

Wolf-livestock Conflict Deterrence Rule Making Decision July 8, 2022

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Proposal (CR-102) for decision

1. Proposed changes to WAC 220-440-080
2. Proposal to create WAC 220-440-260
3. Optional additional language for inclusion in section 2 of proposed WAC 220-440-260 addressing range riding



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



Final Supplemental Environmental Impact Statement (Final SEIS)

- Includes a summary of the SEPA-specific public comments received on the Draft SEIS with responses
- Adds 2021 wolf population and conflict data throughout the from WDFW's Washington Gray Wolf Conservation and Management 2021 Annual Report
- Provides scientific literature review previously conducted by WDFW for Commission and public
- Adds 35 citations to supplement the analysis
- <https://wdfw.wa.gov/publications/02312>



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, effective vs. ineffective
- 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

49-day public comment period (Feb. 22 – Apr. 11):

- >10,200 comments CR-102 + SEPA, most of which (>9,200) were form letter copies
- Private individuals, non-governmental organizations (NGOs) or advocacy groups, county commissions, county conservation districts, elected officials, and one tribe

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

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