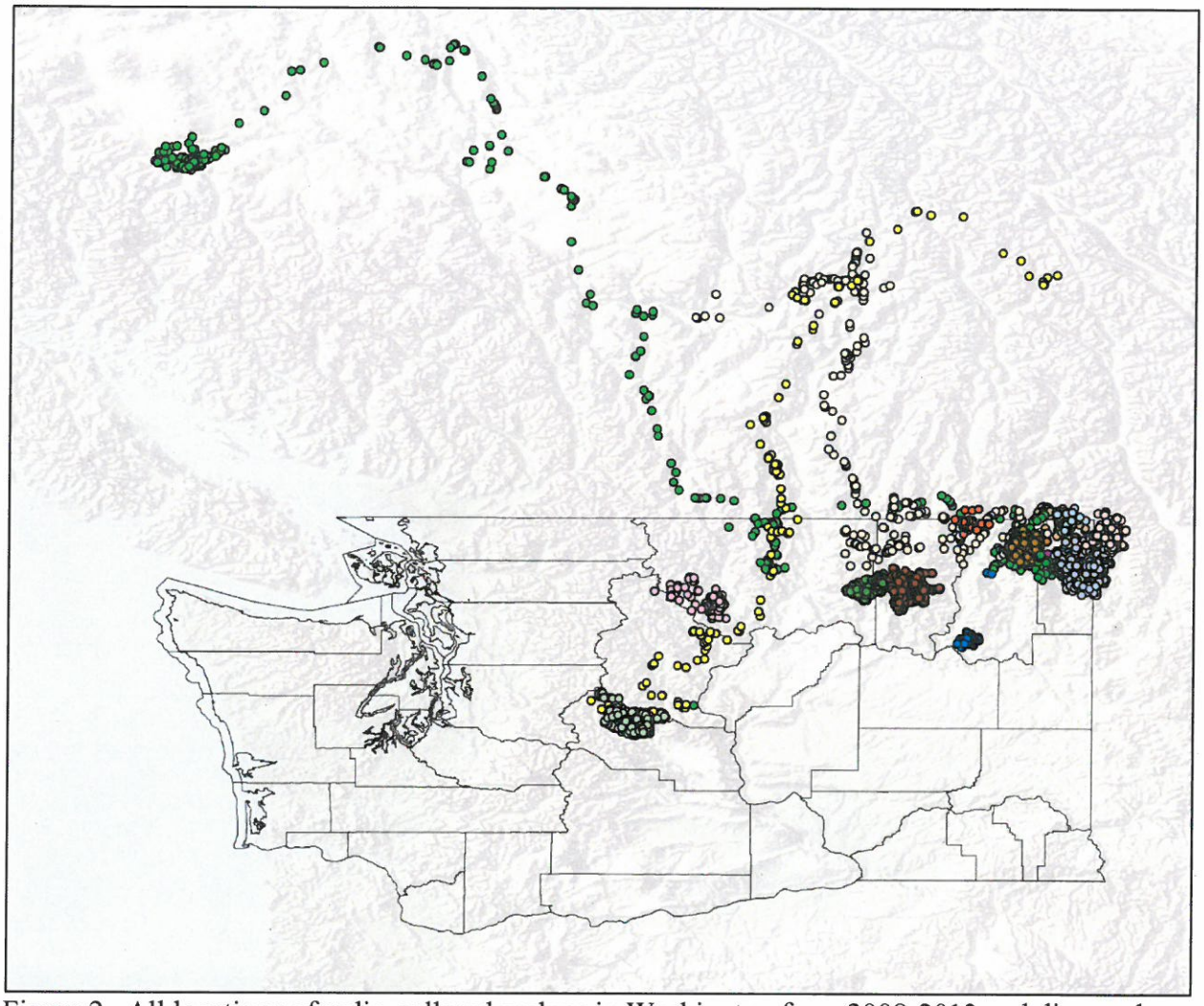

Figure 2. All locations of radio-collared wolves in Washington from 2008-2013 and dispersal events documenting long-distance movements.