

Wolf Advisory Committee Meeting

February 28, 2019

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COMMISSION POSITION STATEMENT: Wolves in Washington

April 13, 2012

Background and Context

The purpose of this position statement is to provide some background context for Washington Fish and Wildlife Commission (Commission) guidelines and objectives relative to management of wolves in Washington. The purpose is to establish strategic direction for the Washington Department of Fish and Wildlife (Department) as it works to implement the recently adopted Wolf Conservation and Management Plan (Wolf Recovery Plan).

This position statement defines guidelines and objectives for executing the Department's responsibilities and guiding the development of a post-delisting management plan. It also identifies unresolved issues of concern to the Commission

Nothing in this position statement is intended to conflict with the Wolf Conservation and Management Plan for Washington, adopted on December 3, 2011.

The Future of Wolves in Washington

Following re-introduction releases in Yellowstone National Park and Idaho within the Northern Rocky Mountain Distinct Population Segment (DPS) in the early 1990s, wolf populations expanded rapidly, demonstrating the species' resilience and adaptability. Wolf populations continue to grow throughout the West. Natural wolf re-colonization is now occurring in Washington.

Experts disagree on the question of how well wolves will fare in Washington. With the smallest land base, the second highest human population among the western states, large gaps between expanses of suitable habitat, and a smaller prey base, wolf populations may not expand as quickly in Washington as they have in the Rocky Mountain States. Conversely, wolves are resilient and adaptable animals with high fecundity and population growth potential and they may expand exceedingly well.

There are many unanswered questions about wolves in Washington and how we should best accommodate this new addition to the landscape. It is vital that we accurately monitor their progress, understand their impacts, and carefully track wolf populations in our State.

With this in mind, the Department must respond to the "reality" on the ground no matter what happens here. Regardless of the rate of recovery, wolf population monitoring and responding

rapidly to incidents of human conflict, unacceptable impacts on ungulates, and livestock depredations are high priorities for the Commission and the Department.

Long-term Management of Wolves in Washington

Priority Assigned this Management Challenge

This position statement establishes guidelines and principles for the implementation of the Department's responsibilities during the downlisting, delisting and post-delisting stages of wolf management. To succeed, both the Commission and the Department must engage in active, assertive, and responsive management of wolves.

Years of budget cuts have left the Department with fewer available resources, so the challenges of managing wolves arrive at a difficult time. But in light of the overriding importance of actively managing wolf recovery, sufficient support must be dedicated to wolf management activities, including: population monitoring; research; response to reports and conflicts; management of ungulates; outreach and education; and law enforcement.

The Director and the Commission will communicate frequently to ensure timely and accurate review of Department actions to manage wolf populations through the delisting process and beyond.

Plan Secures Recovery

The Wolf Recovery Plan passed by the Commission in December 2011 satisfies delisting criteria incorporated in WAC 232-12-297. It establishes recovery objectives for down listing and delisting of the species and relies on the best available science.

Population persistence analyses conducted by the Department indicated that the recovery objectives in the Plan should assure Washington's wolf populations will become healthy, genetically diverse, and persistent.

Social Tolerance must be Secured

While the biological foundation of the Plan is critical to its success, so also is social tolerance. Rural communities located in "wolf country" have higher levels of anxiety about wolf recovery than do those who live outside wolf habitat. They fear dramatic changes in their way of life, their livelihoods, and their sense of security. Without effective management of wolf impacts, social tolerance in rural areas will decline, respect for the law and the Department may suffer, and wolves may be killed illegally.

A major focus by the Department must be on building and maintaining positive and effective working relationships with rural communities, livestock producers, hunters, and other stakeholders. Positive relationships will not be possible unless the Department communicates regularly with local producers to inform them about nearby wolf populations. Through regular contact with stakeholders and a commitment to respond to their concerns, the Department can build credibility for the program and public respect for the law.

Support Recovery and Ongoing Management

Recovery of wolf populations in our state, as in many states in the U.S. Midwest and Rocky Mountain regions, has triggered a contentious political debate. Few other delisting processes have generated such strongly divided attitudes. As with most complicated natural resource management issues, decisions cannot be made solely on the basis of over-simplified opinion polls. Still, the views and opinions of the people matter.

In a 2009 survey of Washington State residents, Colorado State University found broad public acceptance (74.5%) for natural wolf re-colonization. Many residents respect wolves for their cultural value, intelligence, hunting ability, devotion to other pack members, and ecological role. Public testimony indicated that tourism aimed at seeing or hearing wolves in the wild will be of interest to numerous citizens and may generate economic benefits. The public expects the Department to be responsive to their viewpoints and to promote positive wolf-related interactions and wolf-related benefits such as the opportunity to personally observe, photograph or study wolves in the wild.

The survey also found that 69.8% accepted limits on wolves if they cause declines in deer and elk; 65.7% accepted lethal removal of wolves if they are causing loss of livestock; and 63.5% accepted hunting of wolves once they have reached recovery levels. In Washington, support is broad for both wolf recovery and for active management of wolves and their impacts.

Wolves are Not Like Other Listed Species

Wolves are not like other listed species in Washington. In most cases, listed species have declined due to habitat loss or excess exploitation. In contrast, by the 1930s, wolves were intentionally extirpated to reduce their impacts to livestock. Unlike many other listed species that may require habitat protections in addition to “take” restrictions, wolves are resilient and prolific generalists that can thrive in many suitable habitat types, assuming sufficient prey, and social tolerance. No other listed species presents the potential for direct and significant predation on livestock and ungulate populations that wolves do. Few other listed species cause concerns for public safety. Because of these differences, intentional translocation of wolves is more controversial and socially divisive than natural recolonization. Use of translocation into areas without wolves as a means to accelerate dispersal will only be used consistent with

provisions of state and federal laws and regulations. Included among those requirements are those pertaining to adequate notice and opportunities for comment by affected communities. The Department will convey to the relevant federal agencies our interest in notification prior to federal decisions to move wolves from one area of federal land within our state to other areas under federal ownership within our state.

Impacts on Ungulates

As wolves increase in number, their impacts on prey populations will also grow in certain areas. Where prey species were overabundant as was the case in Yellowstone National Park, the presence of wolves has been beneficial to vegetation and other species. Where prey populations are less abundant, the impact of wolves on ecosystem health may not be so clear.

Of Washington's 10 elk herds, three are meeting population objectives, three are below their population objectives, and two do not have set objectives as yet. Only two herds currently exceed objectives. Hunting opportunity has long been closely regulated to achieve herd objectives.

The Commission recognizes the importance of the hunting tradition. The North American Model of Wildlife Conservation founded in the 1800s has provided a durable approach to securing adequate funding for wildlife management and conservation. Under this model, hunting license sales provide revenues for management and hunters supply a low cost and efficient means to manage wildlife populations. The Commission is concerned with potential future impacts of wolves on ungulate populations (deer, elk and moose), resulting impacts on hunting opportunity, and the continued viability of the North American Model in our state.

The Commission has directed the Department to actively engage in wolf management. This should include: monitoring of wolf re-colonization rates, population size, pack/breeding pair locations, rapid responses to wolf problems, research, monitoring wolf impacts on ungulate population abundance and demographics. Actions to maintain or improve ungulate populations to prevent a significant decline must also be a high priority.

Impacts on Livestock Production

Wolves pose a significant concern to livestock producers. Recent experience shows that while the overall impact may not be significant on the industry as whole, individual producers can experience very large losses and management difficulties. Economic losses are not restricted to direct mortality, they also include more difficult to quantify effects of stress including lower than expected weight gain and lower calf production. Some livestock owners fear that the

Department cannot be relied upon to respond promptly with effective tools, no matter what assurances are included in the Wolf Recovery Plan.

To establish credibility and build social tolerance, the Department must assertively use all management tools available. When the Department lacks capacity to effectively respond directly, it must enable livestock producers to rapidly utilize appropriate tools as outlined in the Plan, consistent with state and federal laws.

Practical, effective options for livestock owners must be promptly offered. Consistent with federal and state law, the options must offer reasonable and effective ways for livestock producers to protect their property. When a Department-issued permit is required, processing and issuance of the permit must be timely, efficient and offer enough flexibility to address a variety of situations.

Begin Development of a Post Delisting Management Plan

The Wolf Recovery Plan establishes the management direction for recovering wolf populations in Washington State. Once recovery objectives are achieved, certain state protections will no longer be necessary.

With the recovery plan in place, it is now a priority for the department to begin development of a long term management plan to assure that recovered wolf populations do not cause undue harm to livestock interests, prey populations, and public safety while at the same time ensuring wolf population levels remain above recovery objectives.

The Commission directs the Department to take initial steps towards development of a statewide population management plan for wolves. At a minimum, the long term management plan must secure the health and persistence of wolves on the landscape above a level that would warrant its classification as threatened or endangered. The management plan must also adopt an approach that integrates wolves into a framework of holistic wildlife conservation that secures the health and stability of prey populations. The Commission will take an active role in the initial scoping process and throughout the development of the post-delisting management plan for wolves.

Secure Management Authority for the State

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.

Guidelines:

The Director will be responsible for wolf recovery and management decisions based on the following guiding principles:

- *Act in a manner that secures and maintains authority for the State of Washington to manage wolves;*
- *Maintain a viable and connected wolf population in a manner that minimizes the risk that the species will require protections through relisting under state or federal law;*
- *Prioritize agency budgets and staff resources to support wolf management and human conflict reduction;*
- *Take measures to assure that observations, reports of dangerous encounters, depredations, or other conflicts are reported, responded to and documented in an effective reporting system;*
- *Establish protocols for addressing “chronic problem wolves” and act assertively to reduce human-wolf conflicts in order to promote tolerance and respect for the law;*
- *Maintain timely, positive and effective working relationships with rural communities, livestock producers, hunters, conservation organizations, and other stakeholders;*
- *Actively engage in research and management aimed at reducing wolf impacts on livestock, including providing prompt, practical and effective options for impacted livestock owners;*
- *Actively engage in research and management aimed at reducing wolf impacts on big game populations;*

- *Place a very high priority on maintenance of sustainable hunter opportunity including: meaningful efforts to increase broad public understanding of the North American Model of Wildlife Conservation;*
- *Pursue public acceptance of sustainable ungulate and wolf harvest as a necessary part of managing wildlife and the ecosystems they depend upon; and.*
- *Embrace an adaptive approach to wolf recovery, management, and associated public communications.*

Ongoing Concerns

The Commission recognizes that wolf recovery poses unique challenges to the Department during a time when resources are diminishing. The Commission will continue to closely oversee the implementation of the Wolf Recovery Plan as progress is made towards delisting. If facts on the ground indicate that the Wolf Recovery Plan is not achieving its key objectives, the Commission will revisit its approach.

As more information becomes available, the Commission will review the following issues of concern:

- Effectiveness of wolf population monitoring;
- Effectiveness in addressing and management of wolf related impacts to ungulate populations;
- Effectiveness in managing ungulate populations for public recreation opportunities;
- Effectiveness of responses to human and livestock conflicts;
- Regional abundance and distribution of wolves; and
- Establishment of post-delisting management objectives.

Fish and Wildlife Commission – Wolf Policy Touchpoints (Feb. 28, 2019)

There are several wolf management planning activities to address policy-level management decisions that are ongoing or will begin within the next year, all of which will provide opportunities for engagement, direction, and potential decision making by the Commission. The purpose of this document is to describe opportunities for the Commission to engage in all of those activities through established Commission processes and to explore additional opportunities for increased engagement, if desired. While these are described as separate actions, we are attempting to align the process to the extent possible for efficiency.

As background, the Commission developed a wolf position statement in April of 2012 (<https://wdfw.wa.gov/commission/>) shortly after adopting the Wolf Conservation and Management Plan in December of 2011 (https://wdfw.wa.gov/conservation/gray_wolf/mgmt_plan.html). The Washington Department of Fish and Wildlife (WDFW) conducts wolf management consistent with that wolf plan, the Commission position statement, and the non-binding 2017 Wolf-livestock interactions protocol. In addition to the public input process associated with the Fish and Wildlife Commission, the Wolf Advisory Group (WAG; <https://wdfw.wa.gov/about/advisory/wag/>) also provides recommendations to the Director on wolf policies.

Wolf Management Activities Involving Policy and the Commission/Public Process include:

1. Periodic Status Review (PSR) for wolf and associated State Environmental Policy Act (SEPA) review

The Department filed a CR101 on October 1, 2018 announcing the initiation of the Periodic Status Review (PSR) process. Section 10.1.1 of WAC 232-12-297 requires the department to provide a one year notice to interested parties of the pending review, meaning the earliest a PSR can be completed for wolf will be on October 1, 2019. The department will begin to develop the PSR report in conjunction with the annual wolf status report that is typically released in March. The development of the PSR includes a public engagement process that involves review of the draft report and status recommendation and interaction with the Commission regarding the species' status.

Draft timeline:

- October 1, 2018: Filed CR101 giving public a 1-year notice of evaluation for consideration of change in listing status.
- December, 2018: Reminder notice of PSR effort via web-based wolf update.
- March, 2019: WDFW completes surveys, compiles data, and generates annual report
- Present annual report to the Fish and Wildlife Commission during April meeting.
- March-June, 2019: Draft PSR document.
- June, 2019: Internal review of PSR and Commission check-in.
- July, 2019: Release draft PSR for public review following the SEPA process.
- September, 2019: Present final PSR and status recommendation to Commission; file CR102 for proposed rule change if a status change is recommended.

- October-December, 2019: Public hearing and potential Commission decision.
- June or December 2020: potential decision deadline from HB 2097.

2. Wolf Translocation Environmental Impact Statement (SEPA)

The state legislature provided funding for the department to implement Engrossed Substitute House Bill 2771 (Wolves/translocation), including conducting an Environmental Impact Statement through a SEPA process for the translocation of wolves. We received \$183,000, effective July 1, 2018 - June 30, 2019. The EIS is due in December, 2019. However, there is potential for the deadline to shift as a result of the current legislative session.

Draft Timeline:

- July 1, 2018: Funds available for use.
- September/October: Recruitment and hiring process for project manager.
- November 2018: Initiate SEPA process.
- December-August: SEPA process associated with scoping, data analysis, develop alternatives, public input, and Commission check-in.
- September, 2019: Present draft EIS to Commission.
- November, 2019: Present final EIS to Commission.
- December, 2019: Final EIS due per proviso language.
- Final EIS deadline may be extended to June, 2020.

3. Post Delisting Wolf Conservation and Management Plan (SEPA)

The wolf population in Washington continues to grow at an average annual rate of approximately 30% and may meet the existing State de-listing criteria for successful breeding pairs within the next 3-5 years through natural dispersal, but there is also a requirement for those numbers to be maintained for three consecutive years unless there are a total of 18 successful breeding pairs distributed across all recovery zones. The timeline for meeting those recovery objectives is dynamic, and recovery could occur sooner through translocation efforts that establish breeding pairs in all recovery zones at a faster rate than what would occur through natural dispersion (Item 2 above). Regardless of the timeline or mechanism, WDFW should have a Post-delisting Wolf Conservation and Management Plan completed prior to delisting so that both the public and the department understand how wolves will be managed in the state once they are no longer state listed.

We anticipate the development of a Post-Delisting Conservation and Management Plan will take 3-4 years and have therefore initiated discussions with the WAG and the Commission regarding how that will occur. During those discussions, we have identified a need to understand and describe the role of the Commission in all policy-related wolf management decisions and specifically during the development of a Post-Delisting Management Plan.

One of the Wildlife Program's initiatives for the current biennium is to "Develop a wolf conservation and management plan for when wolves are successfully recovered" (Appendix

A). This initiative describes a series of milestones that attempt to describe a timeline once the planning process has been initiated.

The Commission may wish to provide guidance to the Department regarding the policy-level issues likely to be addressed during the development of the post-delisting plan and may also identify when and how they wish to be engaged in the process as a plan develops. Plan development will follow SEPA, and significant public and Commission engagement is expected.

Draft Timeline:

- July, 2018: WAG meeting evaluating plan development options and timeline.
- August 10, 2018: Commission presentation seeking input on how to engage.
- December, 2018: Wildlife Committee review of this document; consideration of taking information to full Commission for their review and possible decision regarding engagement plan.
- January, 2019: Commission presentation on wolf policy engagement opportunities.
- January-February: Initiate plan development and SEPA process.

4. Grazing on Wildlife Areas

WDFW utilizes grazing on our Wildlife Areas to help achieve fish and wildlife management and recreational objectives and to promote healthy working lands economies. Operators who acquire a grazing lease on department lands often undertake a greater set of expectations related to herd management and tolerance for public recreation on the allotment. Grazing on Department Lands is governed under Fish and Wildlife Commission Policy (C-6003).

As Washington's wolf population recolonizes the state, WDFW grazing lease operations will need to adapt to the changing landscape.

5. Amendments to Existing Wolf Conservation and Management Plan (SEPA)

The department is evaluating some categories of activities contemplated in the existing plan that may benefit from additional analysis and supplemental SEPA work, including: updating science and ecology information on wolves; assessing environmental and societal impacts of actions; and consideration of additional methods to mitigate depredation and chronic depredation.

6. 2012 Commission Position Statement

Review of, and eventually amendments to the existing 2012 Commission position statement, on wolves in Washington should be considered.

7. Additional avenues for Commission Engagement

- Include status reports for all of the above items on every Wildlife Committee agenda.
- Consider developing a rotation of Commissioners to attend WAG meetings.

2019 Wolf Periodic Status Review EIS

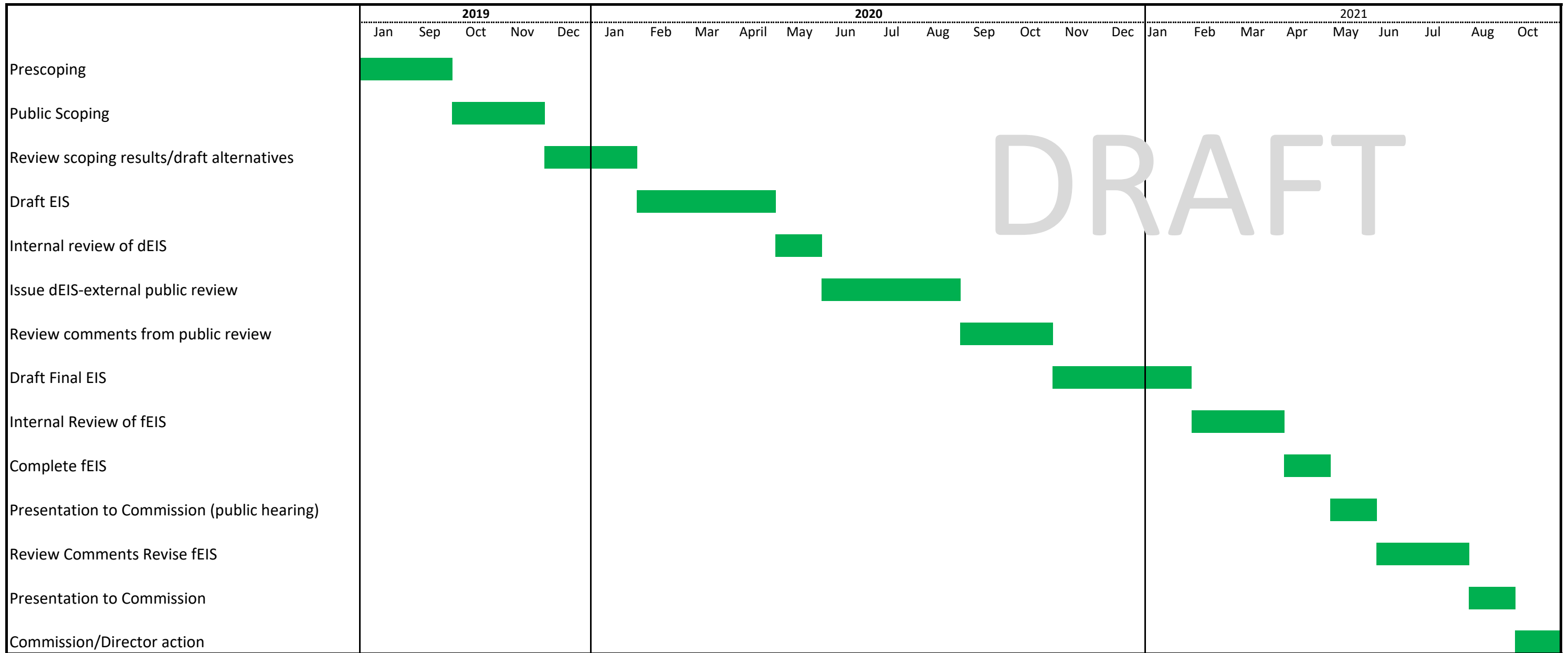
Task	Task/Activity	Start Date	End Date	Lead	Support
1	Draft Annual Wolf Report for 2019	January	March 31	Steph Simek and Ben Maletzke	Trent, Gabe, Region Staff
2	Conduct winter flights	January	March 1	Ben Maletzke	Trent, Gabe, District Biologists and Conflict Specialists
3	Assemble track counts and sightings from WDFW staff	January	February	Ben Maletzke	WDFW field staff, Tribes, USFS
4	Assemble depredation information from WDFW staff	January	February	Ben Maletzke	WDFW Conflict Specialists and Enforcement Officers
5	Draft Report	January	March 1	Ben Maletzke	Steph Simek, Trent, Gabe
6	Including an addendum of the lethal actions for the previous year	February 1	February 28	Ben Maletzke	Dan, Julia, Trent, Ben Steph & Cole
7	Edit Report	March 1	March 6	Steph Simek Dan Brinson	Donny Martorello Cole
8	Review by WDFW & Tribal staff	March 7	March 11	Ben Maletzke	Steph Simek Public Affairs
9	Finalize Report	March 12	March 12	Ben Maletzke, Steph Simek	Donny Martorello, Public Affairs
10	Develop Presentation to Commission	March 1	March 12	Ben Maletzke	Steph Simek Dan Brinson
11	Preview Report and PPT w/Wildlife AD Eric	March 13	March 13	Ben Maletzke	Steph Simek & Donny Martorello
12	Submit final report and materials to F&W Commission	March 22	March 22	Steph Simek	Ben Maletzke
13	Make Presentation to Fish and Wildlife Commission	April 5	April 5	Ben Maletzke & Dan Brinson	Steph Simek & Donny Martorello
14	Initiate Writing Periodic Status	February 4	April 8	Ben Maletzke	Steph Simek

	Review using Diversity Division's format & process				
15	PSR and modeling discussion with internal & external stakeholders	April 16	April 30	Steph Simek	Donny, Ben, Julia, RD's, Mick, Jim
16	Develop talking points and record forms for lead's:	April 8	April 15	Donny Martorello & Stephanie	Dan, Ben
17	1. Commission, Director, AD, EMT	March 1	March 31	Donny Martorello	
18	2. WIG	April 16	April 30	Mick Cope	
19	3. WAG Meeting	April 16	April 30	Steph Simek	
20	4. Wildlife Diversity Council	April 16	April 30	Taylor	
21	5. County Commissioners	April 16	April 30	Steve Pozzanghera	All RD's
22	6. Key Legislators	April 16	April 30	Donny Martorello	
23	7. Wildlife Diversity Division	April 16	April 30	Steph Simek	
24	8. Science Division	April 16	April 30	Steph Simek	
25	9. EMT & Senior Staff	April 16	April 30	Donny Martorello	
26	10. Interagency Committee	April 16	April 30	Steph Simek	Dan Brinson
27	11. Tribes: Spokane, Colville, Yakama, Fish Commission, Others	April 16	April 30	Jim Brown	All RD's
28	Leads provide a detailed summary of discussions with stakeholders to Donny	May 16	May 16	Donny Martorello	Stephanie
29	Develop a survey monkey to help conduct the public scoping for SEPA	April 16	April 30	Steph Simek	Julia Smith
30	Update wolf population model with Washington data	April 16	May 30	Ben Maletzke & Science Division? Or Contractor	

31	Send out a (SEPA) scoping notice for the PSR	May 1	May31	Lisa Wood	Steph Simek
32	Develop priority scenarios using stakeholders input	April 16	May 31	Donny Martorello	Ben, Steph, etc
33	Develop draft PSR EIS using stakeholders input	May 16	June 30	Ben Maletzke and/or Diversity Staff?	Steph & Donny
34	Develop and run scenarios through updated model	June 1	June 24	Ben Maletzke or Contract Out	Science Staff, Steph Simek & Donny Martorello
35	Provide Update to the Director, AD, EMT and Commission's Wolf Committee on the Status of PSR EIS & listing recommendation	June 24	July 3	Steph Simek	
36	Develop final draft PSR EIS with listing recommendation	July 3	July 12	Ben Maletzke or Contract this out???	
37	Internal review of final draft PSR: District Bios; RPMs, RD's; Senior Staff; other interested WDFW staff	July 13	July 19	Ben Maletzke Steph	
38	Incorporate Comments into final draft	July 20	July 31	Ben Maletzke Steph	
39	Public review of draft PSR EIS	Aug 1	Oct 31	Steph Simek	
40	Solicit peer review of population model outcomes and PSR recommendations	September 1	September 30	Steph, Ben Maletzke & Jerry Nelson	Stephanie
41	Complete final PSR EIS using public comments, peer review, and stakeholder discussions	October 16	November 11	Ben Maletzke Steph Simek	Steph & Donny

42	Conduct internal and external stakeholder interviews re: final PSR recommendation				
43	Send PSR EIS to public for comment leading to Commission Mtg	November 12	November 30	Steph Simek	Donny
44	Presentation to the F & W Commission	December 13	December 13	Steph Simek Ben Maletzke	Donny
45	Commission/Director Decision on EIS	January 2020	January 2020	Steph Simek	Donny

DRAFT SEPA timeline for post delisting Wolf Conservation and Management Plan

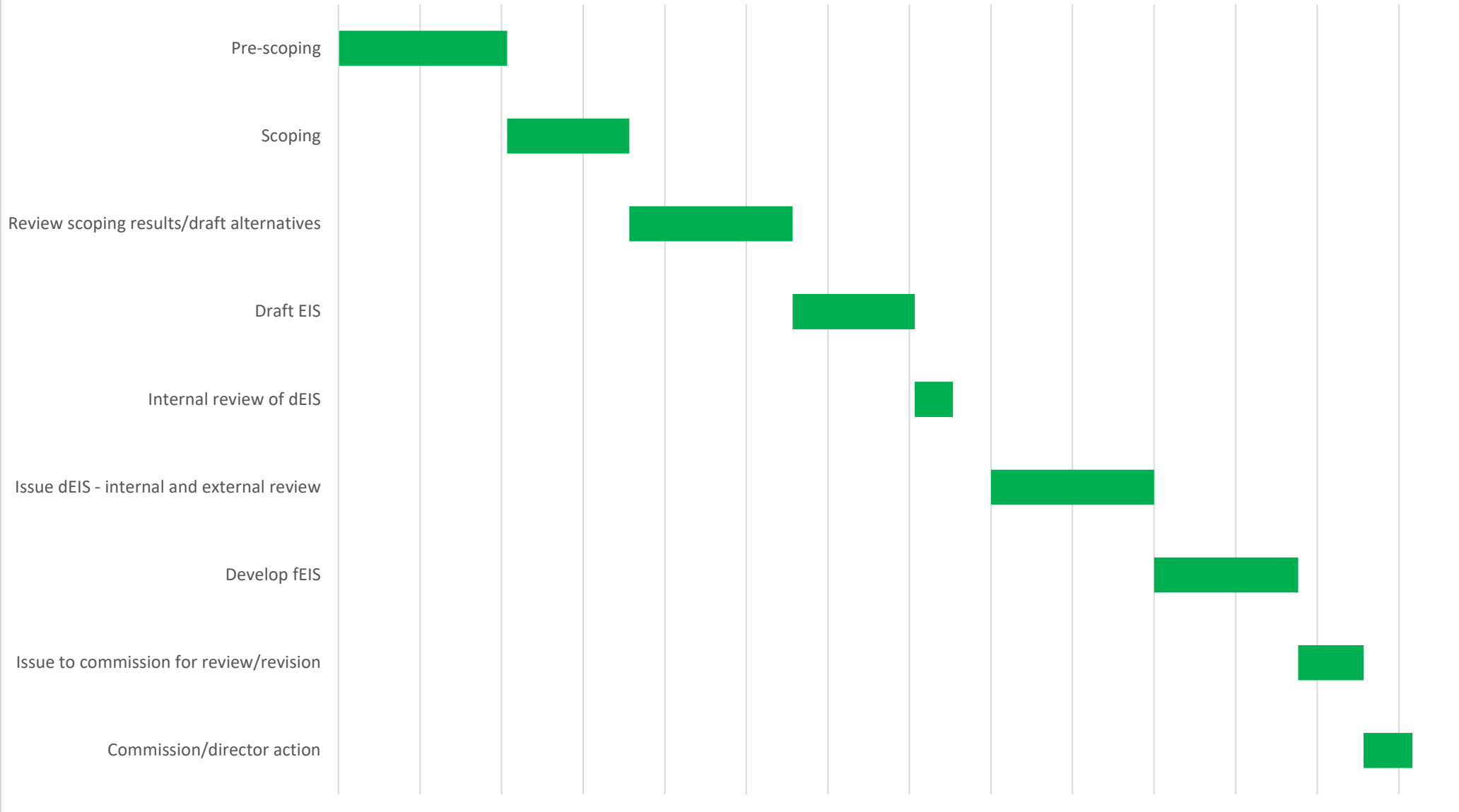


Wolf Translocation SEPA Timeline

Milestones	Start date	End date (Duration in days)
1. Pre-scoping <ul style="list-style-type: none"> - One-on-one intakes with WIG and WAG - Senior Staff update and brainstorming <ul style="list-style-type: none"> • Discuss topics/alternatives and collect input - Interagency and tribal scoping - Commission update <ul style="list-style-type: none"> • Discuss topics/alternatives and collect input - Meet with legislators - Draft list of issues/preliminary alternatives - Review from WIG and WAG 	12/1/2018	(62)
2. Scoping of issues and preliminary draft alternatives <ul style="list-style-type: none"> • Begins EIS and outreach process • Public notice, notice to interested parties, online survey • 45 day comment period • Public meetings – scoping of issues and alternatives 	May 2019	(60)
3. Review scoping comments 4. Draft alternative topics <ul style="list-style-type: none"> • Develop full spectrum of alternative topics from scoping results 5. Alternative analysis <ul style="list-style-type: none"> • Team workshop to assess merits and policy issues of each alternative • Senior staff and F&W Commission review • Input from WIG and WAG 6. Finalize list of alternatives <ul style="list-style-type: none"> • Review alternatives with WDFW staff and WIG/WAG • Refine alternatives; develop conservative, preferred, liberal, and no action alternatives • F&W Commission briefing 		(60)

7. Develop draft dEIS <ul style="list-style-type: none"> • Write dEIS 		(45)
8. Internal review of dEIS <ul style="list-style-type: none"> • Internal review • F&W Commission and WAG review • Interagency review/role? (Lead agency?) 		(14)
9. Issue draft dEIS <ul style="list-style-type: none"> • Solicit peer-review • 60 day comment period • Public meetings 		(60)
10. Review comments <ul style="list-style-type: none"> • Internal review • WIG and WAG discussion and recommendations on alternatives • Develop fEIS 		(53)
11. F&W Commission briefing on fEIS		(24)
12. F&W Commission action of fEIS <ul style="list-style-type: none"> • Includes alternatives considered and preferred alternative • Includes responses to public comments 		(18)
SEPA PROCESS COMPLETED		

Wolf Translocation SEPA timeline



HOUSE BILL 2097

State of Washington

66th Legislature

2019 Regular Session

By Representatives Kretz, Chapman, Springer, Blake, Pettigrew, Dent, Schmick, Dye, Maycumber, Wilcox, and Corry

Read first time 02/19/19. Referred to Committee on Rural Development, Agriculture, & Natural Resources.

1 AN ACT Relating to addressing statewide wolf recovery; amending
2 RCW 16.76.020; adding a new section to chapter 77.36 RCW; and
3 creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) It is the legislature's intent to
6 support full recovery of gray wolves in Washington state in
7 accordance with the department of fish and wildlife's 2011 wolf
8 recovery and management plan and state law. It is also the
9 legislature's intent to support the livestock industry and rural
10 lifestyles and ensure that state agencies and residents have the
11 tools necessary to support coexistence with wolves.

12 (2) The wolf plan requires that the department of fish and
13 wildlife conduct a review of the effectiveness of the plan's
14 implementation every five years. The legislature finds that because
15 the regional recovery goals have been exceeded in the eastern
16 Washington recovery region, but not yet in other regions, it is
17 timely for the department of fish and wildlife to conduct a periodic
18 status review in accordance with WAC 220-610-110 sections 7 and 8 and
19 recommend to the state fish and wildlife commission whether a change
20 in status is warranted.

1 (3) Furthermore, the legislature recognizes that management of
2 wolf-livestock conflict is key to both wolf recovery and public
3 acceptance of wolves in rural areas and that as the wolf population
4 grows, and even after it achieves recovery, stable and adequate
5 funding for nonlethal wolf deterrence will be needed to support
6 livestock producers and the livestock industry and minimize the need
7 for lethal removal of wolves. As such, it is the intent of the
8 legislature, regardless of the listing status of gray wolves, to
9 continue to sufficiently fund nonlethal deterrents for minimizing
10 depredation of livestock by wolves. Proactive deterrence and
11 community collaboration, as set forth in RCW 16.76.020, are necessary
12 to reduce conflict between wolves and livestock and will be important
13 for maintaining the economic viability of the livestock industry, the
14 state's wolf populations, and public acceptance of wolves in
15 northeast Washington after wolves have recovered and have been
16 delisted.

17 (4) Further, the legislature intends to expand funding and
18 personnel resources in the department of fish and wildlife for
19 similar nonlethal deterrent efforts to mitigate conflicts statewide,
20 as wolves recover in the remainder of the state beyond northeast
21 Washington.

22 NEW SECTION. **Sec. 2.** (1) The state department of fish and
23 wildlife shall immediately review the listing status of the gray
24 wolf, *Canis lupus*, as an endangered, threatened, or sensitive species
25 under RCW 77.12.020, or the rules adopted under RCW 77.12.020. The
26 review must determine if Washington's wolf population is no longer in
27 danger of failing, declining, or no longer vulnerable to limited
28 numbers, disease, predation, habitat loss or change, or exploitation,
29 and must examine the relationship between wolf population levels in
30 the eastern Washington recovery region and their role in wolf
31 colonization in the remaining recovery regions. The review required
32 in this section must be based solely on the numerical biological
33 status and preponderance of scientific data available.

34 (2) If the review required under subsection (1) of this section
35 finds that the gray wolf is no longer in danger of failing,
36 declining, or no longer vulnerable to limited numbers, disease,
37 predation, habitat loss or change, or exploitation, the state fish
38 and wildlife commission shall consider whether a change in listing
39 status is warranted either:

1 (a) Statewide; or

2 (b) In any area of the state where the gray wolf was removed from
3 the federal list of endangered and threatened wildlife, maintained by
4 the secretary of the United States department of the interior under
5 the federal endangered species act, prior to June 30, 2014.

6 (3) The action in subsection (2) of this section may only occur
7 if it does not impede recolonization and recovery in the rest of the
8 state.

9 (4) The state fish and wildlife commission's consideration of the
10 listing status of gray wolves as required by this section must be
11 completed by June 30, 2020.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.36
13 RCW to read as follows:

14 The department shall increase staff resources in Ferry and
15 Stevens counties for response to wolf-livestock conflict on an
16 ongoing basis and for coordination with livestock producers on the
17 continued implementation of proactive nonlethal deterrents.

18 **Sec. 4.** RCW 16.76.020 and 2017 c 257 s 3 are each amended to
19 read as follows:

20 (1) The northeast Washington wolf-livestock management grant is
21 created within the department. Funds from the grant program must be
22 used only for the deployment of nonlethal deterrence resources in any
23 Washington county east of the crest of the Cascade mountain range
24 that shares a border with Canada, including human presence, and
25 locally owned and deliberately located equipment and tools.

26 (2)(a) A four-member advisory board is established to advise the
27 department on the expenditure of the northeast Washington wolf-
28 livestock management grant funds. Advisory board members must be
29 knowledgeable about wolf depredation issues, and have a special
30 interest in the use of nonlethal wolf management techniques. Board
31 members are unpaid, are not state employees, and are not eligible for
32 reimbursement for subsistence, lodging, or travel expenses incurred
33 in the performance of their duties as board members. The director
34 must appoint each member to the board for a term of two years. Board
35 members may be reappointed for subsequent two-year terms. The
36 following board members must be appointed by the director in
37 consultation with each applicable conservation district and the
38 legislators in the legislative district encompassing each county:

1 (i) One Ferry county conservation district board member or staff
2 member;

3 (ii) One Stevens county conservation district board member or
4 staff member;

5 (iii) One Pend Oreille conservation district board member or
6 staff member; and

7 (iv) One Okanogan conservation district board member or staff
8 member.

9 (b) If no board member or staff member qualifies under this
10 section, the director must appoint a resident of the applicable
11 county to serve on the board.

12 (c) Board members may not:

13 (i) Directly benefit, in whole or in part, from any contract
14 entered into or grant awarded under this section; or

15 (ii) Directly accept any compensation, gratuity, or reward in
16 connection with such a contract from any other person with a
17 beneficial interest in the contract.

18 (3) The board must help direct funding for the deployment of
19 nonlethal deterrence resources, including human presence, and locally
20 owned and deliberately located equipment and tools. Funds may only be
21 distributed to nonprofit community-based collaborative organizations
22 that have advisory boards that include personnel from relevant
23 agencies including, but not limited to, the United States forest
24 service and the Washington department of fish and wildlife (~~(, or to~~
25 ~~individuals that are willing to receive technical assistance from the~~
26 ~~same agencies)~~).

--- END ---

WAC 220-610-110

Endangered, threatened, and sensitive wildlife species classification.

Purpose

- 1.1 The purpose of this rule is to identify and classify native wildlife species that have need of protection and/or management to ensure their survival as free-ranging populations in Washington and to define the process by which listing, management, recovery, and delisting of a species can be achieved. These rules are established to ensure that consistent procedures and criteria are followed when classifying wildlife as endangered, or the protected wildlife subcategories threatened or sensitive.

Definitions

For purposes of this rule, the following definitions apply:

- 2.1 "Classify" and all derivatives means to list or delist wildlife species to or from endangered, or to or from the protected wildlife subcategories threatened or sensitive.
- 2.2 "List" and all derivatives means to change the classification status of a wildlife species to endangered, threatened, or sensitive.
- 2.3 "Delist" and its derivatives means to change the classification of endangered, threatened, or sensitive species to a classification other than endangered, threatened, or sensitive.
- 2.4 "Endangered" means any wildlife species native to the state of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.
- 2.5 "Threatened" means any wildlife species native to the state of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.
- 2.6 "Sensitive" means any wildlife species native to the state of Washington that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or removal of threats.
- 2.7 "Species" means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.
- 2.8 "Native" means any wildlife species naturally occurring in Washington for purposes of breeding, resting, or foraging, excluding introduced species not found historically in this state.
- 2.9 "Significant portion of its range" means that portion of a species' range likely to be essential to the long term survival of the population in Washington.

Listing criteria

- 3.1 The commission shall list a wildlife species as endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered, based on the preponderance of scientific data available, except as noted in section 3.4.

- 3.2 If a species is listed as endangered or threatened under the federal Endangered Species Act, the agency will recommend to the commission that it be listed as endangered or threatened as specified in section 9.1. If listed, the agency will proceed with development of a recovery plan pursuant to section 11.1.
- 3.3 Species may be listed as endangered, threatened, or sensitive only when populations are in danger of failing, declining, or are vulnerable, due to factors including but not restricted to limited numbers, disease, predation, exploitation, or habitat loss or change, pursuant to section 7.1.
- 3.4 Where a species of the class Insecta, based on substantial evidence, is determined to present an unreasonable risk to public health, the commission may make the determination that the species need not be listed as endangered, threatened, or sensitive.

Delisting criteria

- 4.1 The commission shall delist a wildlife species from endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered, based on the preponderance of scientific data available.
- 4.2 A species may be delisted from endangered, threatened, or sensitive only when populations are no longer in danger of failing, declining, are no longer vulnerable, pursuant to section 3.3, or meet recovery plan goals, and when it no longer meets the definitions in sections 2.4, 2.5, or 2.6.

Initiation of listing process

- 5.1 Any one of the following events may initiate the listing process.
 - 5.1.1 The agency determines that a species population may be in danger of failing, declining, or vulnerable, pursuant to section 3.3.
 - 5.1.2 A petition is received at the agency from an interested person. The petition should be addressed to the director. It should set forth specific evidence and scientific data which shows that the species may be failing, declining, or vulnerable, pursuant to section 3.3. Within 60 days, the agency shall either deny the petition, stating the reasons, or initiate the classification process.
 - 5.1.3 An emergency, as defined by the Administrative Procedure Act, chapter **34.05** RCW. The listing of any species previously classified under emergency rule shall be governed by the provisions of this section.
 - 5.1.4 The commission requests the agency review a species of concern.
- 5.2 Upon initiation of the listing process the agency shall publish a public notice in the Washington Register, and notify those parties who have expressed their interest to the department, announcing the initiation of the classification process and calling for scientific information relevant to the species status report under consideration pursuant to section 7.1.

Initiation of delisting process

- 6.1 Any one of the following events may initiate the delisting process:
 - 6.1.1 The agency determines that a species population may no longer be in danger of failing, declining, or vulnerable, pursuant to section 3.3.
 - 6.1.2 The agency receives a petition from an interested person. The petition should be addressed to the director. It should set forth specific evidence

and scientific data which shows that the species may no longer be failing, declining, or vulnerable, pursuant to section 3.3. Within 60 days, the agency shall either deny the petition, stating the reasons, or initiate the delisting process.

6.1.3 The commission requests the agency review a species of concern.

6.2 Upon initiation of the delisting process the agency shall publish a public notice in the Washington Register, and notify those parties who have expressed their interest to the department, announcing the initiation of the delisting process and calling for scientific information relevant to the species status report under consideration pursuant to section 7.1.

Species status review and agency recommendations

7.1 Except in an emergency under 5.1.3 above, prior to making a classification recommendation to the commission, the agency shall prepare a preliminary species status report. The report will include a review of information relevant to the species' status in Washington and address factors affecting its status, including those given under section 3.3. The status report shall be reviewed by the public and scientific community. The status report will include, but not be limited to an analysis of:

7.1.1 Historic, current, and future species population trends

7.1.2 Natural history, including ecological relationships (e.g. food habits, home range, habitat selection patterns).

7.1.3 Historic and current habitat trends.

7.1.4 Population demographics (e.g. survival and mortality rates, reproductive success) and their relationship to long term sustainability.

7.1.5 Historic and current species management activities.

7.2 Except in an emergency under 5.1.3 above, the agency shall prepare recommendations for species classification, based upon scientific data contained in the status report. Documents shall be prepared to determine the environmental consequences of adopting the recommendations pursuant to requirements of the State Environmental Policy Act (SEPA).

7.3 For the purpose of delisting, the status report will include a review of recovery plan goals.

Public review

8.1 Except in an emergency under 5.1.3 above, prior to making a recommendation to the commission, the agency shall provide an opportunity for interested parties to submit new scientific data relevant to the status report, classification recommendation, and any SEPA findings.

8.1.1 The agency shall allow at least 90 days for public comment.

Final recommendations and commission action

9.1 After the close of the public comment period, the agency shall complete a final status report and classification recommendation. SEPA documents will be prepared, as necessary, for the final agency recommendation for classification. The classification recommendation will be presented to the commission for action. The final species status report, agency classification recommendation, and SEPA documents will be made available to the public at least 30 days prior to the commission meeting.

9.2

Notice of the proposed commission action will be published at least 30 days prior to the commission meeting.

Periodic species status review

- 10.1 The agency shall conduct a review of each endangered, threatened, or sensitive wildlife species at least every five years after the date of its listing. This review shall include an update of the species status report to determine whether the status of the species warrants its current listing status or deserves reclassification.
- 10.1.1 The agency shall notify any parties who have expressed their interest to the department of the periodic status review. This notice shall occur at least one year prior to end of the five year period required by section 10.1.
- 10.2 The status of all delisted species shall be reviewed at least once, five years following the date of delisting.
- 10.3 The department shall evaluate the necessity of changing the classification of the species being reviewed. The agency shall report its findings to the commission at a commission meeting. The agency shall notify the public of its findings at least 30 days prior to presenting the findings to the commission.
- 10.3.1 If the agency determines that new information suggests that classification of a species should be changed from its present state, the agency shall initiate classification procedures provided for in these rules starting with section 5.1.
- 10.3.2 If the agency determines that conditions have not changed significantly and that the classification of the species should remain unchanged, the agency shall recommend to the commission that the species being reviewed shall retain its present classification status.
- 10.4 Nothing in these rules shall be construed to automatically delist a species without formal commission action.

Recovery and management of listed species

- 11.1 The agency shall write a recovery plan for species listed as endangered or threatened. The agency will write a management plan for species listed as sensitive. Recovery and management plans shall address the listing criteria described in sections 3.1 and 3.3, and shall include, but are not limited to:
- 11.1.1 Target population objectives
- 11.1.2 Criteria for reclassification
- 11.1.3 An implementation plan for reaching population objectives which will promote cooperative management and be sensitive to landowner needs and property rights. The plan will specify resources needed from and impacts to the department, other agencies (including federal, state, and local), tribes, landowners, and other interest groups. The plan shall consider various approaches to meeting recovery objectives including, but not limited to regulation, mitigation, acquisition, incentive, and compensation mechanisms.
- 11.1.4 Public education needs
- 11.1.5 A species monitoring plan, which requires periodic review to allow the incorporation of new information into the status report.

- 11.2 Preparation of recovery and management plans will be initiated by the agency within one year after the date of listing.
- 11.2.1 Recovery and management plans for species listed prior to 1990 or during the five years following the adoption of these rules shall be completed within 5 years after the date of listing or adoption of these rules, whichever comes later. Development of recovery plans for endangered species will receive higher priority than threatened or sensitive species.
- 11.2.2 Recovery and management plans for species listed after five years following the adoption of these rules shall be completed within three years after the date of listing.
- 11.2.3 The agency will publish a notice in the Washington Register and notify any parties who have expressed interest to the department interested parties of the initiation of recovery plan development.
- 11.2.4 If the deadlines defined in sections 11.2.1 and 11.2.2 are not met the department shall notify the public and report the reasons for missing the deadline and the strategy for completing the plan at a commission meeting. The intent of this section is to recognize current department personnel resources are limiting and that development of recovery plans for some of the species may require significant involvement by interests outside of the department, and therefore take longer to complete.
- 11.3 The agency shall provide an opportunity for interested public to comment on the recovery plan and any SEPA documents.

Classification procedures review

- 12.1 The agency and an ad hoc public group with members representing a broad spectrum of interests, shall meet as needed to accomplish the following:
- 12.1.1 Monitor the progress of the development of recovery and management plans and status reviews, highlight problems, and make recommendations to the department and other interested parties to improve the effectiveness of these processes.
- 12.1.2 Review these classification procedures six years after the adoption of these rules and report its findings to the commission.

Authority

- 13.1 The commission has the authority to classify wildlife as endangered under RCW **77.12.020** . Species classified as endangered are listed under WAC **220-610-010** , as amended.
- 13.2 Threatened and sensitive species shall be classified as subcategories of protected wildlife. The commission has the authority to classify wildlife as protected under RCW **77.12.020** . Species classified as protected are listed under WAC **220-200-100** , as amended.

[Statutory Authority: RCW **77.04.012**, **77.04.013**, **77.04.020**, **77.04.055**, and **77.12.047**. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-610-110, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW **77.12.047**, **77.12.655**, **77.12.020**. WSR 02-02-062 (Order 01-283), § 232-12-297, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW **77.12.040**. WSR 98-05-041 (Order 98-17), § 232-12-297, filed 2/11/98, effective 3/14/98. Statutory

Authority: RCW **77.12.020**. WSR 90-11-066 (Order 442), § 232-12-297, filed 5/15/90, effective 6/15/90.]

Talking Points re: Grazing on WDFW Lands as it relates to Wolves

February 20, 2019

Context:

WDFW is working to provide direction on how we manage grazing on WDFW lands as it relates to wolf recovery and wolf activity. Our overarching goal is to maintain maximum flexibility for both our ability to meet the recovery goals of wolves and allow for viable grazing in locations deemed appropriate for grazing in wolf country. This set of talking points outlines our current thinking, however, in February and March we are reaching out to interested stakeholders to get their thoughts and feedback on this approach with the intent to finalize any required policy, procedures, and/or Division direction regarding the construction of grazing permits in wolf habitat. Our goal is to have clarity by April 1.

This draft approach was developed over several meetings with a cross-section of representative internal staff (wildlife area managers, wildlife regional program directors, conflict biologists, district biologists, rangeland ecologist, lands stewardship and operations section manager, regional staff from Regions 1,2,3,5; science division manager, conflict section manager, carnivore section manager, wolf policy lead, lands division manager, wildlife program associate director), with final direction and approval from the Director.

Background on Grazing Leases on WDFW Lands:

TOTALS	ACRES	# OF	AUMS
		PERMITS	
ASOTIN	9,273.19	7	1,365.00
CLARK	384.00	2	1,100.00
DOUGLAS	18,286.00	1	2,670.00
GARFIELD	1,100.00	1	120.00
GRANT	10,442.00	5	1,672.00
KITTITAS	25,954.12	5	1,381.00
KLICKITAT	8,817.00	7	509.00
OKANOGAN	39,130.18	24	5,422.00
YAKIMA	2,788.00	4	250.00
	116,174.49	56	14,489.00

As of February 2019, 21 unique WDFW grazing permits, representing 42,987 acres and 5,159 AUMs, are overlapped by a pack territory. Six additional unique WDFW permits, representing 4,195 acres and 1,084 AUMs, are located within ~10 miles of a pack territory.

The Department's Role

- 1) WDFW permits grazing to accomplish several goals. We value preserving the role of working lands across Washington and use livestock grazing when it can be done in a manner that is:
 - a) Consistent with Fish and Wildlife Commission policy to maintain ecological integrity,
 - b) Compatible with WDFW's fish, wildlife and ecosystem conservation mission,
 - c) Compatible with DFW's goal to provide sustainable fish- and wildlife-related recreation; and
 - d) Consistent with our goal of preserving community character.
- 2) WDFW holds a higher bar for wolf conservation on our lands due to both our mission and the funding sources we have used to purchase lands.
- 3) Reducing wolf-livestock depredation is an overriding goal in all WDFW grazing lease agreements in wolf range.

A Measured Approach

- 1) Overall, we want to maintain maximum flexibility for both our ability to meet the recovery goals of wolves and allow for viable grazing in locations deemed appropriate for grazing in wolf country. We acknowledge that as wolf populations recover in Washington State, it will take time to identify chronic wolf/livestock problem areas that may not be appropriate for grazing.
- 2) WDFW will collaboratively develop a set of criteria with members from the livestock industry and other interested stakeholders to inform the Department's decisions on areas that may be inappropriate for grazing.
- 3) Until these criteria and the data to inform their application are available, we will continue to negotiate renewals of existing grazing permits.
- 4) The Department will look carefully at where to allow grazing leases in wolf country and how to create appropriate lease language.
 - a) All grazing leases in wolf country will require non-lethal, proactive depredation prevention measures that may exceed the statewide bar.
 - b) The Department will work collaboratively with permittees and the grazing community to identify feasible non-lethal deterrent measures that meet the needs in locations deemed appropriate for grazing in wolf country.
 - c) During the negotiation of each grazing lease, a detailed proposal of required deterrent measures will be developed and made part of the lease. This ensures transparency for the producer, WDFW, and the public.

An Acknowledged Need to Mitigate Impacts and Other Potential Issues

- 1) WDFW will provide cost-share on our lands for proactive deterrent measures where possible.
 - a) We should all be aware that there is not an endless supply of funding to pay for such cost share.
- 2) Removal of livestock from the permitted area will be a tool in response to documented conflict – the grazing permit will serve to set clear expectations regarding if, when and how livestock removal or relocation may occur.
 - a) DFW will work with a cross section producers in eastern WA and internal staff to develop the criteria to govern the negotiations related to where, when and how livestock removals take place.
 - b) Identifying alternative pastures across the landscape of ownership in the permits (both for permits on and off Department lands) is a goal of the Department and will take local land use into account.
- 3) We support lethal removal of wolves where necessary as an essential part of our work to recover wolves, this includes lethal removal on WDFW lands.
 - a) Requirements for compensation for livestock lost to wolves on our lands should be the same as on any other lands.
 - b) Livestock depredations on WDFW WILL count against the pack with regards to a potential trigger for lethal removal, consistent with any other land.
 - c) Producers will be compensated for livestock lost to wolves on our lands at the same rate as occurs on other lands.
 - d) Lethal removal decisions, regardless of land ownership, include a lot of deliberation and scrutiny and will be made on a case-by-case basis.

Proactive Implementation May Span Up To 5 Years

- 1) Current grazing leases, except where language indicates a potential update in negotiated requirements dealing with the avoidance of wolf/ livestock interaction, will remain in effect with no changes (BACKGROUND: the Blue Mountains permits from last year includes this placeholder language; our leases are typically 5 years in length).
 - a) DFW will work with existing lessees to encourage and develop and implement voluntary deterrent measures where possible.