



Wolf-livestock conflict deterrence in Washington – rulemaking petition hearing

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Washington Department of
FISH & WILDLIFE

Wolf-livestock conflict deterrence – a decade of work

Activity	Period
Petition for rule making filed (withdrawn)	July 2013
Petition for rule making filed (denied by Commission)	June 2014
Petitioners appealed the Commission’s decision, appeal denied by Gov. Jay Inslee	2014
WDFW contracted with Human-Wildlife Conflict Collaboration (HWCC) to assess the social conflict around wolves	2014
Francine Madden of HWCC completed a report that discussed in detail the levels of conflict in Washington and strategies to transform the conflict into opportunities for social change	March 2015
WA legislature invests \$1.6M over 4 years in contract with HWCC for strategic guidance, to facilitate the WAG process, and increase the WDFW’s capacity to resolve deep-rooted and identity-based conflict	Spring 2015
Petitioners challenged WDFW’s lethal removal actions and use of collaboratively developed wolf-livestock interaction protocol in several lawsuits. Several different Washington State Superior Court judges considered and rejected APA and SEPA claims against WDFW—to date, none of WDFW’s lethal removal decisions have been found unlawful or improper in court	2017 - 2020
Petition for rule making filed (denied by Commission)	May 2020
Petitioners appealed the Commission’s decision, appeal approved by Gov. Jay Inslee	September 2020
WDFW conducts extensive rulemaking process including scoping , CR-102 , Final SEIS , and SBEIS and public comment periods	Oct. 2020 – July 2022
Commission votes not to adopt wolf rule	July 8, 2022
Petition for rule making filed, then withdrawn, then filed again	July – September 2023

Activity	Rule making 2020-2022	Period
Filed CR-101		October 13, 2020
Conducted 30+ intake interviews		January – March 2021
Compiled intake results and develop rule process/content recommendation – results online		March 2021
Shared intake results and propose process/content recommendation to Wolf Committee – recording online		April 5, 2021
Began work on analysis of potential environmental impacts related to different rule making alternatives under SEPA		May 2021 – Feb. 2022
Began work drafting rule language and content		May 2021 – Feb. 2022
Rule making process/components presentation to WAG and public, release of DRAFT Staff Report/SEPA Review Proposal		July 6, 2021
Stakeholder discussions		July 2021
Initiated work on Small Business Economic Impact Statement		November 2021
Shared draft rule language and content with Wolf Committee		December 2, 2021
Released CR-102 , Draft SEIS , and SBEIS and initiated public comment period		February 22, 2022
Commission briefing and public hearing		April 8, 2022
Commission discussion of wolf rule (1)		May 13, 2022
Commission discussion of wolf rule (2)		June 24, 2022
Final SEIS released with 57-page response to public comments		July 1, 2022
Commission votes not to adopt wolf rule		July 8, 2022

Petition requests

1. Create a new rule to incorporate more restrictive standards relating to the use of lethal and non-lethal deterrents to address wolf-livestock conflict

- Petitioners assert WDFW resorts to lethal removals too often and their proposal would put requirements for specific non-lethal deterrents in rule
- Petitioners assert their proposed rules will provide certainty, transparency, and accountability in wolf management decisions
- Currently, WDFW's expectations are set forth in the 2011 Wolf Conservation and Management Plan and the 2017 Wolf-Livestock Interaction Protocol, both documents developed collaboratively over years by a diverse spectrum of Washingtonians

2. Amend WAC 220-440-080, which protects livestock owners from potential criminal enforcement if they kill a wolf attacking domestic animals and other conditions in the WAC are met

- Petitioners want to amend the rule to make it legal to kill a wolf under this rule only once depredation by wolves has already occurred
- Contingent upon a permit issued from the Director
- Other restrictions (e.g., the producer could only protect livestock, excluding other domestic animals such as pet and livestock guardian dogs)





Endangered? **NO**
 Deadly? **YES**
 Good for Washington?
Absolutely Not!



WELFARE RANCHING KILLS WOLVES

KILLING WOLVES



Shoot,
Shove n
Shutup



WOLVES BELONG IN WASHINGTON

DANGEROUS PREDATORS
PROTECT FAMILY AND PETS
 REPORT INCIDENTS 509-684-2555 OR 911
 SPONSORED BY: NORTHEAST WASH WILDLIFE GROUP



GOVT Wolf Death Corruption

SAVE WOLVES IN OUR PUBLIC LANDS

NO Welfare Ranching

NO KILL WOLVES

NO KILL WOLVES tax

Office Building 2
 Health Services
 Information Services

2011 Wolf Conservation and Management Plan and 2017 Wolf-Livestock Interaction Protocol

- **Wolf Plan** developed over 5 years (2007-2011)
 - 17-member advisory wolf working group representing a diversity of stakeholder perspectives
 - Extensive public review (23 public meetings and nearly 65,000 comments submitted) and a blind scientific peer review
- Stakeholder cohesion in the **Protocol** developed over four years (2016 – 2020)
 - 3rd-party-neutral facilitation to bring together a spectrum of stakeholders and values to build cohesion around often diametrically opposed environmental and agricultural perspectives to foster a foundation of trust, social tolerance, and opportunities for positive outcomes
 - Reflects a wide range of values and extensive participation from livestock producers, environmental groups, and hunting advocates, reflecting WDFW's commitment to do the maximum possible to understand and respond to public values and community concerns regarding wolf recovery
- Dedicated sources of state funding to implement and manage wolf recovery + history of budget enhancements for wolf recovery efforts from legislature

Wolf Conservation and Management Plan

December 2011

STATE OF WASHINGTON



by Gary J. Wiles,
Harriet L. Allen, and
Gerald E. Hayes

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE

Wolf-livestock interaction protocol
Revision date June 1, 2017

This protocol was jointly developed by the Washington Department of Fish and Wildlife (WDFW or Department) and its Wolf Advisory Group to guide the Department's efforts to reduce conflicts between wolves and livestock. The Wolf Advisory Group has expressed a strong value to reducing the likelihood of the loss of both wolves and livestock from adverse interactions. The protocol prescribes a variety of proactive measures livestock producers can take to reduce the probability of wolf-livestock conflicts and establishes a framework for WDFW's response when conflicts between wolves and livestock do occur.

The protocol draws on a diversity of perspectives expressed by people throughout the state for protecting wildlife populations as a public resource and livestock. These values include achieving a sustained recovered wolf population, supporting rural ways of life, and maintaining livestock production as part of the state's cultural and economic heritage. This protocol also serves to increase the transparency and accountability of the Department's activities and management actions related to wolves.

Section 1. Background and purpose of protocol

Gray wolves are listed as endangered under the federal Endangered Species Act (ESA) of 1973 in the western two-thirds of Washington, but are federally delisted in the eastern-third of the state (Fig. 1). Under Washington State rule, gray wolves are endangered statewide. Under the Federal listing status, the U.S. Fish and Wildlife Service (USFWS) is the lead agency for managing wolves in the western two-thirds of Washington, and WDFW has full management authority for wolves in the eastern third.

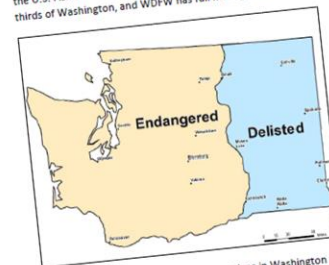


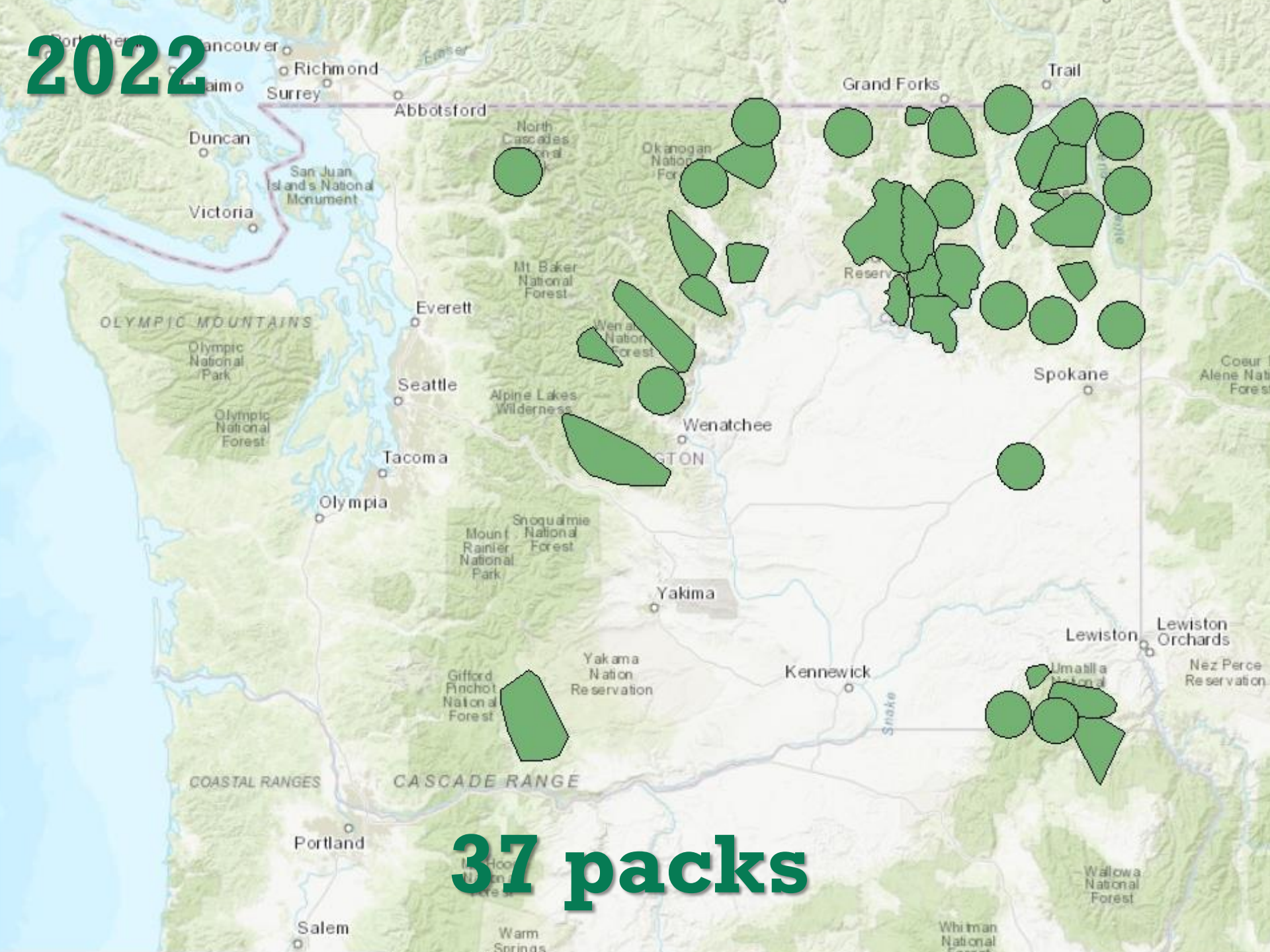
Fig. 1. Federal classification of gray wolves in Washington State, 2017.

2011



5 packs

2022

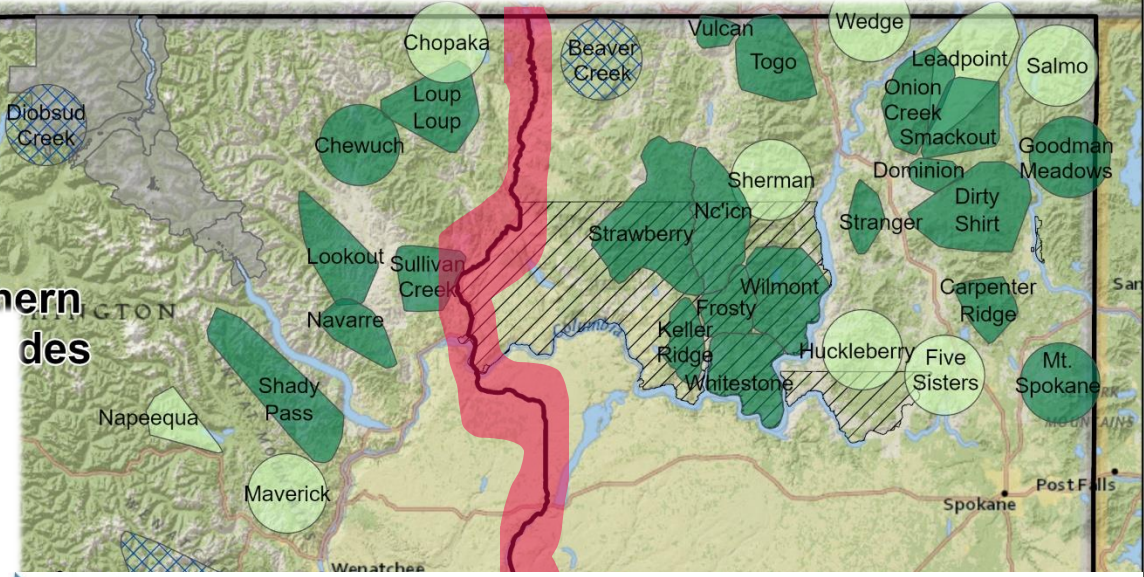


37 packs

Eastern WA: 3 packs → 27, 2 SBP → 20



Fed. listed area:
2 packs → 10
1 SBP → 6



Columbia INSIGHT Environmental News for the Pacific Northwest

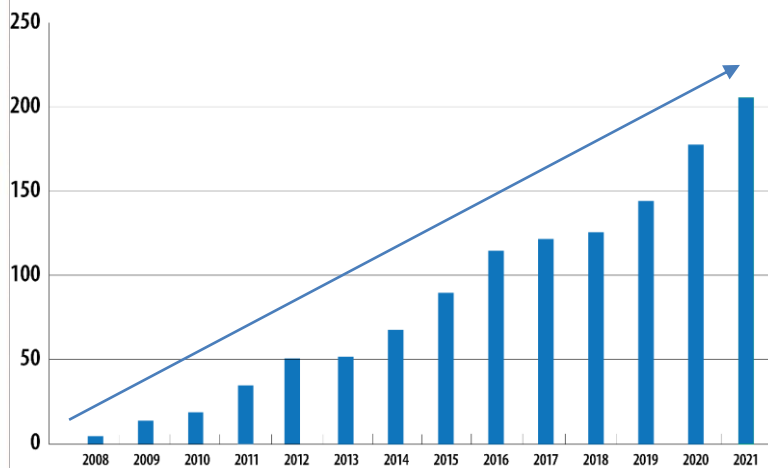
Climate Change Energy Land Use Forestry Water Wildlife Snake River Opinions Recreation More

Wolves

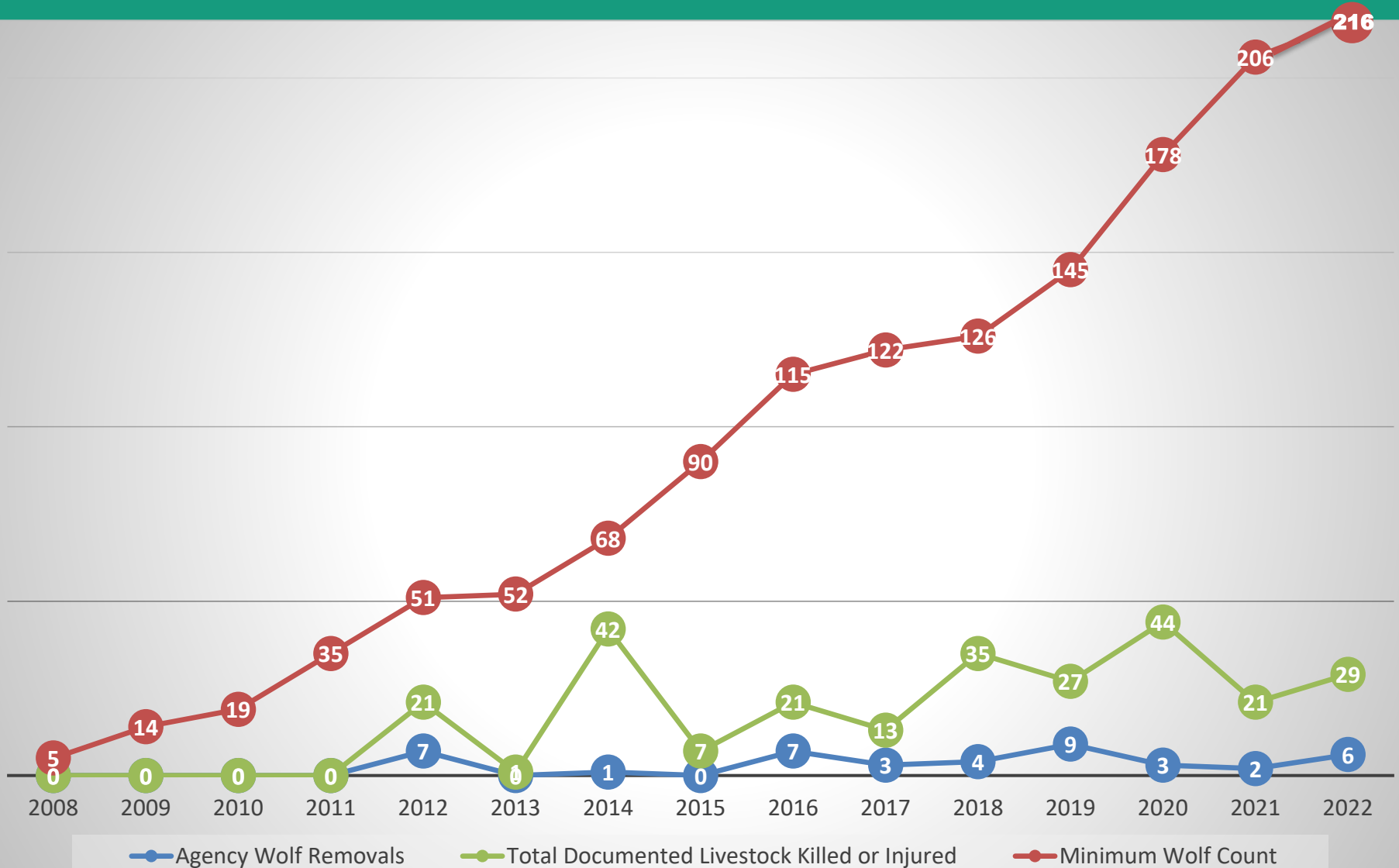
Southwest Washington has its first wolf pack

Apr 7, 2023 14 12 minutes

A male wolf that wandered into Klickitat County now has a female companion. Officials say it's the first wolf pack in the region and may soon become a breeding pair

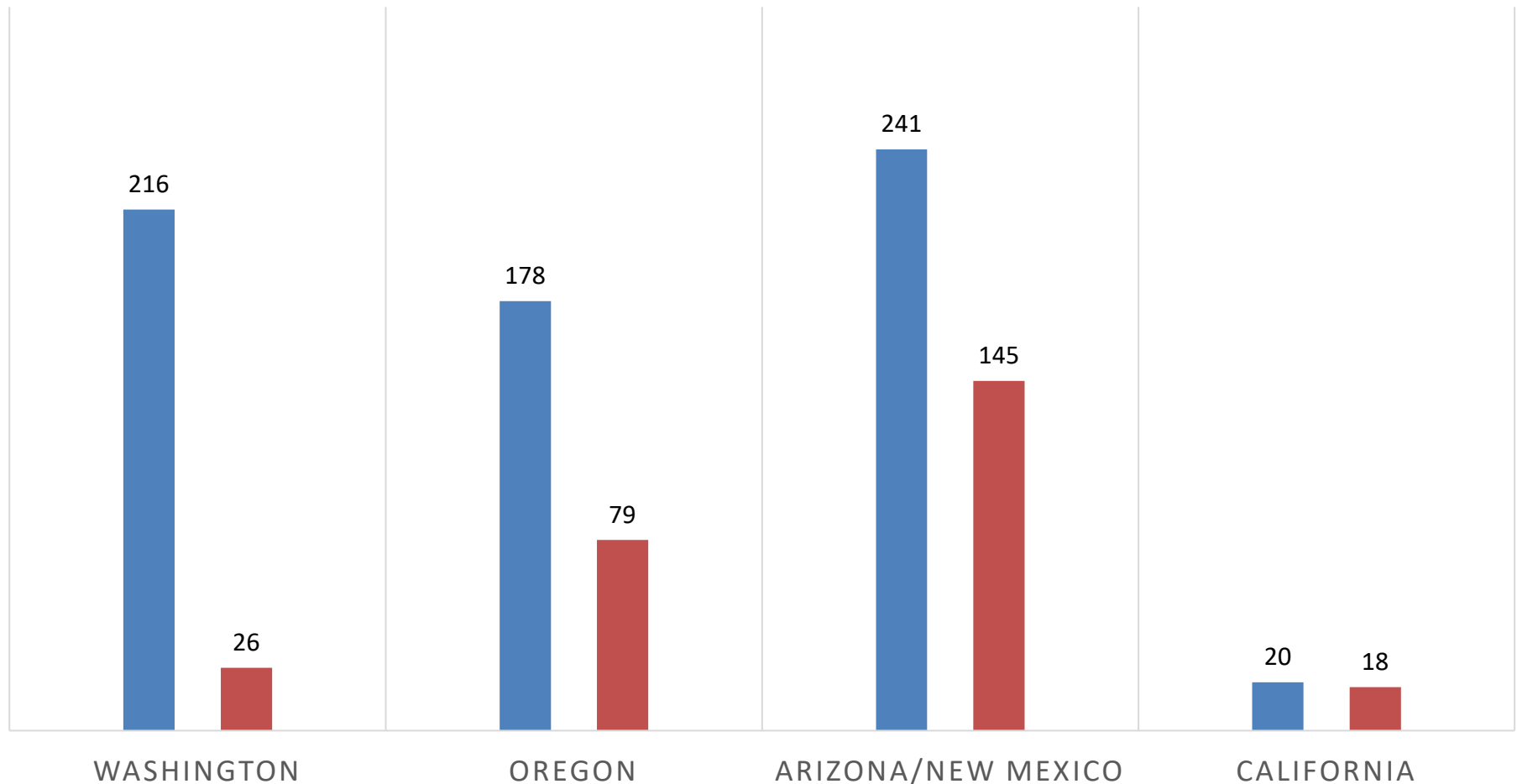


Wolf-livestock conflict, 2008 - 2022

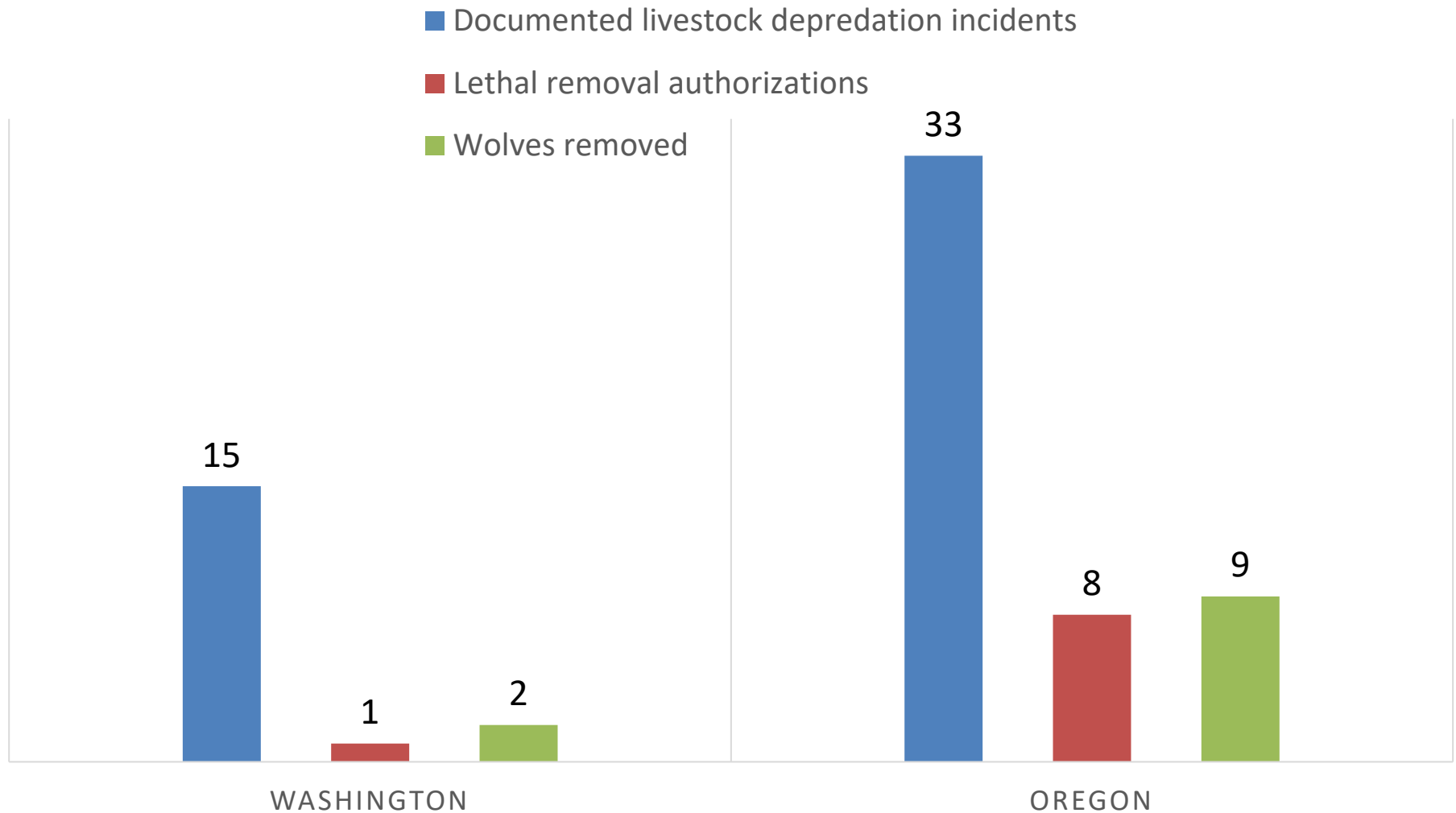


How does Washington compare with other states recovering wolves?

■ Wolf population size (2022) ■ Documented livestock depredation incidents (2022)

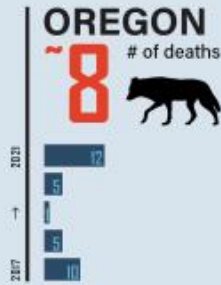


Oregon (enforceable rules) and Washington (wolf-livestock interaction protocol) – as of Aug. 2023

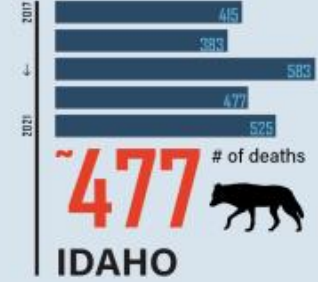
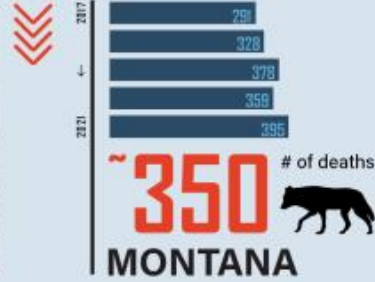


Deliberate Human-Caused Wolf Mortality

Averaged over a five-year-period (2017-2021)



Washington state holds the lowest rate of human-caused wolf mortality.
 Mortality due to lethal control in WA in 2020 and 2021 are lower than recent years. This may be due to deliberate large public and non-profit investments in pro-active range riding.



*Methods for estimating total wolf populations vary by state. Mortality rates shown are cases under state management and therefore exclude Tribal hunting.

Source: Fish and Wildlife Agencies' Annual Wolf Reports





WDFW recommends the Commission deny the petition.

1) WDFW's Wolf Plan and Protocol reflect **compromises among diverse perspectives.**

- Washington wolf pop has continued to increase every year since resident wolves were first documented in the state, while levels of livestock depredation and wolf removals have remained generally low even with wolf range expansion and population increase.

2) Social science research demonstrates that **people respond more favorably** to conservation initiatives when the systems in which they operate **recognize their autonomy, enhance and affirm their competencies, and create mutual respect and trust.**

- Imposing a regulatory approach would likely undermine one-on-one relationships with local WDFW staff as well as acceptance and implementation of proactive, non-lethal tools by livestock producers who have been cooperating with WDFW on non-lethal conflict deterrence strategies.



WDFW recommends the Commission deny the petition.

3) WDFW staff strongly believe the complex issue of wolf-livestock conflict is best addressed not by codification of rules but instead with the following strategies:

- Allowing local WDFW staff to build **one-on-one working relationships and trust** with community members who live with wolves and are affected directly by wolf-livestock interactions and conflict
- Continuing to build on **years of collaborative process** and relationship building through the Wolf Advisory Group to develop guidance from a broad spectrum of Washingtonians' perspectives
- Continued **investment in and promotion of proactive non-lethal conflict deterrence** practices at a statewide and local level, particularly in areas with novel wolf presence and/or that are not well-resourced
- **Exploration of new programs/resources** (e.g., carcass composting facilities, pay for presence incentives, pursuing partnerships to find range riders where they are not readily available) to address ongoing challenges



WAC 220-440-080

- Allows an owner of domestic animals, the owner's immediate family member, the agent of an owner, or the owner's documented employee to kill one gray wolf without a permit issued by the director, regardless of its state classification, if the wolf is attacking their domestic animals (only where wolves are not federally endangered)
- Important rule that allows livestock producers to protect their livestock, guardian dogs, and pets from imminent wolf attacks and allows for an immediate response to wolf-livestock conflict
- May reduce prolonged, chronic patterns of depredation and the need for agency lethal removal
- From 2013 (when the rule was adopted) to August 2023, eight wolves (two in 2017, two in 2019, three in 2022, and one in 2023) have been confirmed to be legally killed under this rule (fewer than one per year on average)



Continued from slide 16: WDFW recommends the Commission deny the petition.

4) WDFW staff have concerns that if WAC 220-440-080 is made too restrictive and does not reasonably allow for killing a wolf attacking livestock, working dogs, or pets, these actions would not be reported to WDFW for fear of criminal enforcement, increasing undocumented wolf mortality and impeding WDFW from tracking mortality sources and trends.



Continued from slide 16: WDFW recommends the Commission deny the petition.

5) Although there is room to clarify the language in this WAC, the legal and policy issues affecting this WAC are complex and WDFW needs to do more analysis before developing proposed rule amendments.

6) Rulemaking can be initiated at any time once the Commission has addressed how and whether this item takes priority over other major Wildlife Program items the Commission is already working on (e.g., Game Management Plan, bear and cougar science and policy, black bear timber damage rulemaking, etc.) and other wolf policy priorities.



Q&A

Will the proposed rule making decrease livestock depredation?

- No. Livestock producers already need to use non-lethal deterrents before WDFW will consider removing wolves. Greater restrictions on lethal removal (which is already implemented sparingly) may lead to more chronic depredation. ODFW follows wolf-livestock conflict deterrence rules and it has not decreased livestock depredation.

Will it decrease the number of wolves killed to control depredation?

- Possibly. However, ODFW follows wolf-livestock conflict deterrence rules and it has not decreased wolf removals – ODFW’s wolf-livestock rules routinely result in more wolf removal than WDFW’s procedures. May also increase the number of wolves killed illegally due to greater restrictions on when WDFW can remove wolves.

Will it change the change the current or projected rate of wolf recovery?

- No. Many components of the proposal are already current practice for WDFW. Agency lethal removal would likely be similar to current conditions. Lethal control actions, as long as they are targeted to specific wolf packs implicated in livestock depredation and limited, are not likely to have significant effects on recovery or continued viability of Washington’s wolf population. Lethal control in response to livestock depredation has not led to long-term elimination of wolves in any areas it has been conducted in Washington; there is no evidence that ecological function, resiliency, or redundancy of wolves in the state are affected by targeted, limited lethal control actions.

Are “taxpayer dollars” used to kill wolves?

- Petitioners repeatedly state “taxpayer dollars” are used to fund lethal removal, but that is not accurate. WDFW maintains a separate account of funds from selling hunting and angling licenses that are used for a wide range of agency activities that includes lethal removal of wolves.



Small Business Economic Impact Statement

Regulatory Fairness Act (19.85 RCW)

Is the rule likely to impose more than minor costs on businesses in the industry?

- Uncertain, but if additional or expanded use of non-lethal deterrents due to rule, costs likely to be more than minor

Does the proposed rule cause a disproportionate impact on small businesses?

- Yes – 98% of the regulated businesses in this industry are small (<50 employees)
- Earnest attempts to implement non-lethal deterrents are likely to cost on the order of thousands to tens of thousands of dollars per year per business
- Human presence (including range riding) is the most expensive mitigation measure, ranging up to \$55,000 per year
- This constitutes a significant fraction of average industry revenues for businesses that may bear these costs and would be an untenable cost for the smallest businesses
- Public funds provided to offset costs of range riding and other non-lethal deterrents does not cover the full cost of these activities and is subject to availability



Vision

A wolf is shown in profile, facing left, standing in a snowy field. The background features a range of mountains under a cloudy sky. The wolf's fur is dark, and its tail is bushy. The overall scene is a natural, outdoor setting.

Outreach

- “Wolf Smart” communities in western WA – intensive outreach

Resources for people living with wolves

- Partnerships to find range riders/resources for communities with wolves outside NE
- Explore “pay for presence” incentives
- Update direct and indirect compensation programs and WACs
- Carcass composting and sanitation collaboration with other state agencies and communities

Anti-poaching

- Penalty for illegally killing a wolf - Work with legislature to add wolves to RCW 77.15.130 section 3 with a special penalty that is the same or higher as the penalty for illegally taking endangered species
- Work with legislature to make unlawful taking of endangered fish or wildlife in the first degree is a class C felony – right now it’s a gross misdemeanor unless convicted – 2 year vs. 5 year statute of limitations

Science/wolf monitoring/public engagement

- Develop and/or pilot non-invasive population estimation methods in WA—proactive, transparent, integrate community science

Commission vision for wolves

- Update 2012 Commission Position Statement on wolves



THE PERSUASIVE POWER OF THE WOLF LADY

To bridge the divide between wolf-lovers and ranchers, the conservationist Karin Vardaman had to change many minds—including her own.

By Ingfei Chen

July 9, 2019

Karin Vardaman – The Power of the Whole Story

The passion people have for wolves is inspiring. With this passion brings a desire to take action to protect this iconic species. What does it mean to be an effective, cause-driven advocate? **And how do you know if what you are saying or doing is truly helping, or perhaps unintentionally hindering wolf conservation?** During this presentation and discussion, we'll explore how to be the most impactful advocate you can be through understanding of the "whole story" of the people and dynamics surrounding wolf recovery and ranching.



The bottom line

1. Wolves are recovering in Washington. Our population has grown every year by every metric every year surveyed.
2. We have the lowest levels of livestock depredation and wolf removals in the nation. Our wolf population continues to grow while livestock losses and wolf losses don't.
3. No evidence that a regulatory approach would result in better outcomes—in fact, there's only evidence of the opposite.



Questions and discussion



Only the mountain has lived long enough
to listen objectively to the howl of a wolf.
—Aldo Leopold, 1949

**For general information on wolves in
Washington:**

wdfw.wa.gov/wolves

**If you are interested in receiving
e-mail notifications of wolf activity
updates, you can sign up here:**

wdfw.wa.gov/about/lists

