



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: P.O. Box 43200, Olympia, WA 98504-3200 • (360) 902-2200 • TTY 1-800-833-6388
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

November 24, 2021

The Honorable Jay Inslee
Washington State Governor
Post Office Box 40009
Olympia, WA 98504-0002

Dear Governor Inslee:

I am writing to provide an update regarding the Washington Department of Fish and Wildlife's (Department) progress toward developing a rule with the goal of instituting practices to avoid the repeated loss of wolves and livestock in Washington as directed in your letter from September 4, 2020. Per our previous communication with JT Austin on April 12, 2021, rulemaking is an extensive process, and more of an undertaking when subject to provisions of the State Environmental Policy Act and the Regulatory Fairness Act. The Department is on track to have the new rule and pertinent amendments to related rules in place by the 2022 grazing season, with a Fish and Wildlife Commission (FWC) decision on the proposed rule currently scheduled for May 2022.

From January through March 2021, the Department conducted more than 30 intake calls with community members representing a diversity of positions and perspectives including those who petitioned the Department to conduct this rule making, Fish and Wildlife commissioners, Wolf Advisory Group members, those representing environmental interests, livestock producers, and Department staff. In the interviews, staff had in-depth discussions with each person or group about their expectations for the rule, their greatest concerns, and their process ideas.

The Department compiled this information and presented it to the FWC's Wolf Committee on April 5, 2021. Based on the extensive information gathered from the intake interviews, the Department recommended a process in which 1) a small group of agency staff most experienced with wolves and wildlife conflict would develop rule ideas and draft rule language and 2) the rule would focus primarily on areas of chronic conflict, places in Washington where loss of wolves and livestock repeatedly occurs. The FWC's Wolf Committee supported moving forward with Department staff's process recommendation.

From that point, staff began work on analysis of potential environmental impacts related to different rule making alternatives under the framework of the State Environmental Policy Act and developed draft rule language.

During the Department's Wolf Advisory Group meeting on July 6, 2021, Department staff presented to the Wolf Advisory Group and members of the public describing the different steps and components of the rule making process as well as a timeline for milestones. Staff also shared a Preliminary DRAFT Staff Report and SEPA Review Proposal for Wolf-Livestock Conflict Deterrence Rule Making to provide a foundation for discussion with interested stakeholders during the rule development process. Following this meeting, the Department held nine different meetings with various stakeholders representing numerous perspectives on the issue (and reached out to many more who opted not to participate in meetings) to provide an opportunity for open discussion and time to ask questions of Department staff about the rule process and ideas.

Department staff used the insights gathered during meetings with stakeholders to inform the rule drafting effort as well as the environmental analysis. A public presentation is planned for December 2, 2021, and during that engagement we will seek guidance from the Wolf Committee about whether to move forward to the full FWC with the language as proposed.

The Department plans to file the CR-102 for the proposed rule in February 2022. The CR-102 will be accompanied by a draft supplemental Environmental Impact Statement available for public review and comment, as well as a Small Business Economic Impact Statement compliant with the Regulatory Fairness Act. In summary, there has been extensive work to develop a rule package with significant stakeholder input and we are on track to complete it for spring 2022.

Lastly, I would like to provide a brief update on the 2021 grazing season. This past summer and fall were not without conflict between wolves and livestock in several areas of the state, most notably in Ferry, Stevens, Columbia, Kittitas, and Okanogan counties. However, as of this writing, the Department has documented 17 total incidents of livestock depredation in 2021 (the fewest documented since 2017) and lethally removed a single wolf this year (the fewest since 2015). We remain committed to promoting the proactive use of non-lethal deterrents to minimize wolf-livestock conflict.

The Department will continue to provide status updates to JT Austin as we proceed with the rule making process. Please let me know if you have any questions or concerns.

Thank you for your interest and engagement in wolf conservation and management in Washington.

Sincerely,



Kelly Susewind
Director

cc: Fish and Wildlife Commission
JT Austin