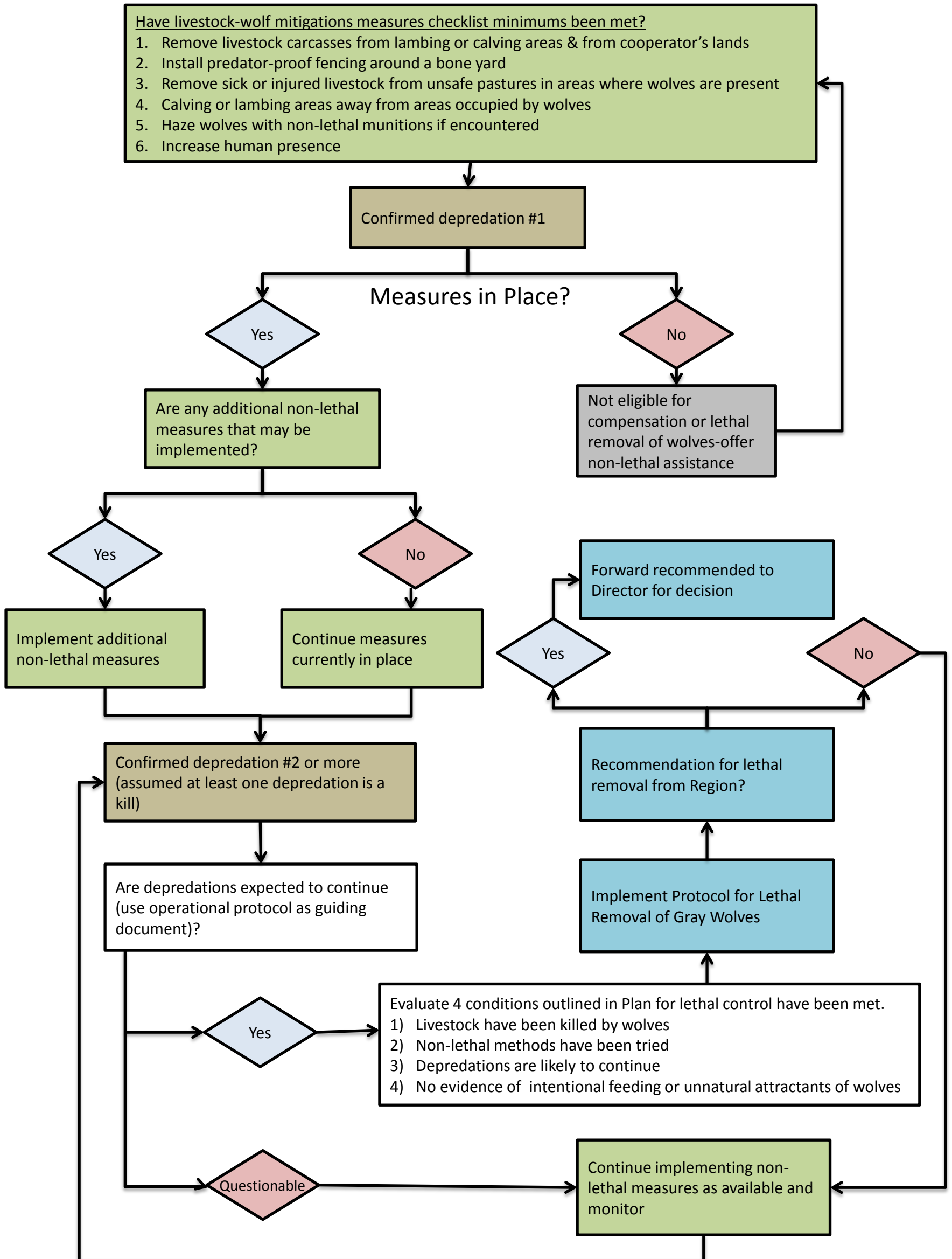


Wolf Depredation Management Flowchart



From: [Ware, David A \(DFW\)](#)
To: [Lasiter, Susan E \(DFW\)](#)
Subject: FW: Notice of Availability: Pre-decision EA, Wildlife Services Gray Wolf Damage Management In Washington
Date: Tuesday, December 17, 2013 9:50:07 AM

Please forward this to the WAG as well as an FYI.

Thanks.

Dave

From: Schafer, Laurence - APHIS [mailto:Laurence.M.Schafer@aphis.usda.gov]
Sent: Tuesday, December 17, 2013 9:40 AM
Subject: Notice of Availability: Pre-decision EA, Wildlife Services Gray Wolf Damage Management In Washington

Dear Interested Party:

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services has prepared a pre-decision Environmental Assessment (EA) entitled "Wildlife Services Gray Wolf Damage Management in Washington." The EA evaluates a proposed action and alternatives to assist the Washington Department of Fish and Wildlife, United States Fish and Wildlife Service, and Native American tribal governments with management of gray wolf (*Canis lupus*) conflicts throughout the state. The need for action is based on confirmed and chronic livestock depredation, and although less likely, the potential for wolves to threaten human safety.

Wildlife Services is requesting public comments on the pre-decision EA. The EA and comment form may be accessed by visiting <http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0107> or http://www.aphis.usda.gov/wildlife_damage/nepa.shtml.

Comments should be submitted on the electronic comment form by January 20, 2014 to receive full consideration prior to the decision. Faxed comments will not be considered. The EA may also be obtained by contacting: State Director, USDA APHIS Wildlife Services, 720 O'Leary St NW, Olympia, WA 98502, Tel: (360)753.9884. Individuals who are unable to submit electronic comments may provide written comments to the above address. Written comments must be received by January 20, 2014.

Thank you for your interest.

Laurence M. Schafer
USDA Wildlife Services
Staff Wildlife Biologist and Airport Coordinator, WA/AK

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State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N, Olympia, WA 98501-1091 • (360) 902-2200 • TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

December 18, 2013

The Honorable Kirk Pearson
Chair, Natural Resources and Parks Committee
Washington State Senate
Post Office Box 40439
Olympia, WA 98504-0439

The Honorable Brian Blake
Chair, Agriculture and Natural Resources Committee
Washington State House of Representatives
Post Office Box 40600
Olympia, WA 98504-0600

Dear Senator Pearson and Representative Blake:

On December 13, 2013, the Washington Department of Fish and Wildlife's (Department) submitted a letter in support of the U.S. Fish and Wildlife Service's (USFWS) proposal to delist gray wolves in the United States. The USFWS proposal would also continue protections under the Endangered Species Act (ESA) for the Mexican subspecies of wolves in the Southwest states. This proposal has profound effects on our state's role and responsibility for managing wolves. I am writing to provide some background on the proposed federal rule, some information regarding nexus with Washington's management, and some background on the Department's long-held position of supporting federal delisting.

For background, the USFWS proposal asserts that wolves described at the species level, *Canis lupus*, is considered recovered as defined by the ESA. The concept is that they are no longer in danger of extinction at the species level in the United States and therefore no longer need protections under ESA. State management of wolves in the Great Lakes and Rocky Mountains where wolves have already been federally delisted also include protections necessary to maintain healthy, sustainable populations into the future.

In the Northern Rocky Mountain Distinct Population Segment (NRM DPS), wolves were re-introduced into Yellowstone National Park and central Idaho in 1995; their numbers increased rapidly and reached the level where they achieved the USFWS recovery plan objectives in 2003. However, repeated legal challenges prevented delisting off and on until 2011. The delay resulted in extensive local social and political frustration as wolf numbers increased well above what was necessary for sustainability. Conflicts with livestock increased during those delays, and there were several examples where reductions in wild prey populations were evident. By April 2011,

U.S. Congress ultimately delisted wolves in the NRM DPS (and thus, the eastern third of Washington) via a federal budget rider.

Our letter sent on December 13, 2013 to Director Ashe explains the various elements of state law and an explanation of how Washington has adequate regulatory mechanisms to conserve wolves, an overview of the adopted Wolf Conservation and Management Plan with state recovery objectives, a summary of funding and wolf management activities the Department conducts, a description of the rapid growth rate of an increasing and connected wolf population, and our concerns with being in a situation where we are unable to implement elements of the Department plan in the western two-thirds of Washington under continued federal Endangered status designation.

The most critical and contentious issue associated with wolf recovery is the acceptance or tolerance of those most directly affected by wolves, which are rural residents. Wolves by their nature will be associated with conflicts with humans, especially via livestock and domestic dogs. Washington's Plan includes specific strategies to achieve this social tolerance objective. However, currently we are not able to implement many conflict mitigation strategies identified in our Plan in the western two-thirds of the state where wolves are federally listed.

If at the end of the rulemaking process this next year, the USFWS decides that wolves no longer warrant listing at a national scale, legal challenges are certain to be filed. Based on past litigation, these challenges could take several years to resolve. Based on the history of litigation and if a challenge to the USFWS rule requires them either to keep wolves listed or to list a new entity of wolves in Washington, the federal process for planning, listing and delisting, and navigating subsequent legal challenges, will extend far beyond when state recovery objectives will have been achieved. We will not be able to state delist for years, and instead will be waiting for recovery per yet-to-be-developed federal recovery objectives and will be waiting for recovery in other states that currently do not have any wolves in them.

The Department has publicly supported federal delisting of gray wolves for almost three years. Below is a summary representing a minimum number of instances when the Department has indicated that support.

The Department is a member of the Western Association of Fish and Wildlife Agencies which adopted a resolution in January 2011 asking that the USFWS delist wolves and return management authority back to the states. For context, wolves in some of the Northern Rocky Mountain states had been delisted in 2009 (having surpassed their federal recovery objectives in 2003). The results of litigation suspended that rule in 2010 and thus, at the time, wolves remained federally listed throughout Washington and the range states for the Northern Rocky Mountain distinct population segment.

When the Fish and Wildlife Commission (Commission) were reviewing and finalizing the Wolf Conservation and Management Plan (Plan) with monthly public meetings in the fall of 2011, staff would brief the Commission on the status of state and federal listing designations and would regularly distinguish which elements of the draft Plan could be

exercised, and which could not, in certain portions of the state due to federal Endangered Species Act (ESA) oversight.

The Department sent a letter to Dan Ashe, Director of the USFWS, in March 2012 when the USFWS was conducting the wolf status review making them aware of the Department's Plan, Washington's growing wolf population, and the difficulty of implementing the Plan under the current ESA designation. That letter was shared with an environmental group after it was sent and was released in various public disclosure requests to a variety of parties.

At a public meeting, the Commission adopted a policy statement titled, "Wolves in Washington" dated April 13, 2012. In a section titled, "Secure Management Authority for the State," the Commission wrote:

Recent efforts to delist wolves in the Rocky Mountain States provide examples we hope to avoid, e.g., continuous litigation; management policy reversals; and disruptions in the assignment of authorities. Wildlife management has long been the prerogative of the states with important exceptions. Recovery of federally listed endangered species is one of those exceptions in which the role of the federal government role is well recognized.

It is vital that the Department act in a manner that secures and maintains authority for Washington State to manage wolves. Many management tools outlined in the Plan will not be available to the Department for the western two-thirds of the state if the federal Endangered Species Act designation of "Endangered" status remains in place. The Commission believes our recent adoption and the Department's implementation of Washington's Wolf Recovery Plan will demonstrate to the U.S. Fish and Wildlife Service that wolf recovery and management can and will be appropriately managed by the Department.

On April 26, 2013, about the time when the USFWS was initially planning to release the draft delisting rule, the Seattle Times published an article titled, "Fed Plan Would End Gray Wolf Protection: State Wildlife Managers Say Delisting Wolves Would Actually Make Their Job of Recovering Wolves Easier." A Department staff person was quoted in the article with similar, consistent messaging of support for delisting to enable full implementation of the Department's Plan.

In June 2013, Commission Chair Miranda Wecker offered a statement that was included in the USFWS news release announcing the availability of the draft rule and opening the public comment period. She stated that the Department is committed to the long-term persistence of wolves in Washington, that the Commission believes the state should be responsible for the management of wolves, and the Department supports the USFWS's consideration of the proposed rule and the ensuing public process.

The Department's Wolf Advisory Group, represented by environmental, hunting, and livestock interests, were made aware of the various aspects of the Department's position

December 18, 2013

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regarding federal delisting at meetings this fall and a draft of our formal comment letter was circulated for a 'fatal flaw' review.

Department staff briefed the Commission at their October 4, 2013 meeting and again reviewed the rationale for the Department's support for federal delisting during an update on summer wolf management activities.

In addition, since the Plan's adoption in December 2011, the Department has either hosted, or been invited, to over 40 public meetings on wolf conservation and management. This issue often comes up and the Department's support for the Plan and support for delisting is a common topic at those settings.

This track record demonstrates that this has been a long-standing position held by the Department and openly communicated with the public.

The Department's position of supporting federal delisting is consistent with the Wolf Conservation and Management Plan. A number of provisions in the Plan could not be implemented under the federal status of endangered because take of federal endangered species is not permitted. The Plan articulates the strategies associated with addressing wolf-livestock or wolf-ungulate conflicts, and in recognition that wolf removal may be a necessary action for a localized issue. If federal delisting were to occur in the near future, wolves would remain listed as state-endangered until the state recovery objectives were obtained and the full suite of tools articulated in the Plan could be utilized.

In summary, the state of Washington no longer needs federal oversight to recover and manage wolves. We have strong legal protections, a robust Plan, and a strong commitment to successfully recover a healthy and sustainable wolf population in balance with one of the highest human densities in the West. Continued federal listing only restricts our ability to implement our Plan, thus impacting social tolerance of a recovered wolf population, and will delay our ability to delist once state recovery objectives have been achieved. Please contact Ann Larson, the Department's Legislative Liaison, at (360) 902-2226 if you would like additional information or to discuss this matter further.

Sincerely,



Philip Anderson
Director

cc Governor Jay Inslee
Fish and Wildlife Commission
Nate Pamplin, Assistant Director, Wildlife Program
Ann Larson, Legislative Liaison

Enclosure: Director Anderson letter to Director Ashe, USFWS, December 13, 2013



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N, Olympia, WA 98501-1091 • (360) 902-2200 • TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

December 13, 2013

Dan Ashe, Director
Public Comments Processing
Attn: Gray Wolf - Docket No. [FWS-HQ-ES-2013-0073]
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, MS 2042-PDM
Arlington, Virginia 22203

Dear Mr. Ashe:

Thank you for the opportunity to comment on the U.S. Fish and Wildlife Service's (USFWS) Federal Register FWS-HQ-ES-2013-0073 proposal for "Removing the Gray Wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf (*Canis lupus baileyi*) by Listing It as Endangered." The Washington Fish and Wildlife Commission and the Department of Fish and Wildlife (Department) support the proposal to delist gray wolves because we have adequate regulatory mechanisms, a Wolf Conservation and Management Plan, state funding to implement the Plan, and a rapidly growing wolf population, among other reasons further outlined below.

Gray wolves are a native species of Washington and have been state listed as "endangered" under the Washington Administrative Code (WAC) 232-12-014 since 1980. However, breeding populations (i.e., packs) of wolves have been absent from Washington since the 1930s. Not surprisingly, reports of wolf activity in Washington notably increased starting in 2002 following the rapid expansion of wolves in the Northern Rocky Mountain Distinct Population Segment (NRM DPS) between 1996 and 2002. In 2008, the first wolf pack with confirmed breeding activity was documented in north-central Washington.

With the rapid expansion of wolves in the NRM DPS, the Department anticipated that wolves would soon begin re-colonizing in Washington through natural dispersal. The Department began developing a Wolf Conservation and Management Plan for Washington (Plan) and an Environmental Impact Statement in 2007. The Plan was adopted by the Washington Fish and Wildlife Commission in 2011. By December 2011 when the Plan was adopted, the wolf population in Washington had expanded to 5 confirmed packs, and by December 2012 there were 9 confirmed packs.

The Plan serves as the Department's road map for wolf recovery per Washington's laws and sets the population recovery objective for delisting at 15 successful breeding pairs (SBPs) for three

consecutive years (with a distribution of 4 in each recovery area and 3 anywhere in the state) or 18 successful breeding pairs for one year (with a distribution of 4 in each recovery area and 6 anywhere in the state) (Figure 1). The Plan also outlines measures to address wolf-livestock and wolf-ungulate interactions.

In addition to the provisions and protections outlined in the Plan, Washington State also has adequate regulatory mechanisms in place to provide for the conservation of wolves in Washington. As stated above, gray wolves are state listed as 'endangered' throughout Washington. As such, state law (RCW 77.15.120) protects wolves from hunting, possession, malicious harassment, and killing, and the penalties for illegally killing a wolf range up to \$5,000 and/or one year in jail. Once wolves reach recovery objectives outlined in the Plan, WAC 232-12-297 specifies the procedures and public input process for state delisting of gray wolves.

In addition to the regulatory mechanisms, Washington also has funding mechanisms in place to ensure the implementation of Washington's Plan. Starting in 2013, \$1.5 million per biennium generated from a permanent increase to the cost of new and renewed personalized license plates is dedicated to wolf management in Washington. This new revenue stream will cover costs associated with monitoring the population of wolves in Washington, providing technical and financial support to livestock owners to prevent conflicts, compensating producers for unavoidable livestock losses, employing the use of lethal remedies to stop repeated chronic depredations when necessary (currently eastern third of Washington), facilitating extensive public involvement in management decisions, and extending outreach opportunities to a variety of those interested in as well as affected by wolves. This funding is paired with additional state funds already assigned to wolf conservation and some federal grants, bringing our total wolf conservation budget for the 2013-15 biennium to over \$2 million.

In terms of monitoring wolf population growth, Washington's Plan adopted the same protocols as those used by other western states and USFWS for monitoring wolf populations in the NRM DPS. The Plan calls for annual winter surveys to estimate the number of packs, number of successful breeding pairs, minimum count, and estimated population size. A pack is defined as two wolves traveling together during winter; SBP is defined as an adult male and female wolf with at least two pups surviving until December 31 of a given year; minimum count is defined as the minimum number of individual wolves counted via visual, track, or howling observations; estimated population size is defined as the number of packs times the average pack size, plus estimated dispersers.

To meet the new workload of documenting wolf recovery in Washington, the Department has hired two permanent biologists to monitor and manage wolf populations, as well as two to three seasonal wolf technicians to assist with capture efforts. Coupled with shifting the priorities for existing district wildlife biologists, this workforce follows up on credible reports of new wolf activity to confirm the establishment of new packs. The Department has an online tool for the public to report wolf observations as well as a toll-free telephone number. To aid in estimating SBP, the Department's objective is to maintain at least two radio-collared wolves in each confirmed pack. During annual winter surveys, the Department estimates SBP, minimum count,

and estimated population size. Each year's monitoring results are published in an annual report, which is shared with state/federal partners, as well as the public.

One of the most important factors for successful recovery of wolves in Washington is connectivity between large source populations outside Washington and founder populations within the state. In the early years of population growth, adequate dispersal from neighboring jurisdictions is critical. Washington is in an ideal situation with strong connectivity, with wolves dispersing into Washington from all bordering jurisdictions; with 117 packs in Idaho, 6 packs in Oregon, and an estimated 8,500 wolves in British Columbia.

Not surprisingly, with the source populations surrounding Washington, wolf recovery in Washington State has occurred solely through natural dispersal and re-colonization from neighboring states and provinces as well as from resident Washington packs. The Department has documented multiple long-distance dispersal events where the distance of the dispersal is equivalent to the distance between major patches of wolf habitat in eastern and western Washington (Figure 2). This demonstrates that ecologically, wolves in Washington have the dispersal ability to colonize any suitable habitat in Washington. In addition, genetic testing from Washington packs has demonstrated gene flow into Washington from the NRM DPS as well as British Columbia.

Given the state regulatory mechanisms protecting wolves and strong connectivity, Washington is experiencing robust population growth. The first confirmed pack was documented in 2008. By 2011 there were 5 confirmed packs, and by 2012 there were 9 confirmed packs. Washington's wolf population is growing and expanding at a rate equal to that documented in the NRM DPS. Given the current growth rate, we can anticipate Washington's wolves reaching the planned recovery objectives within as few as seven years.

In addition to the observed strong growth rate, the wolf population in Washington is fast transitioning into a stable meta-population with long-term persistence. At the present time, there are 10 confirmed packs, 2 suspected packs, and 2 border packs in Washington. There is a core population of breeding packs in two of the three recovery areas with a pack structure of multiple age classes and older (4-5+ year olds) experienced alpha pairs. This level of complex pack structure is consistent with long-term stability and persistence.

A critical component for successful wolf recovery is social acceptance. Acceptance is advanced when we have the ability to resolve chronic wolf-livestock conflicts. Washington's Plan stresses the need for preventative, non-lethal measures for proactively managing conflict so chronic situations can be avoided as much as possible. However, wolves are a large carnivore that relies on killing prey. Despite our efforts to exhaust all practical non-lethal measures to prevent depredations, wolves can develop behavior patterns focusing on livestock as prey. Although these situations may not be common, when such a behavior pattern does occur, lethal removal of problem wolves may be necessary.

While lethal removal of a protected species may strike some as counterintuitive, past management experiences in the NRM DPS and elsewhere have clearly demonstrated that doing

nothing may make matters worse. By allowing wolves with a history of killing livestock to persist on the landscape, the depredation behavior continues, and is learned by all members of the pack. As this behavior continues and spreads, the social tolerance for wolves in general declines. In contrast, the lethal removal of problem wolves, used judiciously both resolves the situation and increases public tolerance in rural communities.

With the personalized license plate funding outlined above, paired with some other fund sources, the Department has established a program to anticipate and effectively respond to the inevitable conflicts that will arise as wolves occupy the landscape. Eleven wildlife conflict specialists are distributed around the state to assist landowners with implementing preventative measures to avoid conflicts with wolves. These specialists are trained and prepared to aid in the response to depredations once they have taken place.

Our state's abilities to resolve chronic wolf-livestock conflict are hampered by the complexities imposed by fragmented state jurisdiction. Wolves are classified as endangered statewide under state law, and thus protected from hunting, possession, malicious harassment, and killing by the public. Under federal law, wolves have been delisted in the eastern third of Washington and continue to be listed as endangered in the western two-thirds of the state. Thus, the Department can fully implement our Plan--which calls for both recovery actions *and management actions* in the eastern portion of our state. Under current federal listed status, the Department does not have the legal authority to manage conflicts in the western portion of our state even if problem wolves cause chronic wolf-livestock conflicts.

By applying the full toolkit of preventative non-lethal measures, we reduce the likelihood that lethal removal will be necessary. Thus far, the Department has only had to remove problem wolves once due to chronic wolf-livestock conflict since federal delisting in the eastern portion of the state took effect. We have seen an encouraging pattern among rural communities in the eastern portion of the state: more and more cooperative agreements have been signed by ranchers to receive assistance in implementing non-lethal preventative measures. Signs of increased social tolerance are visible. In contrast, we are constrained in what we can do to mitigate similar conflicts in the western portion of our state. Federal protections there tie our hands. If a pattern of wolf depredation on livestock occurs in the western two-thirds of the state, the depredation situation will likely persist and worsen. Our *inability to respond* in a meaningful way would *promote intolerance of wolves*. The long-term impacts could be severe: wolves that learned to prey on livestock would disperse and establish new packs, passing on that learned behavior to their offspring. Local communities would be left to resort to their own measures to protect their interests. The trust in the abilities of our Department to recover and manage wolves would be undermined.

The Wolf Conservation and Management Plan summarized four public opinion polls, some of which were contracted by the Department to gauge public support for wolf recovery in Washington and for anticipated management actions. They are summarized in Chapter 2 of the Plan, pages 41-46 (enclosed).

Mr. Dan Ashe
December 13, 2013
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The 2008 phone poll of 805 Washington residents by Responsive Management and the 2009 mail-in survey that yielded 4,183 responses by Colorado State University (CSU), in collaboration with the Department, represent reliable and valid public opinion surveys in terms of the survey instrument and questions, the sample size, and the geographic distribution of respondents. The 2008 phone poll showed that a majority of Washington residents (75%) support allowing wolves to recover. That same poll also indicated that 61% of Washington residents support some level of lethal wolf control to protect at-risk livestock. In the CSU/Department survey, 74.5% of Washington residents found the natural recolonization of wolves in Washington to be acceptable. That same survey showed that 65.9% of residents thought acceptable the lethal removal of wolves that have caused loss of livestock. If they were contributing to localized declines in deer or elk, 69.8% of Washington residents supported limiting the number of wolves in certain areas. In summary, both surveys found strong public support for wolf recovery and for wolf management actions. These wolf management actions are precluded by continued federal protections under endangered listing status in the western portion of Washington.

In summary, the Commission and our Department are fully committed to wolf recovery. We pledge to manage for a sustainable wolf population in Washington. The Department has extensive and demonstrable experience managing other large carnivores. We have all the necessary components in place to successfully recover and manage wolves--a sound recovery and management plan, adequate regulatory mechanisms, sufficient ongoing funding, and a corps of trained specialists. Our state's wolf populations are ecologically connected to large neighboring populations. We have an established resident wolf meta-population that is expanding rapidly. Federal delisting of gray wolves would remove the impediments that now prevent us from implementing our plan and utilizing our full capabilities in the western two-thirds of our state. For these reasons, the Department supports the federal delisting of gray wolves as proposed and is committed to partnering with the USFWS in the post-delisting monitoring phase. Thank you again for the opportunity to comment on the proposed rule.

Sincerely,



Philip Anderson
Director
Washington Department of Fish and Wildlife



Miranda Wecker
Chair
Washington Fish and Wildlife Commission

Enclosure:

Wiles, G.J., H.L. Allen, and G.E. Hayes. 2011. Wolf Conservation and Management Plan for Washington. Washington Department of Fish and Wildlife, Olympia, Washington. 297pp.

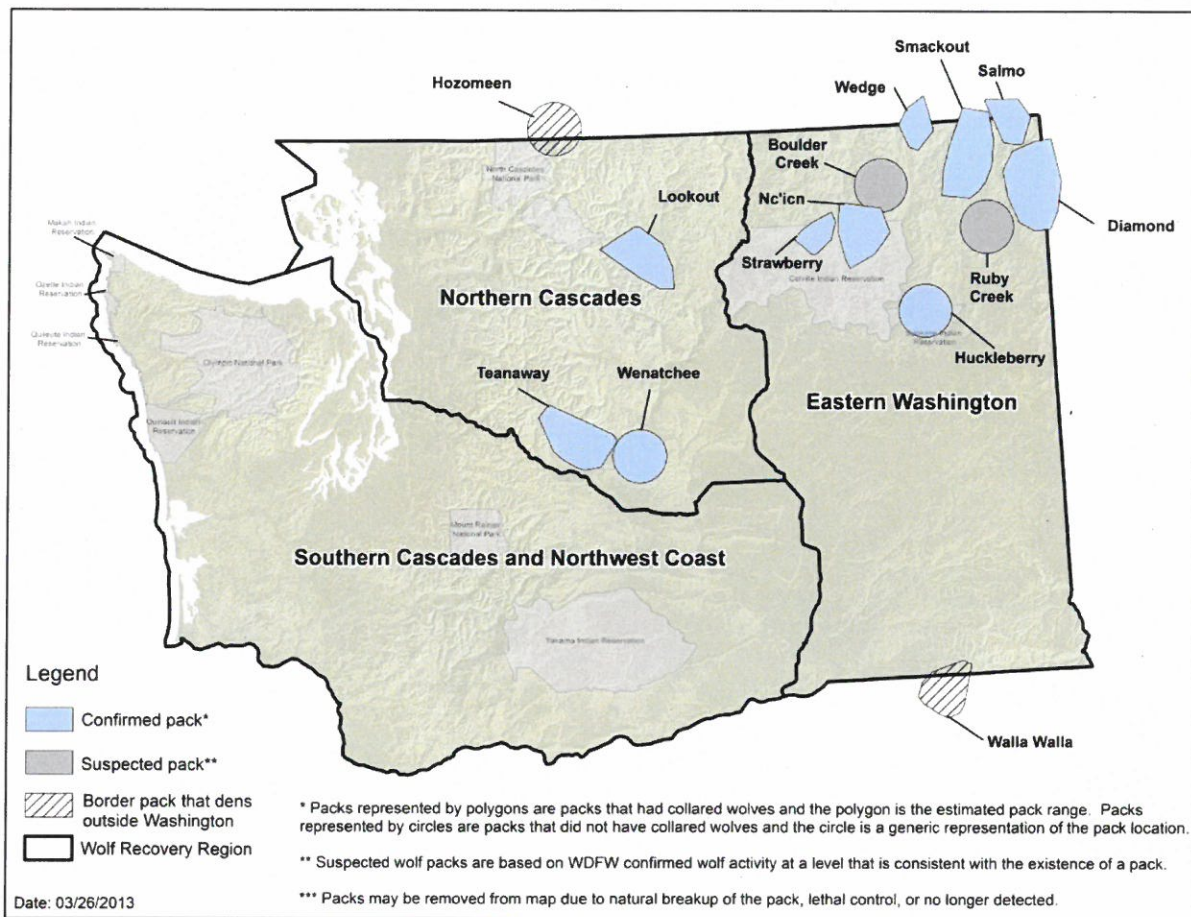


Figure 1. Wolf packs and Department wolf recovery regions in Washington, March 2013.

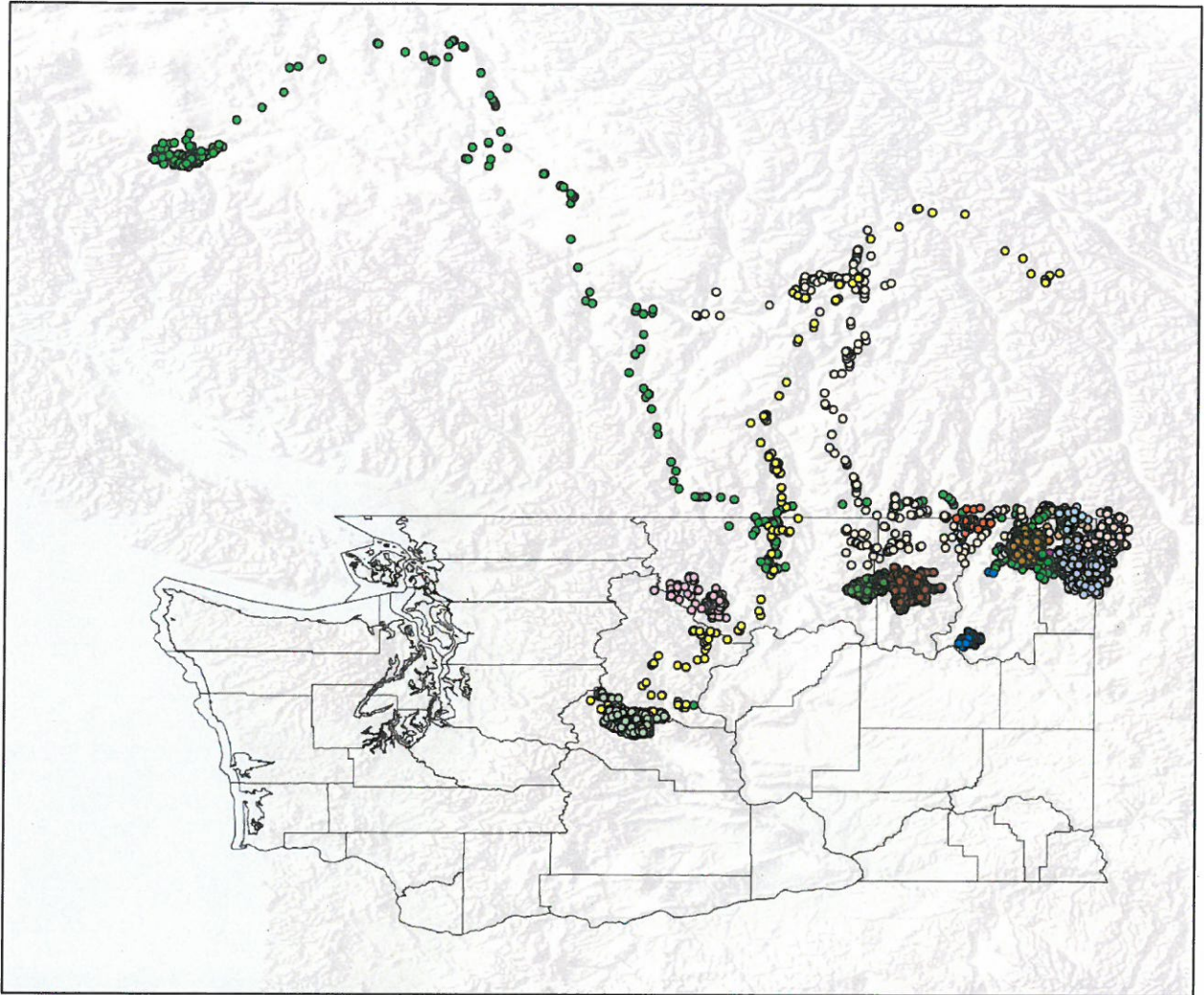


Figure 2. All locations of radio-collared wolves in Washington from 2008-2013 and dispersal events documenting long-distance movements.

Proposed Amendments to the Washington Administrative Code to Codify Key Portions of the Washington Wolf Conservation and Management Plan

The following amendments should be made to the Washington Administrative Code, Title 232, Chapters 12 and 36. All additions appear as underlined text; all text to be removed is bracketed. Most language of proposed amendments is identical to or clarifies the existing text of the Washington Wolf Conservation and Management Plan, adopted by the Commission as current state wolf policy. The principal exception involves additional specific information defining when lethal control may be used, information which WDFW has indicated it believes is necessary.

The following section should be added.

WAC 232-12-230

Information and identification materials about wolves.

Information and education efforts are needed to inform landowners, hunters and trappers about the presence of wolves in occupied areas of the state.

(1) WDFW shall use hunting, fishing, and trapping regulation pamphlets and other means to provide effective educational messages and identification materials about wolves, including how to avoid accidental shooting during legal hunting seasons.

(2) WDFW shall provide to landowners whose land includes one or more den sites information on the locations of den sites, the timing and duration of denning, and how to avoid disturbance of den sites.

The following changes should be made.

WAC 232-36-030

Definitions

Definitions used in rules of the Fish and Wildlife Commission are defined in RCW 77.08.010, and the definitions for wildlife interactions are defined in RCW 77.36.010. In addition, unless otherwise provided, the following definitions are applicable to this chapter:

"Act of damaging" means that private property is in the process of being damaged by wildlife, and the wildlife are on the private property, which contains commercial crops, pasture, or livestock.

"Big game" means those animals listed in RCW 77.08.030.

"Claim" means an application to the department for compensation under this chapter.

"Claimant" means owner of commercial crop or livestock who has filed a wildlife damage claim for cash compensation.

"Commercial crop" means a commercially raised horticultural and/or agricultural product and includes the growing or harvested product, but does not include livestock, forest land, or rangeland. For the purposes of this chapter, Christmas trees and managed pasture grown using agricultural methods including one or more of the following: Seeding, planting, fertilizing, irrigating, and all parts of horticultural trees, are considered a commercial crop and are eligible for cash compensation.

"Commercial livestock" means cattle, sheep, and horses held or raised by a person for sale.

"Compensation" means a cash payment, materials, or service.

"Completed written claim" means that all of the information required on a department crop or livestock damage claim form is supplied and complete, including all supplemental information and certifications required to process the claim.

"Damage" means economic losses caused by wildlife interactions.

"Damage claim assessment" means department approved methods to evaluate crop loss and value caused by deer or elk damage to commercial crops, or livestock losses and value caused by bear, cougar, or wolves.

"Eligible farmer" means an owner who satisfies the definition of eligible farmer pursuant to RCW 82.08.855 (4)(b)(i) through (iv).

"Emergent" means an unforeseen circumstance beyond the control of the landowner or tenant, that presents a real and immediate threat to crops, domestic animals, or fowl.

"Game animal" means wild animals that shall not be hunted except as authorized by the commission.

"Guard dog" means dogs trained for the purpose of protecting livestock from attack by wildlife or for herding livestock.

"Immediate family member" means spouse, state registered domestic partner, brother, sister, grandparent, parent, child, or grandchild.

"Immediate threat of physical harm" means that animal-to-human bodily contact is imminent; and the animal is in attack posture/mode.

"In the act of attacking" means actively biting, wounding, or killing.

"Livestock" means horses, cattle, sheep, goats, swine, donkeys, mules, llamas, and alpacas.

"Owner" means a person who has a legal right to commercial crops, commercial livestock, or other private property that was damaged during a wildlife interaction.

"Physical act of attacking" means actual or imminent animal-to-human physical contact.

"Public hunting" means an owner satisfies the "public hunting" requirement for his or her land, as defined in WAC 232-36-300.

"Wild animal" means those species of the class Mammalia whose members exist in Washington in a wild state.

"Wildlife control operator" means a person who has successfully completed the training and obtained one or more levels of certification from the department to assist landowners to prevent or control problems caused by wildlife.

"Wildlife interaction" means the negative interaction and the resultant damage between wildlife and commercial crops, commercial livestock, or other property.

WAC 232-36-051

Harassing and [K]killing wildlife causing private property damage.

The fish and wildlife commission is authorized to classify wildlife as game, and/or as endangered or protected species, and/or as a predatory bird consistent with RCW 77.08.010 and 77.12.020. The commission is also authorized, pursuant to RCW 77.36.030, to establish the limitations and conditions on killing or trapping wildlife that is causing property damage.

The conditions for killing wildlife vary, based primarily on the classification of the wildlife species, the imminent nature of the threat to damage private property, the type of private property damage, and the preventive and nonlethal methods employed by the person prior to the damage event. Additional conditions defined by the department may also be important, depending on individual situations. Killing wildlife to address private property damage is subject to all other state and federal laws including, but not limited to, Titles 77 RCW and 232 WAC.

Wolves causing damage to commercial livestock may be killed only pursuant to paragraph 3 of this section.

(1) Killing wildlife causing damage to a commercial crop or commercial livestock.

(a) It is permissible to kill unclassified wildlife, predatory birds, and big game animals that are in the act of damaging commercial crops or livestock, under the following conditions:

(i) Predatory birds (defined in RCW 77.08.010(39)) and unclassified wildlife that are in the act of damaging commercial crops or livestock may be killed with the express permission of the owner at any time on private property, to protect commercial crops or livestock.

(ii) An owner with a valid, written damage prevention agreement with the department may kill an individual (one) big game animal while it is in the act of damaging commercial crops.

(iii) An individual (one) big game animal may be killed during the physical act of attacking livestock.

(iv) Multiple big game animals may be killed while they are in the act of damaging commercial crops or livestock if the owner is issued a kill permit by the department.

(v) A damage prevention agreement or kill permit must include: An approved checklist of the reasonable preventative and nonlethal means that must be employed prior to lethal removal; a description of the properties where lethal removal is allowed; the species and sex of the animal that may be killed; the terms of the agreement/permit; the dates when lethal removal is authorized; who may kill the animal(s); and other conditions developed within department procedural documents.

(b) It is unlawful to kill protected species (as defined in WAC 232-12-011) or endangered species (as defined in WAC 232-12-014) unless authorized by commission rule or with a permit from the department, with the following additional requirements:

(i) Federally listed threatened or endangered species will require federal permits or federal authority, in addition to a state permit.

(ii) All migratory birds are federally protected and may require a federal permit or federal authority, in addition to a state permit.

(2) Killing wildlife causing damage or killing wildlife to prevent private property damage.

(a) An individual (one) big game animal may be killed during the physical act of attacking livestock or pets.

(b) Predatory birds (as defined in RCW 77.08.010(39)), unclassified wildlife, and eastern gray squirrels may be killed with the express permission of the property owner at any time, to prevent private property damage on private real property.

(c) Subject to subsection (6) of this section, the following list of wildlife species may be killed with the express permission of the owner, when causing damage to private property: Raccoon, fox, bobcat, beaver, muskrat, mink, river otter, weasel, hare, and cottontail rabbits.

(d) The department may make agreements with landowners to prevent private property damage by wildlife. The agreements may include special hunting season permits such as: Landowner damage prevention permits, spring black bear hunting permits, permits issued through the landowner hunting permit program, kill permits, and Master Hunter permits.

(e) Landowners are encouraged to allow general season hunters during established hunting seasons on their property to help minimize damage potential and concerns.

(3) Killing wolves causing damage to commercial livestock to prevent damage to private property.

(a) With regard to wolves, the best solution for limiting livestock losses is the implementation of proactive deterrents such as fladry, hazing, radio-activated guard devices, electric fences, guarding and herding animals, and other measures to protect against wolf-livestock conflicts. In some instances, lethal control can preclude the recovery of wolf populations.

(b) WDFW shall endeavor to provide commercial livestock operators with training and assistance in the use of proactive, non-lethal management tools as determined by science and best management practices to avoid wolf-livestock conflicts. WDFW shall provide commercial livestock operators with information on wolf locations for the purposes of minimizing wolf-livestock conflicts.

(c) Consistent with federal law, a commercial livestock operator may utilize non-injurious harassment techniques to avoid wolf-livestock conflicts. Consistent with federal law, WDFW may issue a commercial livestock operator a permit to utilize non-lethal injurious harassment techniques to avoid wolf-livestock conflicts. If, during the time wolves are listed as a state endangered species, such techniques are used inappropriately, or if a wolf dies as a result of the use of non-lethal injurious harassment, WDFW may cancel such permits.

(d) Consistent with federal law, WDFW may use lethal control on a wolf on a case-by-case basis in response to chronic depredation if it is documented by WDFW that livestock have clearly been killed by wolves, but only if WDFW finds that non-lethal methods have been tried but failed to resolve the conflict, depredations are likely to continue, and there is no evidence of intentional feeding or the unnatural attraction of wolves.

(i) Chronic depredation for the purposes of this subsection is defined as six incidents of confirmed wolf depredations within four months by the same wolf or wolves.

(ii) The confirmed killing by wolves of more than one animal on a single occasion results in a single incident of depredation.

(e)(i) During the period that wolves are listed as a sensitive species, and consistent with federal law, WDFW may issue a permit to a landowner, or to a landowner's family members or authorized employees, to use lethal control on a wolf, on the landowner's land or public grazing allotment the landowner currently leases, on a case-by-case basis to reduce repeated depredations

if it is documented that livestock have been confirmed to have been killed by wolves, but only if WDFW finds that nonlethal methods have been tried but failed to resolve the conflict, depredations are likely to continue, and there is no evidence of intentional feeding or unnatural attraction of wolves.

(ii) Such a permit shall include: an approved checklist of the reasonable, preventative, and nonlethal means that must be employed prior to lethal removal and during the duration of the permit; a description of the properties where lethal removal is allowed; the sex of the animal that may be killed; the terms of the permit; the dates when lethal removal is authorized; who may kill the wolf described; and other conditions developed within department procedural documents.

(iii) Wolves killed under this provision must be reported to WDFW within 24 hours, with additional reasonable time allowed if there is limited access to the take site. The wolf carcass must be surrendered to WDFW, and preservation of physical evidence from the scene of the attack for inspection by WDFW is required.

(f) For the purposes of paragraphs (d) and (e) above, in order for WDFW to find that non-lethal methods have been tried but failed, the relevant landowner/producer where the depredations have occurred must have implemented the non-lethal measures recommended by the agency to reduce the conflict for at least seven days prior to a confirmed depredation.

(g) Whenever possible, lethal control shall be limited to solitary individuals or territorial pairs. Whenever possible, lethal control of a wolf from a reproductive pack shall not occur until pups are more than six months old, the packs contain six or more members (including three or more adults or yearlings), neighboring packs exist nearby, and the state population totals 75 or more wolves. Whenever possible, lethal control shall not occur around or between any core recovery areas that are identified, especially during the denning and pup rearing periods, from April to September.

(h) Wolves may not be intentionally baited, fed, or deliberately attracted for any purpose. WDFW shall investigate and recommend for prosecution all illegal killings of wolves

(4[3]) Wildlife control operators may assist property owners under the conditions of their permit, as established in WAC 232-36-060 and 232-36-065.

(5[4]) Tribal members may assist property owners under the conditions of valid co-management agreements between tribes and the department. Tribes must be in compliance with the agreements including, but not limited to, adhering to reporting requirements and harvest restrictions.

(6[5]) Hunting licenses and tags are not required to kill wildlife under this section, unless the killing is pursuant to subsections (2)(c) and (d) of this section. Tribal members operating under subsection (4) of this section are required to meet tribal hunting license, tag, and permit requirements.

(7[6]) Except as specifically provided in a permit from the department or a rule of the commission, people taking wildlife under this rule are subject to the laws and rules of the state including, but not limited to, those found in Titles 77 RCW and 220 and 232 WAC.

WAC 232-36-052

Killing wolves attacking livestock. The commission is authorized, pursuant to RCW 77.36.030, to establish the limitations and conditions on killing or trapping wildlife that is causing damage on private property. The department may authorize, pursuant to RCW 77.12.240 the killing of wildlife destroying or injuring property. Killing wildlife to address private property

damage is subject to all other state and federal laws including, but not limited to, Titles 77 RCW and 232 WAC.

(1) An owner of [domestic animals] commercial livestock, 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

(a) the wolf is attacking their [domestic animals] commercial livestock;

(b) there has been a prior confirmed depredation in the area and non-lethal efforts to resolve the problem have been deemed ineffective;

(c) there is no evidence that the wolves have been baited or unnaturally attracted to the area;

(d) the owner of commercial livestock has undergone prior training on use of caught-in-the-act authority; and

(e) the owner of commercial livestock has received from WDFW a permit to exercise caught-in-the-act authority.

([a]f) This section applies to the area of the state where the gray wolf is not listed as endangered or threatened under the federal endangered species act.

([b]g) Any wolf killed under this authority must be reported to the department within twenty-four hours and all physical evidence related to the event must be preserved for investigative purposes.

([c]h) The wolf carcass must be surrendered to the department.

(d) The owner of the [domestic animal] commercial livestock must grant or assist the department in gaining access to the property where the wolf was killed for the purposes of data collection or incident investigation.

(2) If the department finds that a private citizen killed a gray wolf that was not attacking a domestic animal, or that the killing was not consistent with this rule, then that person may be prosecuted for unlawful taking of endangered wildlife under RCW 77.15.120.

(3) In addition to the provisions of subsection (1) of this section, the director may authorize additional removals by permit under the authority of RCW 77.12.240.

(4) If this provision is used inappropriately, or if two wolf kills occur under this provision within one year, WDFW will investigate and decide whether to stop issuing new permits and/or withdraw existing permits.

Two new sections should be added.

WAC 232-36-053

WDFW Investigations of complaints of wolf depredation on commercial livestock.

Upon complaint by a commercial livestock operator of a possible attack by a wolf on that operator's livestock, WDFW shall conduct an investigation within 48 hours after receiving the complaint, led by personnel trained in depredation investigation techniques. After an investigation is completed, the complaint will be classified by WDFW under one of the following categories:

(1) Confirmed Wolf Depredation – There is reasonable physical evidence that the dead or injured animal was actually attacked or killed by a wolf. Primary confirmation would ordinarily

be the presence of bite marks and associated subcutaneous hemorrhaging and tissue damage, indicating that the attack occurred while the victim was alive, as opposed to simply feeding on an already dead animal. Spacing between canine tooth punctures, feeding pattern on the carcass, fresh tracks, scat, hairs rubbed off on fences or brush, or eyewitness accounts of the attack may help identify the specific species or individual animal responsible for the depredation. Predation might also be confirmed in the absence of bite marks and associated hemorrhaging (i.e., if much of the carcass has already been consumed by the predator or scavengers) if there is other physical evidence to confirm predation on the live animal. This might include evidence of an attack or struggle. There may also be nearby remains of other victims for which there is still sufficient evidence to confirm predation, allowing reasonable inference of confirmed predation on an animal that has been largely consumed.

(2) Probable Wolf Depredation – There is sufficient evidence to suggest that the cause of death was depredation, but not enough to clearly confirm that the depredation was caused by a wolf. A number of other factors will help in reaching a conclusion, such as (1) any recently confirmed predation by wolves in the same or nearby area, and (2) any evidence (e.g., telemetry monitoring data, sightings, howling, fresh tracks, etc.) to suggest that wolves may have been in the area when the depredation occurred. All of these factors and possibly others would be considered in the investigator’s best professional judgment.

(3) Confirmed Non-Wild Wolf Depredation – There is clear evidence that the depredation was caused by another species (coyote, black bear, cougar, bobcat, domestic dog), a wolf hybrid, or a pet wolf.

(4) Unconfirmed Depredation – Any depredation where the predator responsible cannot be determined.

(5) Non-Depredation – There is clear evidence that the animal died from or was injured by something other than a predator (e.g. disease, inclement weather, or poisonous plants). This determination may be made even in instances where the carcass was subsequently scavenged by wolves.

(6) Unconfirmed Cause of Death – There is no clear evidence as to what caused the death of the animal.

WAC 232-36-070

Translocation of wolves in lieu of lethal control and otherwise.

(1) Wolves may be translocated for the following reasons only:

(a) If genetic research determines that an isolated wolf population has reduced genetic diversity, wolves from another population or pack may be moved into the population to increase genetic diversity in an effort to increase population viability. This activity would be conducted solely to facilitate genetic exchange with other populations in the state.

(b) When one recovery region has exceeded its delisting requirements, as defined by the Washington Wolf Conservation and Management Plan, by at least one successful breeding pair, while another recovery region remains completely unoccupied by wolves, an evaluation of translocation efforts could begin. Wolves may only be translocated out of a recovery region if that region exceeds delisting objectives at the time of removal and removal would not cause the region's population to fall below its delisting objectives.

(c) Translocation can be used in lieu of lethal control to address commercial livestock losses on a case-by-case basis, but only if WDFW finds that efforts to utilize non-lethal means to resolve the problem have been ineffective.

(2) (a) Before translocation, a feasibility assessment shall be performed to determine if sufficient suitable habitat and prey are available to support wolves at potential translocation sites in the recipient region, and to ensure that removal of wolves from the source region would not cause it to fall below delisting objectives. If all of these conditions were met, an implementation plan shall be prepared, which would provide detailed information on translocation methods and the selection of one or more release sites.

(b) If a wolf is to be translocated per sections (1)(a) or (1)(b) above, the following requirements must also be met. A final proposed decision on translocation would include consideration of genetics in selecting the source population. Before a final decision on translocation is made, a public review process shall be conducted to evaluate the translocation proposal. If the proposed translocation site is on federal land, the review process shall be conducted under the National Environmental Policy Act (NEPA); if the proposed translocation site is on non-federal land, the State Environmental Policy Act (SEPA) process shall be used. A review process under NEPA for a proposed translocation on federal land may be conducted in advance of a specific need in order to proactively identify areas suitable for translocation. WDFW biologists shall coordinate with other land management agencies to determine a suitable location to release wolves.

Protocol for Lethal Removal of Gray Wolves in Washington During Recovery

The primary purpose of this document is to outline a process and provide guidance that supports the Wolf Conservation and Management Plan (Plan) and other actions (e.g. Livestock-Wolf Mitigation Measures Checklist) implemented through Washington Department of Fish and Wildlife (WDFW) when lethal removal of wolves may be necessary. This document is intended as advisement to WDFW. As stated in the Plan (pg. 85), non-lethal management techniques will be emphasized throughout the recovery period and beyond. Wolf-livestock conflicts will be managed using a range of options to prevent depredations as presented in the Wolf Conservation Management Plan (pgs. 85-87). The Operational Detail assumes non-lethal measures, as outlined in the Livestock-Wolf Mitigation Measures Checklist and/or the Damage Prevention Cooperative Agreement - Livestock, have been deployed where feasible before having to implement lethal measures. As a result of different geographic recovery areas and a variety of potential scenarios surrounding depredation events, the WDFW may apply different lethal and non-lethal strategies to deal with wolves that engage in depredation events. This document is intended solely as guidance and does not establish any mandatory requirements except where items may be referenced in statute or administrative code. These guidelines may be reviewed and revised as-needed by WDFW with partner scientists, researchers, and stakeholders.

Definitions and background information:

Per the Wolf Conservation and Management Plan (pg. 88) lethal removal may be used to stop repeated depredation when it is documented that livestock have been killed by wolves, non-lethal methods have been tried but failed to resolve conflict, depredations are likely to continue, and there is no evidence of intentional feeding or unnatural attraction of wolves by the livestock owner. Lethal control will be used as needed after case-specific evaluations are made, with use becoming less restrictive as wolves progress toward delisting (Wolf Conservation and Management Plan pg. 88). Situations will be evaluated on a case-specific basis, with management decisions based on pack history and size, pattern of depredations, conflict history, number of livestock killed, state listed status of wolves, extent of proactive management measures being used on the property, and other considerations.

Per the Wolf Conservation and Management Plan (pg. 80) lethal control may be necessary to resolve repeated wolf-livestock conflicts and is performed to remove offending animals. Both

the northern Rocky Mountain states and Great Lake states have used lethal control actions during wolf recovery (Wolf Conservation and Management Plan; pg. 80).

Repeated depredations, as stated within this document, means as at least 1 confirmed livestock kill plus 1 or more livestock injuries/kills by a pack of wolves or a lone wolf within the same calendar year.

Offending wolves: On property leased or controlled by the livestock owner where livestock are managed to avoid and reduce conflict, wolves or other members of a group or pack of wolves (including adults, young, and young-of-the-year) that have depredated on domestic livestock; that were directly involved in the depredations; or fed upon the livestock remains that were a result of wolf depredation; or were fed by or are dependent upon adults involved with depredations may be candidates for removal. (59 FR 60252, November 22, 1994).

Caught-in-the-act authority to lethally remove a specified number of wolves

Western Washington: Where wolves are under Federal jurisdiction

Currently, WDFW has no authority to take lethal action in the western two-thirds of Washington. However, should the USFWS grant authority to WDFW, a caught-in-the-act permit to lethally remove a specified number of wolves may be issued after a documented wolf depredation (injury or kill) on livestock in the area and efforts to avoid and resolve the problem through conflict avoidance measures identified in the Livestock-Wolf Mitigation Checklist have been deemed ineffective by WDFW staff.

Conditions to issue a caught-in-the-act permit will be considered on a case specific basis, as identified by responding WDFW staff (using tools such as the Livestock-Wolf Mitigation Checklist).

The Director makes the decision to issue a caught-in-the-act permit.

Eastern Washington: Where wolves are not under federal jurisdiction

A WDFW rule allows farmers, ranchers and other domestic animal owners, including their employees or agents, to kill one wolf if it is attacking their animals. The goal of the rule is to allow landowners to defend their domestic animals at the time of a wolf attack. The rule applies under the following conditions:

- The rule applies only in areas of Eastern Washington where the gray wolf is not listed as threatened or endangered under the federal Endangered Species Act. The gray wolf is

not federally listed in the eastern third of the state, designated in the state Wolf Conservation and Management Plan as the Eastern Washington Recovery Region.

- The rule allows the owner of a domestic animal to kill only one wolf, for the duration of the regulation. If the owner can make the case that subsequent attacks are likely, he or she will need a permit from the WDFW director to kill an additional wolf during an attack.
- The lethal removal must be reported to WDFW within 24 hours, and the wolf carcass must be turned over to the department.
- The owner of the domestic animal that was attacked must grant access or help the department gain access to the property where the wolf was killed to enable investigation and data collection.
- Anyone who kills a wolf that was not attacking a domestic animal as spelled out in the rule will be subject to criminal prosecution for the illegal taking of endangered wildlife.
- The Director may remove this rule by emergency action if two or more wolves are killed in a year under this authority.

Stipulations for lethal removal of wolves

Situations will be evaluated on a case-specific basis, with management decisions based on pack history and size, pattern of depredations, conflict history, number of livestock killed, state listed status of wolves, extent of proactive management measures being used on the property, and other considerations. Depending on this evaluation, the Department will consider lethally removing wolves when there have been at two to four separate (different days) depredations over a four month time period including at least one confirmed kill. The four month time period may be extended to six months where depredations have been deemed chronic or excessive by the department.

Prior to lethal action, the department must document that essential non-lethal measures consistent with the Livestock-Wolf Mitigation Checklist (and the Wolf Conservation and Management Plan (p. 88)) have been tried but failed to resolve the conflict, depredations are likely to continue, and there is no other evidence of intentional feeding or unnatural attraction of wolves by the livestock producer.

The objectives for lethal removal are to:

1. Quickly respond to repeated depredation events soon after they occur to attempt to target offending wolves.
2. Minimize the number of wolves killed as a result of depredations.

Strategy Actions for lethal removal of wolves by WDFW

The number of wolves targeted for lethal removal depends, in part, on the specific circumstance in the local area, and the foraging behavior of wolves and escalating dependency on livestock. In general, the approach for lethal removal will be to target problem wolves if known, no special age and sex consideration will be made except on a case by case basis and could include the following actions:

- Remove specific offending wolves – The removal of specific problem wolves may be used to keep repeated depredations from continuing by removing the wolf or wolves that have been attacking livestock. This approach would likely be used at the time of the first confirmed livestock kill when there is significant wolf-livestock spatial overlap and depredation history in the area. For example, if a dead calf is found that is partially consumed and it's a confirmed wolf kill, and it's an area with high wolf use and active livestock grazing, then the Department may set a trap to capture and kill the offending - wolf or wolves.
- Remove multiple offending wolves – If repeated wolf depredations have developed, the removal of multiple pack members involved in depredation may be used when the removal of a single wolf has not deterred the depredations or there is evidence to suggest multiple wolves are involved in depredations.
- Remove all offending wolves or entire pack – Removal of all problem wolves or an entire pack may be used when depredation events continue despite previous non-lethal measures used or lethal removals or attempts.

Lethal removals will likely be incremental, meaning the process includes removing or attempting to remove offending wolves and/or multiple pack members prior to pack removal.

Lethal removal process

1. Decision process – Regional Wildlife Program Managers and/or the Conflict Section Manager are jointly responsible for notifying the Regional Director when a depredation situation may warrant lethal removal of wolves. The recommendation shall include

documentation (such as Livestock-Wolf Mitigation Measures Checklist) demonstrating that all of the stipulations required to justify lethal action have been met, a recommendation for the number of wolves to remove, the start date, methods, staffing, geographical area, and other operational details. The situation will be discussed with senior staff and section managers (including Game Division Manager, Wildlife Program Assistant Director, Carnivore Section Manager, and Conflict Section Manager). The Director makes the decision to lethally remove wolves.

2. Communication on the lethal decision notice
 - a. Follow supervisor-employee “chain of command” for communicating on decisions for lethal removals.
 - b. Decisions for lethal removals will also be discussed during Wildlife Program senior staff weekly meetings and Olympia-Regional bi-weekly conference calls.
3. Methods – The preferred option is to complete the removal from the ground or air using marksmen or by trapping. Other humane options may be considered on a case-by-case basis.
4. Staffing – Once the determination for lethal removal is made by the Director, senior staff will decide if WDFW or USDA Wildlife Services will implement a removal. For removals implemented by WDFW, the core team to carry out the removal includes regional wildlife biologists and enforcement staff, conflict specialists, and carnivore biologists.
 - a. Each region has a list of staff available for control operations
 - b. A Team Leader will be identified (by the Regional Wildlife Program Manager) and supervise day-to-day field activities
5. Field oversight – For removals implemented by WDFW staff or USDA Wildlife Services, oversight for field operations will be through the Regional Wildlife Program Manager and Enforcement Captain, in coordination with Game Division.
6. Duration – The objective for any removal process (conducted by WDFW or Wildlife Services) is to have the removal completed within a short time period. Because the removal process can be incremental, there may be multiple strategies or incremental events employed in the identified geographic area depending upon the response of wolves remaining in an area after the initial strategy action is implemented. WDFW will

use its discretion to determine the duration of time needed to effectively resolve depredation problems. Generally the objective for each strategy or incremental event is to have the removal completed within 7-15 days for first time depredation areas days; efforts may extend beyond 15 days if necessary depending upon effectiveness of initial actions

7. Media – Updates will be provided to the public. WDFW does not intend to develop news releases for every action or depredation.

Kill Permit

Consistent with the Plan (pg. 86), kill permits may be issued to landowners on a case by case basis when department lethal removal strategies have not reached the target objective. The goal of issuing a kill permit would be to reduce the risk of depredation in areas where previous depredations have been verified. A few example scenarios include: 1) unsuccessful department trapping attempts lasting beyond a reasonable time frame, 2) one or more wolves have been removed but some remain that are identified for removal, 3) one or more wolves have been removed but it is unknown if others remain in the area, therefore a landowner is issued a kill permit in the event a wolf returns and the landowner has livestock at risk of depredation, 4) depredation history within the area indicates proactive control would reduce the risk of depredations by lowering the abundance of wolves involved in these depredations.

A kill permit can only be issued with prior Director approval. The following stipulations will be outlined on a case by case basis for each permit, duration of permit, number of wolves, and method of take. All wolves killed or injured under the kill permit must be reported to WDFW within 24 hours of the incident. No wolves may be transported dead or alive to other locations. All wolves killed under the permit shall be turned over to WDFW. WDFW may add additional conditions to permits as necessary.



Washington Department of Fish and Wildlife

Staff Guidelines: LIVESTOCK-WOLF MITIGATION

MEASURES

This checklist contains examples of proactive measures that are recommended for use by livestock operators to help avoid or reduce conflicts between livestock and wolves when practical and applicable. Identified within the checklist are measures that can be implemented to meet the requirements to enact non-lethal measures provided by state law (chapter 77) and WDFW regulations (WAC 232-36). The measures identified as essential are the minimum baseline measures that should be implemented if feasible prior to consideration for compensation or lethal management options. Identification of such measures through this checklist does not guarantee either compensation claims or that requests for lethal control measures will be granted. Effective implementation at the time of the conflict must be verified by WDFW.

SANITATION		Compensation or Control Actions
<input type="checkbox"/>	Remove or manage livestock carcasses from lambing or calving areas and from cooperators' lands when they are discovered (includes burying, burning, or composting consistent with state law and county or city ordinances).	Essential action
<input type="checkbox"/>	Install predator-proof fencing around a bone yard.	Essential action where applicable
<input type="checkbox"/>	In areas where available, contact WDFW when livestock carcasses are discovered so that they can be removed or protected from wolves.	Essential action where applicable
<p><i>Rationale: It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i></p>		
SICK AND INJURED LIVESTOCK		Compensation or Control Actions
<input type="checkbox"/>	Remove or treat non-ambulatory (sick or injured) livestock from unsafe pastures in areas where wolves are present (when feasible).	Essential action
<p><i>Rationale: It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i></p>		

CALVING AND LAMBING AREAS		Compensation or Control Actions
<input type="checkbox"/>	Traditional calving or lambing areas are away from areas occupied by wolves (if known at the time this checklist is dated). (if this box is checked the next two boxes are not applicable; if this box is not checked then one or two of the next boxes must be checked)	Essential
<input type="checkbox"/>	In the event that there is known wolf activity in the vicinity of a producer's calving or lambing areas then use protective fencing or fladry around calving or lambing areas when deemed necessary by WDFW.	1 or more action(s) is Essential
<input type="checkbox"/>	Use lambing sheds during and immediately after lambing.	1 or more action(s) is Essential
Rationale: <i>It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i>		
TURNOUT		Compensation or Control Actions
<input type="checkbox"/>	Other techniques for managing risks of wolves being attracted to young calves on private lands (explain in Rationale box below).	1 or more action(s) is Essential
<input type="checkbox"/>	Turnout of calves onto forested/upland grazing allotments until calving is finished.	1 or more action(s) is Essential
<input type="checkbox"/>	Turnout of calves onto forested/upland grazing pastures or allotments once calves are larger (e.g., 200 lbs).	1 or more action(s) is Essential
<input type="checkbox"/>	Delay the turnout of livestock onto forested/upland grazing pastures or allotments until June 10th when wild ungulates are born.	1 or more action(s) is Essential
Rationale: <i>It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i>		
RANGE RIDERS AND SHEPHERDS		Compensation or Control Actions
<input type="checkbox"/>	Use herders with dogs at night to protect sheep.	Recommended where applicable

<input type="checkbox"/>	Use guarding animals (dogs, llamas, donkeys, etc.) to alert herders and protect livestock.	Recommended where applicable
<input type="checkbox"/>	Manage grazing livestock near the core areas (dens, rendezvous sites) of wolf territories to minimize wolf-livestock interactions. Tools that may help achieve this include placing watering sites, mineral blocks, and supplemental feed away from wolf core areas. If available, it may also include temporarily switching grazing sites and moving livestock to another location.	Recommended
<input type="checkbox"/>	Use Range Riders to Increase the frequency of human presence checking livestock in areas with wolves or when wolves are in the vicinity of livestock pastures. Range riders can be used to keep cattle distributed throughout pastures (as appropriate) and away from wolves while working to distribute grazing and improve forage utilization.	Recommended
<input type="checkbox"/>	Increase the frequency of human presence checking livestock in areas with wolves or when wolves are in the vicinity of livestock pastures.	Recommended
<p><i>Rationale: It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i></p>		
<p>HAZING PRACTICES conditioned on known wolf packs and presence; pick one</p>		<p>Compensation or Control Actions</p>
<input type="checkbox"/>	Install light and noise scare devices to frighten wolves away from livestock and to alert ranchers or herders to the presence of wolves. These devices include propane cannons, light systems, and radio-activated guard (RAG) systems that emit flashing lights and loud sounds at the approach of radio-collared wolves.	Recommended
<input type="checkbox"/>	Haze wolves with non-lethal munitions (screamer rounds, shots from firearms, etc.) if encountered to frighten them away from livestock.	Essential
<input type="checkbox"/>	Coordinate with WDFW to expand hazing once a depredation event occurs.	Recommended
<p><i>Rationale: It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i></p>		

FENCING		Compensation or Control Actions
<input type="checkbox"/>	Use predator-resistant or electric fencing as a permanent barrier to keep wolves away.	Recommended where applicable
<input type="checkbox"/>	Use predator-resistant or electric fencing as a temporary barrier to confine sheep or goats and keep wolves away. Portable fencing can be effective as night pens under open grazing conditions.	Recommended where applicable
<input type="checkbox"/>	Fladry (strips of cloth hung along a fence or rope) or electrified fladry (“turbofladry”; strips of flagging hung from an electrified wire) around livestock can be used as a temporary deterrent to wolves.	Recommended where applicable
<input type="checkbox"/>	Use bio-fencing in coordination with WDFW study or research project.	Recommended where applicable
<p><i>Rationale: It is important to include rationale outlining the action the landowner will take and any limitations to their effort.</i></p>		
OTHER TECHNIQUES (as needed)		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		

Use the log below to clearly document the preventative actions the livestock operator has taken to minimize wolf-livestock conflict.

Name of the ranch: _____

Log of Site Visits by WDFW		
Date:	Measures Reviewed:	Comments:

DEFINITIONS:

Essential action is considered a required action with greater importance and emphasis than a recommended action. Therefore, essential actions will weigh more heavily by WDFW than recommended actions in the decision process for agency authorized lethal removal. Producers may be eligible filing a claim regardless of implementation of practices.