



June 24, 2010

To: Oregon Department of Fish and Wildlife

Re: Oregon Wild Comments on Oregon Wolf Conservation & Management Plan 5-year Review

Dear Commission Members,

Please accept the following comments from Oregon Wild concerning the 5-year review of the Oregon Wolf Conservation & Management Plan. Oregon Wild represents over 7,000 members and supporters who share our mission to protect and restore Oregon's wildlands, wildlife, and water as an enduring legacy. Oregon Wild was founded in 1974 by a coalition of hunters and conservationists. Our goal is to ensure sustainable populations of all native wildlife. We emphasize the need for the protection of species whose populations are threatened or unnaturally low by protecting habitat and advocating for science-based management designed to recover populations to meaningful and sustainable numbers.

Wolves, like elk, salmon, eagles, and meadowlarks are native to Oregon. However, unlike most native species, wolves stir up strong emotions in both their admirers and detractors. It was fear of wolves and a frontier mentality that led to a government-sponsored program of extermination for wolves and other predators. That program finally succeeded in eliminating wolves from the state of Oregon – and most of the rest of the lower 48 United States - by 1946.

Over time, attitudes changed. Society no longer found it acceptable to purposely or passively eliminate native species. In 1973 wolves were listed as a federally endangered species. The goal of any endangered species listing is to recover populations and the habitat on which they depend over a significant portion of their range so that the species can continue living in perpetuity without the need for continued active human intervention. The best available science should guide management decisions toward that goal.

In 1998 after a half-century long absence, wolves returned to Oregon from Idaho where several populations of wolves (wolves that naturally dispersed from Northwest Montana, the reintroduced population from Yellowstone, and other unknown populations that may never have been extirpated) had interbred. That wolf was quickly, and perhaps illegally, returned to Idaho. Unfortunately, violent anti-wolf sentiment, misinformation, and fear of predators remain among some segments of the human population and the next wolves to return to Oregon fell to the bullets of poachers and were hit by cars.

In 2005, in response to public concern and after an exhaustive public process that involved representation from significant stakeholder groups, Oregon wisely finalized a wolf plan. The plan was a social and political compromise among the groups. It came of great compromise from all sides – especially from the conservation community. Despite, or perhaps because, of those compromises some have opposed implementation and finalization of the plan since its inception. Many of the same interests responsible for the extermination of wolves in the first place seem intent upon a repeat of history and have also fought to undermine and weaken the plan - and their credibility - with legislation and changes to relevant Oregon Administrative Rules.

Despite our concerns that the plan was incomplete, poorly funded, not entirely scientifically defensible, and had serious shortcomings, Oregon Wild and many other conservation groups honored the compromise. Despite our reservations, we have vehemently defended the plan, the process, ODFW, and ODFW personnel.

In 2008, Oregon confirmed its first wolf pups in over 60 years. Within days, Washington confirmed the same. The wolves that have begun to establish themselves in Washington have now been shown to be dispersers from coastal wolves in British Columbia. This has set the stage for the Pacific Northwest to be a particularly important region where intermixing and connectivity between different populations of wolves can occur. Though the wolf populations in Washington, British Columbia, Montana, and the wolves reintroduced into Yellowstone are all the same species and live in a contiguous range that once included Oregon, the connectivity between different populations is important to the meaningful long-term viability of the wolf population on the regional scale.

Most Oregonians welcomed the news of wolves breeding in Oregon. However, others continued to fight against the wolf plan and wolf recovery despite the fact that wolves had been in Oregon for over 10 years without any livestock depredations. Oregonians and the livestock industry had years to prepare for the return of wolf populations and the conflict that might follow. By not doing so, a critical opportunity was lost. Though some made appropriate changes, many resisted. Animal husbandry practices that had never been adapted to coexisting with native predators remained. In the spring of 2009, after being present for over a decade, the first confirmed predation of livestock by wolves occurred by a pair of young wolves in Northeastern Oregon. These young-inexperienced wolves were likely drawn to penned sheep by the presence of a 2-acre carcass pit, and unguarded prey. ODFW worked with the effected rancher to eliminate the attractants and first responded by attempting non-lethal methods to deter the wolves. Those efforts succeeded during the summer.

That same summer, western wolves (including the entire known population in Oregon) were stripped of their protections as a federally listed endangered species. The legality of that decision is being challenged in federal court. While interested parties await a decision in that case, management of wolves falls to individual states. As Montana and Idaho planned wolf hunts designed to test the feasibility of managing wolves by sport hunt with the stated goal of ultimately dramatically reducing numbers, Washington began developing what appears to be a much more protective wolf plan, and Oregon was being given its first test.

That test led to an unfortunate, but relatively non-controversial result. Non-lethal control measures worked on the pair of wolves during the summer. However, they returned to kill livestock in the fall. A kill order was issued, and Wildlife Services (formerly Animal Damage Control) killed both wolves.

Despite being saddened by the serious blow to wolf recovery, Oregon Wild and other conservationists continued to stand by the plan designed specifically to reduce conflict and inform a rational decision-making process when conflict occurred. Meanwhile, the Oregon Farm Bureau, Oregon Cattlemen's Association, and others hostile to wolf recovery attempted to pass legislation giving private citizens the right to take management decisions for endangered wolves into their own hands. They proposed language allowing private citizens to "take" a wolf at any time without a permit if the wolf is chasing or harassing domestic animals, and make the unverifiable determinations themselves. This legislation would have made poaching laws virtually impossible to enforce.

Earlier this year, at the outset of the mandated 5-year review of the Oregon Wolf Conservation & Management Plan Oregon Wild again testified in defense of the plan, full funding, and enabling ODFW wildlife managers and biologists to do their jobs. We expressed our relief that the plan was to be reviewed and not rewritten. However, we expressed our concern that Oregon's wolf population was small and their recovery precarious. Furthermore, we did not shy away from the fact that the plan was relatively untested, contained very real flaws, and that the potential existed for unnecessary and unhelpful histrionics.

A representative from The Oregon Cattlemen's Association also testified and expressed their continued disdain for the wolves, the Oregon Wolf plan, ODFW, sound science, and the review process itself.

At that time ODFW had a confirmed wolf population of 14 wolves in two packs, and ODFW's plan was relatively untested.

Since that time, we have seen the wolf plan implemented during a time of conflict – much of it whipped up by the usual suspects. We believe that the wolf plan and relevant OAR's have been violated - certainly in spirit if not by the letter. ODFW has bent to the pressure brought by rabid anti-wolf interests who have demonstrated little credibility and no interest in meaningful collaboration or the conflict-free recovery of a species they themselves once pushed to the brink of extinction.

Our comments now must necessarily reflect our disappointment with the events of the last few months and address both the implementation of the plan as well as the language of the plan itself.

1) Funding

As with all non-game wildlife programs, the wolf program is woefully underfunded. This problem has been aggravated by a persistent national recession and particularly bad economic climate in Oregon. Funding for non-game wildlife generally and wolf programs specifically are not commensurate with the value of non-game species or their associated economic impact. Lack of funding for the program is an underlying cause of many of the plans weaknesses - both theoretical and as seen in implementation. If Oregon's wolf population grows in number and expands in range while human passions continue to mount, these problems will only continue to worsen. ODFW must increase funding to the wolf plan by:

- Aggressively pursuing potential funding mechanisms including federal grants and appropriations, state appropriations, and initiative petitions,
- Prioritizing funding for wolves and species whose existence in the state is threatened over those that are abundant and non-controversial.
- Actively seeking creative sources of funding including but not limited to a wolf license plate, user fees from stakeholders with an emphasis on those who profit from and utilize public land and benefit from wildlife management such as the livestock industry, the renewal of a tax check-off, and other sources.

2) Appropriations

Budgeting should recognize and account for the likely increase in need that will come if wolf populations grow and conflict continues to increase. There is no line item cost identified for non-lethal control assistance to parties most likely to have conflict with wolves.

3) Relocation

Relocation language within the wolf plan is far too restrictive. The focus of conflict management should be non-lethal control. As a complicated endangered species with many human antagonists, relocation may provide a simpler, more appropriate, and more economical tool than many other management options.

With an understanding that relocation of wolves is not a cure-all and may be problematic under some circumstances, wildlife managers should have an exhaustive list of non-lethal options to turn to before lethal control that includes relocation. The liberalization of relocation language should not be written so as to obligate wildlife managers to utilize this particular option. However, the current language restricting relocation of wolves to the nearest Wilderness in some cases literally means moving them up a hill and is of little practical help. Especially while wolf populations are low, many of the problems identified with relocation are not problems at all. Though often disconnected by wide swaths of private land, grazing allotments, and other potential conflict areas, Oregon still has a significant pool of unoccupied high-quality wolf habitat.

4) Compensation Program

The loss of pets and livestock to wildlife is a risk taken by rural and urban folks alike. The number of domestic animals lost to predators is dwarfed by those lost to weather, disease, human thieves and any number of other causes. Some scientists have postulated that an increase in wolves may actually reduce the presence of mesopredators like coyotes which take a much greater toll on domestic animals than wolves. All of that of course is of little consolation to the individual affected by a wolf depredation or the viewer of a grizzly picture of a wolf killed lamb.

As a gesture of good faith and an acknowledgement that depredations on livestock would occur, conservationists supported an appropriate compensation program to reimburse livestock and pet owners who lose animals to wolves. Surprisingly, this effort was actively and effectively opposed by the Oregon Cattlemen's Association and others.

We continue to believe that while science-based management with an end-goal of sustainable wolf recovery should guide management decisions, an appropriate compensation program could go a long way in further assuaging the socio-economic concerns of those most likely to be negatively effected by wolves.

It's worth noting that a flawed compensation program could be more problematic than no program at all. Some compensation programs have in fact provided incentive for poor husbandry. By actively or passively enticing wolf depredations, some individuals reap unfair financial rewards and see it as an opportunity for "bad p.r." for wolves.

We urge ODFW to include and advocate for a compensation program that would:

- only compensate domestic animal owners who have taken well-defined and comprehensive steps towards preventing depredations
- only compensate for depredations that occur on private lands and are clearly caused by wolves as determined by a wildlife professional trained in making such determinations and following a rigorous, standardized, well-documented, and public process
- be funded by a separate source and not raid or come at the expense of funds designated for non-lethal measures or already underfunded non-game wildlife or wolf programs
- distribute funds on an annual basis and divided amongst claimants instead of on a "first come first serve basis"
- in the case of livestock being raised for human consumption, pay fair market value for animals at the time of their depredation *not* based upon a theoretical fair market value for an adult animal in full health.

5) Animal husbandry program

There exists a steep learning curve for individuals in the livestock industry in coexisting with wolves. Prior to 1946, dealing with conflict was uncomplicated and meant simply killing wolves. This of course led to several generations in which there were no wolves to deal with. Unfortunately, some in the livestock industry are actively resistant to learning and applying non-lethal methods of dealing with preventing conflict. Even so, ODFW should create, fully fund, and support a program to educate the owners of domestic animals in wolf country on methods to proactively prevent and manage conflict. Additionally, we would support a program designed to assist landowners in implementing those techniques. This and other non-lethal methods of conflict prevention and control should be considered paramount or at least co-equal to confirming wolf kills and lethal control of wolves, and must also take place on public lands. So far this has not occurred, and the problem has been exacerbated during times of conflict.

In Chapter 3, Section C, the wolf plan requires livestock owners to make "a good faith effort to achieve a non-lethal solution", but not exhaust all non-lethal techniques. This should be changed, or at a minimum a "good faith effort" should be clearly and appropriately defined and require similar efforts of adjacent livestock owners.

6) Conflict on public vs. private land

Though the wolf plan makes references to different philosophies for conserving and managing wolves on public vs. private lands, it is an important distinction that should be clarified in how those differences will play out in implementation. Wildlife conservation and management is not undertaken simply to appease a single economic interest, but for the benefit of *all* Oregonians. Similarly, public lands are meant to be managed for *all* citizens, not just those who profit from or live in the closest proximity to them.

With the unlikely exception of a wolf acting aggressively towards humans, the very notion of a “problem wolf” on public lands is a false one. Even after depredation events on public lands, conservation and non-lethal hazing should take an even greater importance than on private land, and conditions on adjacent private land should be taken into account. The differences currently outlined in the plan are insufficient, often unclear, and poorly explained in relevant sections of the plan.

7) Depredation confirmations

Interested stakeholders in wolf management would surely prefer that the individuals or agencies designated to investigate wolf depredations be the ones most likely to make conclusions that lead to their preferred management objectives. Unreasonable anti-wolf interests would like a positive determination 100% of the time, and unreasonable pro-wolf activists would prefer the opposite. We believe positive determinations should be defensible as such and based upon clear, measurable, documented evidence.

The events of 2010 have demonstrated a clear need for the standardization and clarification of training for investigators, the process of investigation, and publication of results.

Involvement in investigations should be limited to the livestock owner or effected member of the public (not advocacy or trade groups to which they belong), and trained investigators who have undergone rigorous and standardized training. Law enforcement’s role should be limited to enforcing the law, protecting evidence, and ensuring a safe area for investigators to do their job. As with training, the process for making determinations should be standardized, rigorous and clear. Similarly, the procedure for making the results of investigations publicly available (regardless of determination) should be standardized. The evidence and conclusions should be well documented and readily available to concerned members of the public. But again, to emphasize, the public should not be involved in making the determination itself.

The events of 2010 also demonstrated that when wolf hysteria hits, ODFW can expect to be inundated with requests for investigation of livestock losses. Confirmation of depredations should not come at the expense of other requirements of the plan such as education, non-lethal control, and pursuit of funding.

A final lesson of 2010 is that - at this time - ODFW remains the most credible agency for determining wolf depredations. Wildlife Services (formerly Animal Damage Control) has discredited itself by dispatching its wolf hunter to make determination. Mr. Riggs has demonstrated himself to be unfit for this responsibility. In addition to making flagrantly flawed determinations, the agency has also helped fan the flames of conflict by enlisting untrained anti-wolf activists to help make and publicize their determinations. These activists have effectively used their involvement to claim credibility, politicize the process, and effectively make public attacks aimed at undermining the perception and credibility of ODFW.

8) Recovery Numbers

Recovery numbers (the number of wolves after which the species can be considered for delisting) represent one of the greatest compromises from conservationists of the wolf plan and one of its greatest flaws. Furthermore the plan’s relisting triggers are shockingly problematic. Recovery numbers may be politically or socially defensible within certain segments of society. However, they are not scientifically defensible.

Washington State is currently working to finalize their wolf plan. They set significantly higher recovery numbers, but that plan was unanimously blasted by a blind panel of scientists as being far too low. If *that* plan is laughable, Oregon's is a crying shame. We are nearing recovery numbers for wolves in Oregon. With a population of 14 confirmed wolves (at the time of this writing, at least one is missing and feared dead, and Wildlife Services has a kill authorization for two more), to claim Oregon is close to having achieved recovery is a contradiction to the word conservation in the full title of the Oregon Wolf Conservation and Management Plan.

Triggers for relisting are a major cause of concern. Under the current plan if wolves fall below recovery numbers due to poaching or legal lethal control, wolves may not be relisted. Since the single greatest threat to wolves is human-caused mortality, this must be addressed. If wolves fall below the population number that allowed their delisting in the first place or experience a precipitous decline, they should be immediately relisted as a state endangered species until they again achieve recovery numbers.

Wolves are a wide-ranging social species with intricate behaviors and systems that we are only beginning to understand. Meaningful and sustainable recovery can not be achieved with a small, dispersed population constantly under threat. By prematurely resorting to killing wolves, killing the wrong wolves, disrupting pack structures, or creating habitat sinks, wildlife managers put wolf recovery in numerical jeopardy and may in fact create more problems and conflict than they solve.

Minimum wolf numbers should be guided by the best available and most current science. If the numbers are different due to political or social reasons, the wolf plan should explain the reasoning. Ecosystems are able to achieve a dynamic equilibrium and while establishing a minimum number is prudent to ensuring recovery, the wolf plan was wise not to create cap numbers for wolves and that must not change in the foreseeable future.

9) Interagency roles, process, and communication

The roles, relationships, and communication between agencies and stakeholders have not been clearly defined. ODFW should address this problem in an appropriate manner that preserves the goals of the wolf plan and ensure appropriate science-based management.

10) Species Prioritization

All native wildlife should, at a minimum, be conserved to ensure sustainable populations not in need of perpetual human intervention. However, conservation efforts should be directed first and foremost towards those species – like wolves – that are endangered, under threat, at artificially low numbers, or controversial. Several parts of the plan – notably Chapter 4, Section C prioritizes species whose populations are not under threat or are even being held at artificially high numbers. Wolves and other predators can and will cause changes in behavior and population of other species. These impacts are just now beginning to be understood and current science indicates wolves and other predators play a beneficial role in maintaining healthy ecosystems. This is part of a natural process. Changes in populations of other species should not require lethal control of wolves unless 1) a decline occurs in a species that genuinely threatens its existence across a large range and 2) it can be proven that wolves are in fact a primary cause of said decline.

12) Review Process

While we are generally pleased with the process for the review of the wolf plan and grateful for public involvement, we believe the original stakeholder committee should be re-engaged in the process. Their insights into the process that created the plan, its implementation, proposed revisions, and other events are particularly valuable and should be taken into account. Doing so would not require a rewrite of the plan.

Though the majority of comments coming from the public may not have a mastery of the minutia of wolf management or provide clear suggestions for improvements to the plan, they demonstrate the clear and overwhelming desire for meaningful wolf recovery from the general public. Wolf management, like that of any other wildlife species effects and is not just for a subset of special interests most proximate to the population. Public comments should be considered in final decision and revisions.

14) General Suggestions

- Recognizing the plan is relatively weak, ODFW must stand up for science-based management of wolves (and other endangered species) that leads to a meaningful recovery. ODFW must actively defend against efforts to weaken the plan, legislation aimed at undercutting it, and schemes designed to reduce the agency's role in achieving that goal.
- ODFW must unequivocally reaffirm its position that the ultimate goal of the wolf plan is conservation of the species and a sustainable recovery of the species. As long as wolves are listed, actions taken to reduce conflict must be unambiguously in-line with that goal and prioritize non-lethal management when conflict occurs.
- Resources are limited and inadequate. Funds must be found to address this problem. Even, and especially, when conflict occurs, non-lethal control, conflict *prevention*, education, and public outreach and other parts of the plan should be considered paramount or at least co-equal with lethal control and confirmation of wolf kills. These latter activities must not come at the expense of the former. This should be spelled-out in the wolf plan.
- Considering the very recent violent past of anti-wolf interests, the current passion of those forces, and the vulnerability of the current wolf population, ODFW should be very careful about what and with whom information is shared about the information given regarding the location of wolves. For specific suggestions of changes we would like to see enumerated, please see the letter that was submitted to ODFW by Oregon Wild & Hells Canyon Preservation Council on May 24th, 2010.
- Sound science must be vigorously defended against persistent and purposely promulgated wolf myths designed to stir up controversy. ODFW must enthusiastically rebut false claims including but not limited to those that claim wolves are a non-native species, spread new diseases, decimate game herds across the landscape, and exaggerate the threat to humans and the livestock industry. ODFW has credibility on the issue. Allowing such myths to go unchallenged or not put into context only continues to fuel the fire of passionate stakeholders and jeopardize wolf recovery.
- In recognizing legitimate science, the ability of individuals, organizations, and stakeholder groups to participate in the process determining wolf management should be in direct proportion to their credibility on the subject. Those that continue to be uncooperative, knowingly reference bogus science, or demonize wildlife should not be part of the discussion or meaningful collaboration.
- Though the wolf plan rhetorically recognizes the public value of wolves on the landscape, including their existence value, ODFW must clearly define that wolf conservation and management specifically, and wildlife management generally is for the public good, not for any particular stakeholder group. Conservationists, hunters, photographers, ranchers, wildlife lovers, disabled citizens, and extreme hikers are all equal stakeholders regardless of their zip code.
- Sections including Chapter 5, Section D – addressing the role of wolves and trophic cascades should be updated to incorporate the most recent best available science.
- Wolves have a complex social structure. Lethal take – whether through a sport hunt, agency action, or illegal action – has the potential to disrupt that structure and create the conditions for *increased* depredations and conflict. Through all phases of the plan, and even after de-listing, lethal take should be an option of last resort and precisely focus on individual wolves causing conflict
- To remake the point, legitimate science aimed at achieving a goal of ecosystem health, integrity, sustainability and long-term meaningful recovery of endangered species should guide the review process and the implementation of the plan. Where the plan differs from that in theory or implementation due to political, social, or legal compromise, ODFW should acknowledge such.

15) Parts of the plan that should not be changed include:

- ODFW must continue to be the final decider of depredations
- Any cost-benefit analysis must consider ecosystem services, existence values, and other benefits (realized and potential) of wolves, and not just the costs of management or marginal negative costs.
- ODFW must not ever arbitrarily cap wolf numbers or include wolf exclusion zones (or do so to address political or social pressure).
- Non-lethal and preventative measures as well as public education and communication must continue to be emphasized, exhausted, and documented (a good-faith effort should be defined as such) before lethal measures are taken. This must be adhered to in implementation.
- Harassment and lethal-take permittees should be educated and assisted in non-lethal preventative measures and their performance should be monitored to inform future issuance of permits.
- Lethal control measures must not take place when unreasonable circumstances – such as carcass piles and poor animal husbandry – exist that invite conflict.
- Lethal take by private citizens should only be permitted in cases of demonstrable self defense or for wolves caught in the act of attacking – not testing, scavenging, harassing, chasing, or other suspicious behavior or for proximity to structures. Changing this part of the plan would make poaching laws nearly impossible to enforce and allow private citizens to take management decisions into their own hands.
- Preventative and non-lethal measures may overlap, but are and should continue to be defined differently
- The exclusion of any “no-wolf” zones should continue
- While it *may* be appropriate to make some clearly defined and defensible adjustments, adjacency language *must not be eliminated*. The restrictive language was put in place intentionally and for very good reason. If adjustments are made, the language must still be restricted so as to ensure any control actions are in fact targeted towards the wolf or wolves responsible for the need for such action. Such a change should be done with the consultation of the original stakeholder committee and all current reasonable stakeholders and
- Recovery goals should not be reduced and must not be statewide. Suitable habitat in Western and Eastern Oregon are separated by significant swaths of marginal habitat. Combining the two could delay delisting in Eastern Oregon or do so prematurely in Western Oregon.

Thank you for considering these comments. We look forward to working constructively with you in reviewing the wolf plan and ensuring it is properly implemented.

Very Sincerely

Rob Klavins,
Advocate, Oregon Wild

Cc: Ron Anglin, ODFW
Craig Ely, ODFW
Russ Morgan, ODFW
Michelle Dennehy, ODFW
Mike Carrier, Governors office
Representative Brian Clem
Senator Jackie Dingfelder

Portland
5825 N. Greeley Ave.
Portland, Oregon 97217
tel: 503.283.6343

Eugene
P.O. Box 11648
Eugene, Oregon 97440
tel: 541.344.0675

Bend
16 NW Kansas Ave.
Bend, Oregon 97701
tel: 541.382.2616