

Wolf-livestock Conflict Deterrence Rule Making Briefing and Public Hearing April 8, 2022

Julia Smith
Wolf Policy Lead, Wildlife Program





**WDFW is proposing 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 – Feb. 2022
Began work drafting proposed 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 of proposed 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

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
- Current conflict mitigation, cost-share contracts, and range rider efforts may be reduced by \$954,000 next biennium if current proviso is not made ongoing in 2023-25 biennium

What would changes to WAC 220-440-080 do if adopted?

- To authorize lethal removal of wolves, WDFW would need to confirm an owner of domestic animals has proactively implemented appropriate non-lethal conflict deterrence measures
- Align the code with the agency's commitment to non-lethal conflict mitigation strategies
- Would apply statewide (not just chronic conflict areas)

WAC 220-440-080: Killing wolves attacking domestic animals

(EXCERPTS from proposed amended WAC – full text attached to [CR-102](#))

(1) An owner of domestic animals, the owner's immediate family member, the agent of an owner, or the owner's documented employee may kill one gray wolf (*Canis lupus*) without a permit issued by the director, regardless of its state classification, if the wolf is attacking their domestic animals.

(3) In addition to the provisions of subsection (1) of this section, the director (or WDFW staff designee) may authorize agency lethal removal of wolves or additional removals by permit under the authority of RCW [77.12.240](#) if the director (or WDFW staff designee) determines an owner has proactively implemented appropriate non-lethal conflict deterrence measures.



What would WAC 220-440-260 do if adopted?

- WDFW staff author proactive conflict mitigation plans
- Plans establish area-specific criteria for the use of non-lethal and lethal measures to mitigate wolf-livestock conflict in areas of chronic conflict
- WDFW authors the plan(s) in consultation with willing, affected livestock producers, as well as federal, state, and tribal agencies that manage lands and/or wildlife in the chronic conflict area
- Plans specify non-lethal deterrence measures that are appropriate for the chronic conflict area
- Plans outline criteria for lethal removal of wolves in chronic conflict areas

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?



Governor's Office requests

- *Standardized definition and requirements for the use of range riders*
 - In protocol guidance, conflict mitigation plans if applicable
 - Optional additional language for inclusion in section 2 of proposed WAC 220-440-260 addressing range riding
- *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 proposed WAC 220-440-260



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?

- 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)

Mitigation

- Limit rule costs to only those non-lethal deterrents appropriate for the specific situation and affected businesses
- Proposing to evaluate the expectation for range riding on a case-by-case basis in developing conflict mitigation plans
- Continuation of existing programs (cost-share contracts, WDFW range riders)

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



Public comment themes (WAC + SEPA + SBEIS)

Supportive

- Protective of wolves, minimize killing of wolves, lethal removal should be a last resort
- Maximize/prioritize nonlethal options, nonlethals should be required, nonlethals should be tried first
- Don't graze livestock on public land, cattle impact recreationists on public land, cattle displace wildlife on public land
- Livestock producers should understand the risk they are taking, accept losses on public land
- If predation occurs repeatedly in a specific area, it shows that lethal removal is ineffective

Not supportive

- Remove wolves involved in conflict with livestock as soon as possible, maintain lethal removal of depredating wolves
- Issue depredation permits to livestock owners
- Hunt wolves, permit hunters to hunt wolves in depredation areas
- Livestock owners should not be required to implement ineffective nonlethal methods
- Nonlethal deterrents don't work
- Adds red tape to the process of mitigating conflict
- Will make more livestock producers stop working with WDFW
- People need the ability to protect their property/livelihood or state needs to do it efficiently
- Unless financial assistance is guaranteed, rule shouldn't be implemented
- Citizens of WA should pay for nonlethal deterrence, not ranchers

Public comment themes (WAC + SEPA + SBEIS)

Range riding

- General comments about supporting and not supporting range riding
- Cost to producers of a range rider is very high requiring a knowledgeable person, a horse, a pickup, horse trailer, gas, and time
- Range riding is only one of many nonlethal methods, why call it out specifically?
- Range riding as a deterrent is very expensive, defeats the purpose of using public lands for grazing

As of April 5:

- >500 comments CR-102 + SEPA
- >1000 form letter copies

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wolf-livestock-conflict-deterrence](http://wdfw.wa.gov/about/regulations/development/wolf-livestock-conflict-deterrence)**

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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:**
wdfw.wa.gov/about/lists



Questions and discussion



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.
- **Hanley et al. 2018.** Forecasting cattle depredation risk by recolonizing gray wolves. *Wildlife Biology* 2018(1), (17 July 2018).
<https://doi.org/10.2981/wlb.00419>
- **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.
- **Sime et al. 2007.** Montana gray wolf conservation and management 2006 annual report. Montana Fish, Wildlife and Parks.

