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Wolf-livestock Conflict Deterrence Commission Rule Making

**Julia Smith, Wolf Policy Lead
Washington Department of
Fish and Wildlife**



*Washington
Department of
FISH and
WILDLIFE*



WDFW has initiated rule making to amend WAC Chapter 220-440 to address wolf-livestock conflict deterrence



Rule making process so far

Activity	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 - ongoing
Began work drafting rule language and content	May 2021 - ongoing
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	Nov. 17, 2021
Shared draft rule language and content with Wolf Committee	Dec. 2, 2021



Who developed rule content?

- Wolf Biologist
- Wildlife Conflict Specialist
- District Biologist
- Wolf Policy Lead
- Wildlife Conflict Supervisor
- Wildlife Conflict Section Manager
- Regional Wildlife Program Manager
- Regional Director

Combined **123 years** of experience working on wolves and **207 years total** on wildlife conflict/large carnivore research and management



Considerations and limitations for rule making

- WDFW recognizes that repeated livestock loss and wolf removals are likely to cause significant hardship for livestock producers and their animals, as well as their communities, wolf packs, the wolf advocate community, and WDFW staff
- Livestock depredation by wolves is not uniform across the landscape
- It is neither feasible nor sustainable for WDFW to oversee and document the implementation of nonlethal conflict mitigation tools on an individual basis for each livestock operation in occupied wolf territory
- Although WDFW's enabling statutes authorize broad discretion to manage wildlife, they do not authorize WDFW to mandate, regulate, or enforce the management of livestock operations or animal husbandry practices

What would these rules do?

- Proposed changes to WAC 220-440-080 address the Department's statewide expectations for the implementation of nonlethal measures prior to the consideration of lethal removal of wolves
- WAC 220-440-260 is a new chapter about planning for and addressing wolf-livestock conflict in areas of chronic conflict in Washington (the areas where we have seen conflict recur multiple years)



Why focus on areas of chronic conflict?

- WDFW has a wolf-livestock interaction protocol—and documented depredation and wolf removals are among the lowest in the nation
- Depredation risk may increase after a pack has learned to prey on livestock
- Predictable pattern of recurrence of depredations in areas with prior conflicts

(Harper et al. 2005, Sime et al. 2007, Karlsson and Johansson 2010, Bradley et al. 2015, DeCesare et al. 2018, Hanley et al. 2018, ODFW 2021)

- Staff time, livestock producer time, and resources are limited—why not focus on documented problem areas where conflict is likely to recur?



Rule components

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24 2. Conflict mitigation plan

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26 The Director (or WDFW staff designee) may designate a geographic area
27 (e.g., all or a portion of a wolf pack territory) as a chronic
28 conflict area when wolf depredations of livestock have occurred and
29 lethal removal of wolves was authorized in two of the last three
30 years.

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32 For each designated chronic conflict area, WDFW staff will author a
33 conflict mitigation plan. To the extent feasible, WDFW will develop
34 the conflict mitigation plan in consultation with willing, affected
35 livestock producers, as well as federal, state, and tribal agencies
36 that manage lands and/or wildlife in the designated chronic conflict
37 area. The plan will specify non-lethal deterrence measures that are
38 appropriate for the chronic conflict area according to the
39 professional judgment of WDFW staff, considering, but not limited to:

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- species and type of livestock,

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- characteristics of the livestock operation (e.g., size of pastures, type of fencing, open range grazing, presence of calving pens),

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- herd composition, calving/lambing periods, and/or seasonality of livestock production for each affected livestock producer in a chronic conflict area,

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- the season of use when livestock are permitted to be on a leased grazing area (if applicable),

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- location(s) where livestock will be grazed and measures to avoid livestock trespass,

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- measures to avoid unnatural attractants for wolves, and

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- landscape characteristics.

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Rule components

3. Criteria for lethal removal of wolves

The Director (or WDFW staff designee) may authorize lethal removal of wolves in a chronic conflict area as a tool to address repeated depredations by wolves on livestock on a case by case basis if, in the judgement of the Director (or WDFW staff designee):

- a) Depredations are likely to continue;
- b) Intentional feeding/baiting of wolves was not a known factor in the repeated depredations;
- c) Empirical and predictive data suggests that lethal removal of wolves is not expected to harm the wolf population's ability to reach recovery objectives statewide or within individual wolf recovery regions; and
- d) One of the following circumstances are present:
 - i. The material conditions and expectations set forth in any applicable conflict mitigation plans have been substantially complied with; or
 - ii. Wolves have attacked, injured, or killed livestock of more than one livestock producer where one of the livestock producers with depredated livestock implemented nonlethal deterrence measures as deemed appropriate by WDFW staff, even if a neighboring livestock producer did not fully implement non-lethal deterrence measures set forth in an applicable conflict mitigation plan.



Governor's Office requests

- Standardized definition and requirements for the use of range riders
 - In protocol guidance, conflict mitigation plans if applicable
- Requirements for use of non-lethal deterrents most appropriate for specified situations (wolf population and range, size and location of livestock operation, terrain and habitat, history of depredation)
 - In proposed changes to WAC 220-440-080 and conflict mitigation plans
- Action plans in areas of chronic depredation to end the need for annual lethal removal
 - Conflict mitigation plans
- Compliance measures where livestock operators do not implement the required non-lethal measures
 - Addressed in new WAC chapter



Major process components

1. CR-102, CR-103
2. State Environmental Policy Act (SEPA) – Supplemental Environmental Impact Statement (SEIS)
3. Regulatory Fairness Act – Small Business Economic Impact Statement (SBEIS)



Rule making timeline overview

Activity	Component	Period (tentative, dates subjects to change)
Share draft rule language and content with Wolf Committee	Rule	December 2, 2021
Issue draft SEIS	SEPA	February 23, 2022 (earlier if possible)
File CR-102	Rule	February 23, 2022
Issue SBEIS	SBEIS	February 23, 2022
Public comment on CR-102 and draft SEIS	Rule	February 24 – April 9, 2022
FWC - Briefing and public hearing	Rule	April 8, 2022
Issue final SEIS	SEPA	May 2, 2022
Commission decision on staff proposal	Rule	May 13, 2022





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Washington:**
wdfw.wa.gov/wolves

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

- **Bradley et al. 2015.** Effects of wolf removal on livestock depredation recurrence and wolf recovery in Idaho, Montana, and Wyoming. *The Journal of Wildlife Management* 79:1337-1346.
- **DeCesare et al. 2018.** Wolf-livestock conflict and the effects of wolf management. *The Journal of Wildlife Management* 82:711-722.
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- **Harper et al. 2005.** Causes of wolf depredation increase in Minnesota from 1979–1998. *Wildlife Society Bulletin* 33: 888–896.
- **Karlsson and Johansson. 2010.** Predictability of repeated carnivore attacks on livestock favours reactive use of mitigation measures. *Journal of Applied Ecology* 47:166-171.
- **ODFW (Oregon Department of Fish and Wildlife). 2021.** Oregon Wolf Conservation and Management 2020 Annual Report. Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Drive SE. Salem, OR, 97302.
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