



# Wolves in Washington state: Managing the Final Steps to Recovery and Post-Recovery

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## POLICY NOTE

### Key Findings

1. The existing wolf-recovery plan has successfully increased Washington's wolf population to levels near those necessary to remove them from the state's endangered species list.
2. The impact of wolf attacks on livestock is disproportionately harming ranchers in N.E. Washington state, which is putting stress on the current plan.
3. The state should provide post-recovery rules where wolf populations functionally meet the recovery goals already. Washington should use the northeast corner of the state as a pilot area to build a locally designed, collaborative wolf-preservation policy that emphasizes incentives to limit conflict.
4. A sustainable wolf recovery strategy should include increased payments for livestock losses, state delisting in Eastern Washington to match the federal status, increased support for range riding, and quick removal of problem wolf packs.

# Wolves in Washington state: managing the final steps to recovery and post-recovery

By Todd Myers, Director, Center for Environment

June 2020

*This study was made possible by the support of a visiting fellowship at the Property and Environment Research Center (PERC) in Bozeman, Montana.*

## Introduction

Facing increased political turmoil over the growing population of wolves in Washington state, on September 30, 2019, Governor Jay Inslee wrote to the director of the Washington Department of Fish and Wildlife (WDFW) asking him to change the state's strategy for managing conflicts between wolves and livestock.<sup>1</sup> In his letter, the governor asked the director to "make changes in the gray wolf recovery program to further increase the reliance on non-lethal methods," such as increased range riding, changes in grazing allotments, and other wolf deterrence strategies to protect cattle, sheep, and other domestic animals. The goal of these changes was "to significantly reduce the need for lethal removal of the species." At the same time, ranchers in northeast Washington are demanding that wolf packs involved in livestock attacks be lethally removed more quickly, citing successful strategies used in other states such as Montana and Idaho.

The growing tension over wolf management was highlighted last year when the WDFW had to cancel town meetings to begin development of its post-recovery plan for wolves.<sup>2</sup> Death threats on the agency's social media page from wolf advocates opposed to killing wolves led WDFW to accept comments online only.<sup>3</sup>

To this point, the recovery program has been guided by the state's Wolf Conservation and Management Plan<sup>4</sup> and the Washington Wolf Advisory Group (WAG)<sup>5</sup>, a collection of conservationists, ranchers, hunters, and other interested parties representing a range of views. Pressure is also applied by organizations outside the process, some of which have pursued an aggressive legal strategy to prevent the state from killing problem wolves and packs.

- 1 State of Washington Office of the Governor, Letter to Aaron Susewind, September, 30, 2019, [https://www.governor.wa.gov/sites/default/files/Letter%20to%20Director%20Susewind.pdf?utm\\_medium=email&utm\\_source=govdelivery](https://www.governor.wa.gov/sites/default/files/Letter%20to%20Director%20Susewind.pdf?utm_medium=email&utm_source=govdelivery)
- 2 Francovich, Eli, "Statewide wolf meetings, including one in Spokane, canceled after threats of violence," Spokane Spokesman-Review, August 28, 2019, <https://www.spokesman.com/stories/2019/aug/27/statewide-wolf-post-recovery-meetings-canceled-aft/>
- 3 Walters, Daniel, "Violent threats that partially led to cancelled wolf meetings came from pro-wolf Facebook commenters," Inlander, December 6, 2019, <https://www.inlander.com/spokane/violent-threats-that-partially-led-to-cancelled-wolf-meetings-came-from-pro-wolf-facebook-commenters/Content?oid=18694210>
- 4 Washington Department of Fish and Wildlife, "Wolf Conservation and Management Plan," December 2011, <https://wdfw.wa.gov/publications/00001>
- 5 Washington Department of Fish and Wildlife, "Wolf Advisory Group (WAG) Members," [https://wdfw.wa.gov/sites/default/files/about/advisory/wag/20191030\\_wolf\\_advisory\\_group\\_roster.pdf](https://wdfw.wa.gov/sites/default/files/about/advisory/wag/20191030_wolf_advisory_group_roster.pdf) (Accessed January 18, 2020)

5. Hunting should be allowed in areas where wolves are delisted to maintain appropriate population levels. Washington should take guidance from the Colville Tribe, which opened a hunting season for wolves on reservation land.
6. With a combination of the above approaches, ranchers and conservation groups, with the state's participation, should negotiate a new approach that increases incentives for non-lethal techniques and compensation payments when those approaches fail.

This tension comes at a critical time in the state's efforts to increase the wolf population while managing conflicts with humans and livestock. After being listed as endangered by both the federal and state government in 1973 and 1980 respectively, the Gray Wolf (*Canis lupus*) returned to Washington state in 2008, likely migrating south from British Columbia, when the first breeding pair with pups was found in Okanogan County.<sup>6</sup> Since that time, through migration and breeding, the wolf population has increased significantly, with 27 packs representing 126 wolves and 15 breeding pairs in 2019. In response to population growth in Washington and other nearby states, the federal government delisted the species in 2011 in a multi-state area that includes the easternmost part of Washington state, where most of the packs reside. Wolves are still listed federally as endangered in the rest of Washington state.

Washington's criteria for delisting a species are different than the federal rules. The state can begin the delisting process if there are 15 breeding pairs of wolves in the state for three consecutive years with at least four pairs in each of three regions in the state. Statewide, total wolf populations are currently near the level that would cause the state to consider delisting. Most wolf packs, however, are concentrated in one corner of the state. As a result, although wolf populations have achieved levels that were expected to result in more flexibility in dealing with aggressive wolf packs, the lack of geographical distribution means the state is still likely several years from beginning the delisting process. Rather than increased populations of wolves being a good sign, they have simply become more concentrated, increasing the risk of conflict with ranchers without the potential of delisting.

As wolf populations in the state continue to increase, WDFW has announced it was developing the post-recovery management strategy. WDFW argued it "is confident that Washington's wolf population is on a path leading to successful recovery."<sup>7</sup> The plan would guide wolf conservation after state delisting in order to maintain a healthy population while allowing limited hunting and a wider range of management options. The agency expects it will take two or three years to complete the planning process.

The governor's letter demonstrates the difficulty of managing the political pressures associated with wolf recovery. Wolf populations have been steadily increasing and are not dispersing across the state as initially expected, creating a high-conflict zone where wolves and ranchers are both heavily concentrated. The weaknesses in the state's approach to managing this conflict are being magnified, and there is a need to adjust the existing management strategy.

Additionally, as WDFW begins planning for post-recovery, there is an opportunity to examine the current strategy and determine what changes should be made to protect the livelihood of ranchers while ensuring that wolves continue on their path to full recovery and delisting throughout the state.

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6 Washington Department of Fish and Wildlife, "Gray wolf," <https://wdfw.wa.gov/species-habitats/species/canis-lupus>

7 Washington Department of Fish and Wildlife, "Wolf post-recovery planning: Purpose, background, and FAQs," <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/post-recovery-planning/introduction> (Accessed February 25, 2020)

Ensuring there continues to be a healthy ranching economy is a matter of fairness, economic strength, and environmental sustainability. The counties most affected by the return of wolves have some of the highest unemployment rates in the state, nearly double the state average.<sup>8</sup> Ranchers, range riders, and hunters are also good partners in caring for the land and in funding wildlife stewardship. Successful wolf management that protects the livelihoods of ranchers and farmers while helping wolf populations grow is economically, morally, and environmentally responsible.

Based on the history of wolf recovery in Washington and other western states, the best path would combine (1) improved non-lethal management approaches, (2) more rapid lethal removal of problem packs, and (3) expanded compensation programs designed by ranchers and others in the community where conflict is occurring. Some of these tactics are already being used but are not as effective as they could be for a variety of reasons. Additionally, since wolves have not dispersed across the state, the state should delist the species in eastern Washington, as the federal government has, and focus its recovery efforts on other regions where wolf recovery is proceeding more slowly. The state can also pilot post-recovery strategies in northeast Washington where the density of the wolf population is at a level that justifies delisting. Those pilot strategies should be developed primarily by the interested parties representing ranchers, conservation groups, and others in the affected communities. The state will always act as a backstop to any agreement, but it should encourage and be guided by a collaborative solution. Doing so would encourage groups to engage cooperatively rather than appealing primarily to the agency or to judges to intervene, which would increase conflict, mistrust, and animosity. There is no quick solution, but as the experiences of other western states demonstrate, wolf recovery can be successful while providing ranchers with fairness and adequate levels of protection.

In this paper, I will examine the current wolf management plan in Washington, how it is working, and some of the problems facing ranchers, conservationists, wolves, and the state. Next, I will look at wolf management in other nearby states and how they are dealing with large wolf populations. Finally, I will offer some tools to improve existing wolf management policies to consider in the state's post-recovery plan.

## ***Part 1: Inadequate management of Washington wolves***

### **Wolf recovery**

Wolves returned to Washington in 2008 after being locally extirpated in the 1930s.<sup>9</sup> They were listed as endangered by the federal government in 1973 and by the state of Washington in 1980.<sup>10</sup> The first new breeding pair was identified in 2008 in Chelan and Okanogan counties in North Central Washington after migrating South from Canada. With wolves returning to the state, WDFW developed a management plan and a set of delisting goals.

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8 Washington State Employment Security Department, "Unemployment Statistics by County – December 2019," January 20, 2020, <https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/labor-market-info/Libraries/Regional-reports/LAUS/Unemployment%20Statistics%20by%20County%20-December%202019.xlsx>

9 Washington Department of Fish and Wildlife, "Gray wolf," <https://wdfw.wa.gov/species-habitats/species/canis-lupus>

10 State of Washington, "Wildlife classified as endangered species," WAC 220-610-010, <https://apps.leg.wa.gov/wac/default.aspx?cite=220-610-010>

The Department of Fish and Wildlife’s implementation of that plan is guided by the Washington Wolf Advisory Group, created in 2013, and includes members representing different viewpoints and interests, including ranchers, conservationists, hunters, recreationists, foresters, and elected officials. The council is tasked with creating plans, updating the management guidelines, and overseeing – but not dictating – the actions of the agency. For example, the WAG helped create a wolf-livestock interaction protocol that outlines non-lethal techniques to deter wolves, guidelines on how to investigate potential wolf depredations, and criteria for lethal removal of wolves.<sup>11</sup>

The council also plays an important role in reducing political conflict among the parties, providing a place where they can come together and find compromises on difficult issues. Thus far, they have been generally successful, and the management plan has endured. Members of the council, however, recognize that tension is increasing and that the transition period to delisting will be difficult. Paula Swedeen, a member of the WAG from the nonprofit group Conservation Northwest, expressed her concern about the growing tension. “We need to get through the next two or three years – and they are going to be acrimonious – without one side or the other blowing things up,” she told me.<sup>12</sup>

Despite the political tension, wolf populations continue to grow rapidly. Under the state’s recovery goals, there must be 15 breeding pairs present in the state for at least three years, with at least four breeding pairs in each of three regions of the state: eastern Washington, the northern Cascades, and the southern Cascades/northwest coastal area.<sup>13</sup> The state has achieved the goal of 15 breeding pairs for two years, but the distribution of wolves does not match what was expected when the plan was developed, with wolves currently occupying only the North Cascades and eastern Washington regions. Washington’s 2018 annual report of gray wolf management noted the disparities in recovery rates between the regions. In the eastern portion of the state, populations “exceeded the minimum recovery goals (four successful breeding pairs for three consecutive years) set for the individual region by the plan because it has had greater than four breeding pairs for greater than three consecutive years.”<sup>14</sup> The North Cascades is close to meeting those targets, and WDFW noted, “the North Cascades recovery region had three successful breeding pairs within the five packs.” The final region in the South Cascades and along the coast, however, had no packs.

## **Current non-lethal management techniques**

To reduce the number of depredations, the existing management plan provides guidance for ranchers on non-lethal methods to prevent wolves from attacking and killing livestock. The plan offers a range of options, but each one has limitations.

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11 Washington Department of Fish and Wildlife, “Wolf-livestock interaction protocol,” June 1, 2017, [https://wdfw.wa.gov/sites/default/files/2019-02/final\\_protocol\\_for\\_wolf-livestock\\_interactions\\_jun012017.pdf](https://wdfw.wa.gov/sites/default/files/2019-02/final_protocol_for_wolf-livestock_interactions_jun012017.pdf)

12 Swedeen, Paula, interview with the author, September 12, 2019

13 Washington Department of Fish and Wildlife, “Gray wolf conservation and management plan,” Dec. 3, 2011, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/management-plan>

14 Washington Department of Fish and Wildlife, Confederated Colville Tribes, Spokane Tribe of Indians, USDA-APHIS Wildlife Services, and U.S. Fish and Wildlife Service, “Washington Gray Wolf Conservation and Management 2018 Annual Report,” April 5, 2019, [https://wdfw.wa.gov/sites/default/files/publications/02062/FINAL\\_2018%20WDFW\\_WOLF\\_REPORT\\_11April2019.pdf](https://wdfw.wa.gov/sites/default/files/publications/02062/FINAL_2018%20WDFW_WOLF_REPORT_11April2019.pdf)

Several options involve visual deterrents designed to scare wolves. One option is fladry, strips of cloth hung along a fence or rope, or electrified fladry, known as “turbofladry.”<sup>15</sup> Ranchers can also use lighting and noisemakers. In both cases, however, ranchers and government agencies acknowledge that wolves can become habituated to these deterrents, causing the techniques to become less effective over time. Other states have experienced similar habituation effects. The Montana Department of Fish, Wildlife and Parks notes that “wolves eventually habituate to fladry, so it should be moved or electrified to reduce or prevent habituation.”<sup>16</sup> One rancher I spoke with in Northeast Washington highlighted the limits of fox lights, which flash in random patterns to disorient wolves. He noted that research demonstrated that “fox lights were good at keeping dingoes and coyotes away, but they have a shelf life. More than 30-60 days and it stops working.”<sup>17</sup> These techniques are useful, but their use must be intermittent and combined with other methods of deterring wolves.

WDFW and the Washington State Department of Agriculture fund mounted range riders who keep track of livestock herds and are on hand to deter wolf attacks or quickly identify wolf kills. Range riders can also move herds away from areas where wolves are known to be. In 2018, WDFW employed 15 range riders at a cost of \$251,010. Additionally, the state Department of Agriculture provides a grant to other local organizations, including the Northeast Washington Wolf-Cattle Collaborative and the Cattle Producers of Washington.<sup>18</sup> The \$432,000 of grants cover several activities designed to reduce wolf depredation, including funding to pay range riders.

Jay Shepherd, who previously led WDFW’s range riding programs and now works with the Northeast Wolf-Cattle Collaborative, says range riding is the best technique to prevent depredations. “The only tool that is preventative is having human presence,” he argues. “You need people out there watching livestock.”<sup>19</sup> Range riding is more consistently effective than other non-lethal techniques, but there are limits to the effectiveness. First, due to budget constraints, there is often only one rider per herd. Shepherd notes that with the program, “You could only have one rider and that rider could do more than one allotment. That is ineffective. It is mildly monitoring the herd.” Some allotments are tens of thousands of acres, making them difficult to monitor. Shepherd recommends teams of riders who can more closely manage a herd.

Additionally, some ranchers do not trust state-hired riders to care for their animals. Range riders do not always know how to rotate grazing cattle and to manage them the way owners want. If riders are paid by the state, they answer to the state, not to the ranchers. “The challenge is to have state range riders who can drive cattle where the owners want it,” noted one rancher. The Department of Agriculture’s grant program for range riding attempts to solve this problem by providing funds to local groups that work with local ranchers to design the program and to hire range riders acceptable to them.

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15 Washington Department of Fish and Wildlife, “Livestock-Wolf mitigation measures,” [https://wdfw.wa.gov/sites/default/files/2019-02/livestock\\_wolf\\_mitigation\\_checklist\\_.pdf](https://wdfw.wa.gov/sites/default/files/2019-02/livestock_wolf_mitigation_checklist_.pdf)

16 Montana Department of Fish, Wildlife and Parks, “Wolves on the Landscape: A Hands-on Resource Guide to Reduce Depredations,” <http://fwp.mt.gov/fwpDoc.html%3Fid%3D69188&sa=U&ved=2ahUKEwjS-O2dmo7nAhXmJTQIHRtTAhEQFjAAegQIABAB&usq=AOvVaw2XvVCMPh0VDz-PJzdx7MZj>

17 Scotten, Aaron, interview with the author, October 18, 2019

18 Washington State Department of Agriculture, “Northeast Washington Wolf-Livestock Grant Awards 2019,” <https://cms.agr.wa.gov/getmedia/95531d18-cf7a-4096-a885-c484fa8870f0/NEWAWolfLivestockGrantAwards2019>

19 Shepherd, Jay, interview with the author, August 27, 2019

The hope is that ranchers will be more accepting of programs they have helped design and will allow range riders to have more control over a herd, including keeping cattle closer together to prevent stragglers that may be targeted by wolves. Ranchers can hire their own riders, but those costs are not covered by the state.

The state of Washington also suggests other non-lethal techniques to avoid wolf-livestock conflicts, including quickly removing livestock carcasses so they do not attract wolves, waiting until calves are older before turning them out into wolf habitat like forested and upland grazing pastures, and using guard animals like dogs, llamas, and donkeys.

For ranchers with a state Damage Protection Cooperative Agreement, the state provides compensation for half of the cost of non-lethal activities, up to \$10,000. In 2018, the state paid \$257,421 to 31 livestock producers for costs associated with non-lethal activities, with common measures including fladry, removal of injured or dead livestock, and guard animals.<sup>20</sup> For the 2020-22 state budget biennium, the Legislature appropriated an additional \$352,000 for non-lethal wolf control for the four northern counties where most conflicts have occurred.<sup>21</sup> These funds were granted to the Cattle Producers of Washington and to the Northeast Washington Wolf-Cattle Collaborative, which funds Shepherd and the range riders he manages.<sup>22</sup>

Even with state funding and effective implementation of these techniques, depredations still occur. On August 30, 2019, a calf was killed by a wolf inside a fenced area on private land in southeast Washington. Investigating the kill, WDFW reported, “The livestock producer who owns the affected livestock monitors the herd by range riding five days a week, maintains regular human presence in the area, uses Fox lights in their pastures, removes sick and injured livestock from the grazing area until they are healed, removes or secures livestock carcasses to avoid attracting wolves to the rest of the herd, and calves away from known wolf high activity areas.”<sup>23</sup> Non-lethal techniques simply cannot prevent all attacks, and a high concentration of wolves in one part of the state will result in lost livestock under any management regime. To address the reality that there will be livestock depredations, the state also pays for losses associated with depredation and has a plan to remove problem wolves.

### **Washington’s current livestock loss compensation program**

Ranchers whose livestock is killed by a wolf and can demonstrate the use of at least two of the approved non-lethal techniques, such as fladry, fox lights, and removal of injured animals, are eligible to receive compensation from the state for the value of the animal.

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20 Washington Department of Fish and Wildlife, Colville Federated Tribes, et al, 2018

21 Washington State Department of Agriculture, “Northeast Washington Wolf Livestock Management Grant,” <https://agr.wa.gov/services/grant-opportunities/northeast-washington-wolf-livestock-management-grant>

22 Washington State Department of Agriculture, “Northeast Washington Wolf-Livestock Grant Awards 2019,” July 2019, <https://cms.agr.wa.gov/WSDAKentico/Documents/AdminSvc/SCBG/NEWAWolfLivestockGrantAwards2019.pdf?/NEWAWolfLivestockGrantAwards2019>

23 Washington Department of Fish and Wildlife, “Confirmed wolf depredation on private land in Garfield County,” September 9, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/grouse-flats-depredation>

Compensation is “based on the value at the time the animal would normally be sold at market or the cost to replace the animal...”<sup>24</sup> On small grazing sites of less than 100 acres, the state reimburses the full market value of the livestock. On large grazing sites of 100 acres or more, the assumption is that not all depredations have been discovered, so the state pays the full market value of two commercial livestock. Payments for additional livestock losses, known as “depredations,” decline according to a formula in the law. Probable depredations are also reimbursed, but at a lower rate.

The compensation program is based on the recognition that wolves are a public resource and that the public should have a role in bearing some of the costs their recovery imposes on private landowners. Compensation is also designed to reduce opposition to wolf recovery by giving ranchers some assurance that they can continue to operate, even when there are wolves nearby.

There are some problems with paying compensation. The compensation only covers that portion of the loss not covered by other reimbursement, such as insurance payments. As a result, the most that a rancher can hope to receive is the market value of an animal (or twice the market value in some circumstances), even if he had no plans to sell that animal in the near future. The amount of compensation also depends on the determination of Department of Fish and Wildlife experts that wolves were the cause, or likely cause, of the animal’s death. Several ranchers told me this can be difficult due to decomposition or damage from scavengers if the depredation is not discovered quickly. In some instances, animals killed by wolves may not be compensated for if the evidence is inconclusive.

The amount of compensation the state pays annually for each lost cow is low compared to other states in the region. While the state spends more than a quarter-of-a-million dollars in payments for non-lethal techniques, WDFW only paid \$7,536 to five ranchers in 2018 to reimburse for wolf depredations, which is less than would be expected for the same number of livestock compared to rates paid in Montana and Idaho.<sup>25</sup>

The perception that reimbursement rates are low and the difficulty in applying for compensation contributes to some ranchers’ understandable cynicism toward the compensation program. One rancher explained why he does not accept compensation at all.

“You had to open your books and provide copies of your bank statement for 36 months, to calculate average sale cost and insurance adjuster. You have to prove that [the] steer was killed by wolves, and this is the contract price. If you agree to receive payment, you accept that system. By not taking compensation, you are proving that you aren’t OK with the situation.”<sup>26</sup>

Without a meaningful or predictable compensation program, each depredation is felt more acutely. “You are getting compensated for market rate at the time of sale,” explains range rider Jay Shepherd. “It might not have been the one you wanted to sell. You are losing calf production and genetics. It doesn’t compensate for time trying to protect them and all the external stuff and stress when there is a depredation event.”

24 State of Washington Administrative Code, “WAC 220-440-180 Application for cash compensation for livestock damage or domestic animal - procedure,” <https://app.leg.wa.gov/wac/default.aspx?cite=220-440-180>

25 Washington Department of Fish and Wildlife, Colville Federated Tribes, et al, 2018, p. ii.

26 Scotten, Aaron, interview with the author, October 18, 2019

Perceived unfairness could add to the concern, expressed by Wolf Advisory Group member Paula Swedeen above, that one side might resort to “blowing things up.” If the system seems unfair, or if ranchers feel they are paying a disproportionate price for what is a public resource enjoyed by all Washington residents, political support for the existing management plan could weaken or collapse. The danger of a “shoot, shovel, and shut up” mentality, where ranchers quietly, but illegally, kill wolves to prevent attacks, increases if the existing system is not addressing their concerns.

Faced with non-lethal techniques that can deter but not eliminate wolf depredations and a compensation program that ranchers feel is not adequately covering losses, some ranchers believe the best option is to quickly kill problem wolves that are involved in attacks.

### **Controversy over Washington’s current strategy of lethally removing wolves**

The state wolf management plan allows for lethal removal of “problem animals” that have become habituated to attacking livestock. The plan notes that lethal removal “may be necessary to resolve repeated wolf-livestock conflicts and is performed to remove problem animals that jeopardize public tolerance for overall wolf recovery.”<sup>27</sup> In 2019, WDFW was assertive in removing problem wolves and packs when necessary. Wolves in three packs were lethally removed in 2019. The Old Profanity Territory Pack had members removed three times after the pack was involved in 27 identifiable depredations over the course of a year.<sup>28</sup> WDFW was particularly aggressive in this case, removing the final four members of the pack the day before a request for a temporary restraining order to block the killing of the wolves was to be heard in court.<sup>29</sup> WDFW Director Kelly Susewind also approved removal of the final members of the Togo wolf pack in August 2019, but the removal has not yet occurred.<sup>30</sup> Finally, after a series of incidents in which a GPS-tracked wolf was identified in the area of a depredation – indicating that the livestock deaths were likely caused by that wolf – WDFW removed a member of the Grouse Flats pack in September 2019.<sup>31</sup>

One range rider who works with several ranchers cited the Togo pack as an example of why lethal removal is necessary and should occur quickly. In the case of the Togo pack, it had become habituated to killing livestock and, he believes, will continue to target cattle. “They just can’t be stopped,” he told me. Additionally, it is difficult to deter wolves with range riders when wolves become that determined.

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27 Washington Department of Fish and Wildlife, “Gray wolf conservation and management plan,” Dec. 3, 2011, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/management-plan>

28 Washington Department of Fish and Wildlife, “WDFW Director reauthorizes lethal action in Old Profanity Territory wolf pack,” July 31, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/wdfw-director-reauthorizes-lethal-opt-7-31-2019>

29 Jenkins, Don, “Washington wolf advocates ask court to expand injunction,” Capital Press, August 20, 2019, [https://www.capitalpress.com/ag\\_sectors/livestock/washington-wolf-advocates-ask-court-to-expand-injunction/article\\_828b7944-c2bd-11e9-8690-4bb1b3fe925a.html](https://www.capitalpress.com/ag_sectors/livestock/washington-wolf-advocates-ask-court-to-expand-injunction/article_828b7944-c2bd-11e9-8690-4bb1b3fe925a.html)

30 Washington Department of Fish and Wildlife, “WDFW Director reauthorizes lethal action in Togo wolf pack,” August 9, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/wdfw-director-reauthorizes-lethal-0>

31 Washington Department of Fish and Wildlife, “WDFW Director authorizes lethal action in Grouse Flats wolf pack,” September 24, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/wdfw-director-authorizes-lethal-1>

As the state places traps to catch wolves, range riders worry their horses or guard dogs will step in a trap. In the case of the Togo pack, at least one rider said he would not ride in that area for these reasons. It can be difficult to simultaneously protect cattle with mounted riders and take aggressive measures against problem wolves.

Despite the high number of removals, the mortality of wolves in northeast Washington is lower than authorized by the wolf plan. In making the decision to completely remove the Old Profanity Territory Pack, WDFW noted the mortality level of about nine percent in the area is “well below the 28 percent baseline annual mortality assumed in the wolf plan model before any simulated wolf removals.”<sup>32</sup> It also noted that the wolf population in the eastern recovery region is three times the level necessary to meet the delisting requirement in that region. That high concentration contributes to conflict in the area and indicates increased lethal action would not negatively impact wolf recovery.

The state is not the only entity removing wolves. The Confederated Tribes of the Colville Reservation, which is not bound by the state’s wolf recovery plan, opened a hunting season for tribal members due to high wolf populations on the reservation lands. Cody Deasautel, Natural Resources Director for the Colville Nation, argues, “From our perspective, wolves are recovered. Five breeding pairs. Six or seven on the North half. Over the last ten years we’ve seen that population grow.”<sup>33</sup> Any tribal member can hunt a wolf as long as they report it to the tribal agency so the agency can track the total harvest. Tribal managers do not expect many wolves will be killed, however, because they are difficult to find. During the first six months, only one wolf was taken by a tribal hunter.

Unsurprisingly, lethal removal by WDFW has caused controversy. “Washington state is going on a killing-spree of endangered wolves, and it must be stopped,” says a petition started by the Center for Biological Diversity.<sup>34</sup> WDFW’s authority to lethally remove problem wolves, however, has been repeatedly upheld by the courts. Judges in Thurston and King counties dismissed lawsuits against the agency’s actions in November 2019 and January 2020.<sup>35,36</sup> At this point, the courts have preferred to allow the process created by WDFW to work, giving them discretion to remove problem wolves when necessary.

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32 Washington Department of Fish and Wildlife, “WDFW Director reauthorizes lethal action in Old Profanity Territory wolf pack,” July 31, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/wdfw-director-reauthorizes-lethal-opt-7-31-2019>

33 Desautel, Cody, interview with the author, August 27, 2019

34 Change.org, “Stop Killing Washington State’s Wolves,” <https://www.change.org/p/kelly-susewind-stop-killing-washington-state-s-wolves>

35 Washington Department of Fish and Wildlife, “Judge dismisses claims against WDFW,” November 1, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/judge-dismisses-claims-against-wdfw>

36 Washington Department of Fish and Wildlife, “Judge dismisses claims against WDFW,” January 10, 2020, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/judge-dismisses-claims-against-wdfw-0>

Some argue that wolf removals do not reduce depredations and may make the problem worse. A biologist at Washington State University published a study in 2014 claiming that “The odds of livestock depredations increased 4% for sheep and 5-6% for cattle with increased wolf control”<sup>37</sup> In other words, he claimed, killing wolves made the problem worse the following year. This study was cited by opponents of lethal wolf removal as evidence that the state’s approach was counterproductive. The study, however, has been criticized, and researchers at the University of Washington and elsewhere could not replicate the results. To the contrary, researchers found that “culling of one wolf the previous year would decrease the expected number of cattle killed this year by 1.9%...”<sup>38</sup> Statistical analysis completed by the Washington Policy Center in conjunction with an academic statistician found similar problems.<sup>39</sup>

Despite that, Washington’s governor asked WDFW’s director to find ways to reduce the number of lethal removals of wolves. In his letter to the director, Governor Inslee wrote, “I ask that you accelerate the update to the lethal management guidelines, with the goal of significantly reducing the role of lethal removal in the wolf management program.”<sup>40</sup> The governor did acknowledge that the northeast corner of the state was unique, but cited “public outrage” over lethal removals, and argued that “the status quo of annual lethal removal is simply unacceptable.”

In his response to the governor, Director Susewind said the agency would make increased use of range riders, especially on U.S. Forest Service allotments where grazing occurs.<sup>41</sup> The agency, in collaboration with the Wolf Advisory Group, is in the process of making changes to the guidelines addressing wolf-livestock conflict. Finally, WDFW asked for additional funding to be granted in the 2020 state supplemental budget for range riding, the Wolf Advisory Group, and conflict management staff in the area experiencing high levels of wolf-livestock conflict. Increased range riders and other non-lethal techniques may reduce the number of conflicts, but many of these approaches are already in place and some ranchers believe they have not successfully stopped the loss of livestock. This suggests that until non-lethal techniques become more effective, lethal removal of wolves will continue to be an essential part of sound wolf management.

## ***Part 2: Learning from Montana, Idaho, and Wyoming***

Some of the techniques being used in Washington state are informed by the experience of nearby states. Wolves have recovered and been delisted in Idaho, Montana, and Wyoming, and populations have been stable there for more than a decade. It is useful to consider how officials in these states manage their wolf population and what they include in their post-recovery plans. These states combine compensation for lost livestock, range riding, and the sale of hunting licenses that help fund these efforts.

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37 Washington Department of Fish and Wildlife, “WDFW Director reauthorizes lethal action in Old Profanity Territory wolf pack,” July 31, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/wdfw-director-reauthorizes-lethal-opt-7-31-2019>

38 Desautel, Cody, interview with the author, August 27, 2019

39 Change.org, “Stop Killing Washington State’s Wolves,” <https://www.change.org/p/kelly-susewind-stop-killing-washingtonstate-s-wolves>

40 Washington Department of Fish and Wildlife, “Judge dismisses claims against WDFW,” November 1, 2019, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/judge-dismisses-claims-against-wdfw>

41 Washington Department of Fish and Wildlife, “Judge dismisses claims against WDFW,” January 10, 2020, <https://wdfw.wa.gov/species-habitats/at-risk/species-recovery/gray-wolf/updates/judge-dismisses-claims-against-wdfw-0>

Additionally, where wolves have killed livestock or have had a significant impact on other wildlife, such as elk, these states have quickly targeted and lethally removed problem wolves. Wolves have been federally delisted in these states, which provides more management flexibility. Their experience is especially useful in the eastern portion of Washington, where wolves have also been federally delisted, and these examples of success could be used immediately to pilot post-recovery strategies across Washington.

### **Montana wolf management**

After a long process that began in 2002, the gray wolf was removed from the federal list of endangered species in Montana when the species was delisted through an act of Congress in 2011.<sup>42</sup> The Montana Department of Fish, Wildlife and Parks (FWP) is now responsible for managing wolf populations in the state. Today, the agency estimates there are currently about 800 wolves in Montana.

In 2018, Montana FWP identified 71 livestock animals killed as a result of wolf attacks. An average of 50 percent of annual livestock losses in the state are confirmed wolf kills, with 78 percent of losses verified as wolf depredation in 2018. FWP notes that “there is no doubt there are undocumented losses,” meaning that some animals are killed by wolves, even if that conclusion cannot be confirmed.<sup>43</sup> The number of losses is significantly down from the peak year of 2009, when nearly 100 cattle and more than 200 sheep were killed. In response, the state lethally removed more than 100 wolves in 2010 in partnership with federal Wildlife Services. Officials did the same in 2012. Livestock losses fell by more than half soon afterwards. In 2018, 43 wolves were killed by Wildlife Services and 17 by private citizens. This is similar to the number killed in 2017. It is significantly fewer, however, than in 2009 and 2010, when about twice as many wolves were killed. After those two years, livestock depredations declined steadily. The state’s 2018 wolf report notes that “The general decrease in livestock depredations since 2009 may be a result of several factors, primarily more aggressive wolf control in response to depredations.”<sup>44</sup>

The state also allows limited hunting to control the wolf population. In 2018, there were more than 17,000 licenses sold, generating \$387,599 for wolf monitoring and lethal removal. These funds are matched by federal Pittman-Robertson funds from the sale of hunting firearms and ammunition. For every state dollar, Montana receives three federal dollars. The funding is used to place tracking collars on wolves to collect population estimates. Only about five percent of wolves are collared. Wolves near livestock are also collared to track them and to help find them if they need to be killed after a depredation incident.

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42 Inman, B., K. Podruzny, T. Smucker, A. Nelson, M. Ross, N. Lance, T. Parks, D. Boyd and S. Wells. 2019. “Montana Gray Wolf Conservation and Management 2018 Annual Report,” Montana Fish, Wildlife & Parks. Helena, Montana.

43 Inman, et al., 2019, p. 12

44 Ibid.

Hunters and trappers killed 295 wolves in 2018. Fewer than three percent of licenses resulted in a successful wolf hunt. Most licenses are sold to elk hunters who also purchase a wolf tag in case they come across a wolf. Hunting, while creating a revenue stream for management, can be limited to a small number of wolves—a crucial fact for consideration in Washington.

Like Washington state, Montana has a program to reimburse ranchers for lost livestock, funded in part by federal grants. The nonprofit Defenders of Wildlife pioneered reimbursement payments in 1987 when it raised money to pay ranchers who had lost livestock in northwest Montana.<sup>45</sup> After initial payments, the group continued to fund losses until the state took over the program. In 2010, a federal grant was provided for a five-year demonstration program. That funding has continued but amounts to only about \$30,000 a year.<sup>46</sup> In 2011, the legislature allocated \$200,000 a year to reimburse ranchers for livestock losses.<sup>47</sup> In 2017, after mountain lions and grizzly bears were added to the law, reimbursement requests exceeded \$200,000 and the livestock-loss fund ran out of money. In 2019, legislators increased the fund to \$300,000.<sup>48</sup>

The program reimburses lost livestock at 100 percent of fair market value. Additionally, “Veterinary bills for injured livestock that are confirmed due to wolves may be covered up to 100% of fair market value of the animal when funding becomes available.”<sup>49</sup> Market value is determined by using weekly data from one of the 13 auction markets in the state published by the U.S. Department of Agriculture closest to the date the animal was killed. Additionally, for calves, the Montana Livestock Loss Board pays based on projected fall weaning weight. Staff for the Livestock Loss Board explained that paying the value of a two-day old calf would not be fair to a rancher who was planning to sell the calf in the fall.<sup>50</sup>

Livestock killed by one of the three designated predators (wolves, bears, and mountain lions) have to be inspected by the U.S. Department of Agriculture. If there is sufficient evidence of a predator kill, the livestock owner becomes eligible for a market rate payout. Ranchers may be reimbursed for “probable” losses caused by wolves at full market value, which is defined as, “the presence of some evidence to suggest possible predation but a lack of sufficient evidence to clearly confirm predation by a particular species.”

Additionally, unlike Washington, Montana does not require ranchers to demonstrate use of non-lethal techniques to prevent depredations.

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45 Hank Fischer, “Who Pays for Wolves?” December 1, 2001, PERC, December 1, 2001, <https://www.perc.org/2001/12/01/who-pays-for-wolves/>

46 Montana Livestock Loss Board, “Livestock Loss Board, December 14, 2018, Board Meeting, Helena MT, Meeting Minutes,” December 14, 2018, <http://liv.mt.gov/Portals/146/LLB/Meetings/Dec%2014%202018%20Minutes.pdf?ver=2019-09-25-143959-067>

47 State of Montana, “HB 622, AN ACT REVISING FUNDING FOR LIVESTOCK LOSS MITIGATION AND CONTROL OF PREDATORY ANIMALS; CREATING STATE SPECIAL REVENUE ACCOUNTS TO REIMBURSE PRODUCERS FOR LIVESTOCK LOSS AND TO PROTECT LIVESTOCK FROM PREDATORY ANIMALS; TRANSFERRING MONEY TO THE ACCOUNTS; CREATING STATUTORY APPROPRIATIONS TO THE DEPARTMENT OF LIVESTOCK SUBJECT TO A TERMINATION DATE; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 2-15-3110, 2-15-3114, 15-1-122, 15-24-925, 17-7-502, 81-1-110, 81-7-103, AND 81-7-104, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE,” 62nd Montana Legislature, <https://leg.mt.gov/bills/2011/billpdf/HB0622.pdf>

48 Interview with George Edwards, Montana Livestock Loss Board, February 27, 2020

49 Inman, et al., 2019, p. 13

50 Interview with George Edwards, Montana Livestock Loss Board, February 27, 2020

George Edwards of the Montana Livestock Loss Board told me that ranchers may not realize they have a predator problem, and requiring non-lethal techniques when there is no threat would be a waste of time and resources.<sup>51</sup> Total depredation and reimbursement levels are much higher than in Washington state, with \$82,959 paid for 84 livestock killed in 2018.

Montana also has a livestock loss prevention program, which provides grants to ranchers for fladry, lighting, and other techniques to deter wolf attacks.<sup>52</sup> There is also an active range riding program funded by state and local partners, including the Natural Resources Defense Council, Defenders of Wildlife, and others. Kyran Kunkel is a game biologist who has worked with range riding programs in Alberta and Montana. Kunkel notes that range riding is the most pragmatic technique to effectively prevent wolf depredations. Although he notes that it is just one tool that should be used along with other practices, the success rate for programs he has been involved in is very good. After four years, he notes that herds watched by range riders in his program have had no depredations. He reports that riders in Montana can cover more ground than in the wooded areas of northeast Washington state, saying each rider in Montana can cover 5,000 to 10,000 acres. There is a concern, however, that effective range riding in one area simply pushes wolves into nearby grazing areas where there is a smaller human presence.

There are some keys to effective range riding in Montana that can be implemented in Washington. The first is to find riders who are trusted by local ranchers. How the riders watch and manage the herd can make a difference in the health of the cattle, and mismanagement can be costly. He argues that the best strategy is to herd and move the animals, which means the rider must work with the ranch managers to prevent wolf attacks in a way that is complementary to the management.

John Steuber, the Montana State Director of USDA Wildlife Services, says there are several lessons from range riding in northern Montana. He agrees that range riders must be known to the ranchers. “We are careful to hire somebody that knows livestock and can judge when they are stressed when there are predators in the area,” he said. Describing the ideal range rider, Steuber says, “He’s been around [livestock] so much he can tell when they are overly alert. He runs a lot of trail cams to see where predators are, where they are denning, where they are meeting.”<sup>53</sup> Because the range riders in Montana are federal employees, they are limited to 40 hours a week. Despite the limitations, Steuber says the range riders were effective, and state officials are in the process of expanding the program

Riding is seasonal and is not always possible during the winter. If wolves learn to kill when range riders are not available, they become more difficult to control even when riders return. Finally, this level of management can be expensive. Finding consistent funding from the state or nonprofit partners is a challenge.

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51 Montana Livestock Loss Board, interview with the author, February 5, 2020

52 State of Montana, “2-15-3111 Livestock Loss Reduction Program,” [https://leg.mt.gov/bills/mca/title\\_0020/chapter\\_0150/part\\_0310/section\\_0110/0020-0150-0310-0110.html](https://leg.mt.gov/bills/mca/title_0020/chapter_0150/part_0310/section_0110/0020-0150-0310-0110.html)

53 Interview with John Stieber, USDA Wildlife Services, March 18, 2020

## Idaho wolf management

Wolves were also federally delisted in Idaho, and state officials there have a similar approach to Montana, paying compensation to ranchers for confirmed and probable wolf kills, removal of entire packs in areas where there is chronic depredation, and an active hunting season. Idaho's wolf population is stable, averaging about 766 animals for nearly a decade between 2006 and 2015, according to the most recent Idaho wolf report.<sup>54</sup> Livestock losses have declined in recent years, falling from 169 cattle and sheep lost in 2009 to 77 confirmed kills and an additional 20 probable kills in 2019.

Idaho's compensation program is funded by grants from the U.S. Department of Fish and Wildlife Wolf-Livestock Demonstration Grant Projects. Like other state programs, it covers costs for losses due to depredation. In 2018, Idaho received a \$90,000 grant to compensate for lost livestock.<sup>55</sup> This amount, however, was not enough to cover all losses. Josh Uriarte, the program coordinator in the Office of Species Conservation, noted that in 2017 and 2018, the requests for compensation were significantly above the funding available. As a result, payments to ranchers are pro-rated based on funding compared to requests.<sup>56</sup> Idaho's compensation program also requires ranchers to match the compensation amount for costs associated with depredation. The match can include in-kind contributions, including the use of horses, ATVs, or other equipment needed to deter wolf depredations.<sup>57</sup>

In addition to compensation, Idaho quickly removes packs in areas where multiple livestock attacks occur. One of the goals of Idaho's wolf management is to "[a]uthorize and encourage full pack removal in response to confirmed wolf depredations in chronic depredation areas."<sup>58</sup> Similar to Montana, Idaho lethally removes about 70 wolves a year. In conjunction with federal Wildlife Services, Idaho lethally removed 66 wolves during fiscal 2019, slightly less than the 76 wolves removed in 2018.<sup>59</sup> Hunting is part of the state's wolf management strategy. In 2016, 226 wolves were killed by hunters, mostly by deer and elk hunters.<sup>60</sup>

Wolves were not listed as endangered by the state of Idaho, so federal delisting gave the state control of wolf management. This provides more flexibility than in Washington, where wolves are protected by state law, and makes lethal removal a key part of the control strategy. Idaho also supports lethal wolf removal to protect wild game populations. The Foundation for Wildlife Management works with the state to remove wolves in areas where elk populations have declined.

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54 Hayden, Jim, "Wolf, January 1, 2016, to June 30, 2017," Idaho Department of Fish and Game, August 8, 2017, [https://idfg.idaho.gov/sites/default/files/state\\_wolf\\_report\\_2015-2017\\_040218clc.pdf](https://idfg.idaho.gov/sites/default/files/state_wolf_report_2015-2017_040218clc.pdf)

55 U.S. Department of Fish and Wildlife, "Depredation Compensation Grant Awards – FY 2018 Appropriated Funding," <https://www.fws.gov/Endangered/esa-library/pdf/2018-Depredation-Compensation-and-Prevention-Awards.pdf>

56 Uriarte, Joshua, interview with the author, December 2019

57 Idaho Office of Species Conservation, "Idaho Wolf Depredation Compensation Program – 2019," September 4, 2019, <https://species.idaho.gov/wp-content/uploads/sites/82/2019/09/Wolf-Depredation-Compensation-Application-2019.pdf>

58 Hayden, 2017

59 Ellis, Sean, "Idaho wolf livestock depredations hit another record," Intermountain Farm and Ranch, September 4, 2019, [https://www.postregister.com/farmandranch/idaho/idaho-wolf-livestock-depredations-hit-another-record/article\\_8c46554b-f37d-592c-b2da-182826a9f4da.html](https://www.postregister.com/farmandranch/idaho/idaho-wolf-livestock-depredations-hit-another-record/article_8c46554b-f37d-592c-b2da-182826a9f4da.html)

60 Hayen, Jim, 2017

The Foundation reimburses hunters for killing wolves where elk populations are below state targets, arguing hunters can remove wolves more cheaply than the government and can fill in gaps left by Idaho Fish and Game officials.<sup>61</sup> Boise Public Radio reported that the Idaho Fish and Game Commission provided \$23,065 to help fund the payments for wolves killed in designated elk recovery areas.<sup>62</sup> In 2020, the Idaho Legislature supplemented that effort with an additional \$400,000 to remove wolves that are killing elk.<sup>63</sup> In early 2020, the Idaho Department of Fish and Game killed 17 wolves in northern Idaho.

The growth in Idaho's wolf population appears to be putting stress on the system, and depredation funding is inadequate to meet the demand, resulting in pro-rated payouts. State officials say wolves are having a large enough impact on elk populations that they are providing a bounty for hunters who kill wolves in certain parts of the state, and they are increasing funding for state agencies to kill wolves. At this point, Idaho's approach has not been able to keep up with growing wolf populations, and private hunting has become the key method of controlling the wolf population, with the state Fish and Game Service taking action in specific cases.

## Wyoming wolf management

Wyoming's wolf-management strategy is two-pronged, combining tight restrictions and high compensation for livestock losses in one part of the state and few restrictions but no compensation in the rest of the state.

In 2018, Wyoming's wolf population fell to about 196, the lowest level since 2012 – significantly lower than the peak of an estimated 285 wolves in 2016.<sup>64</sup> The total number of livestock losses also declined in 2018. Fifty-four cattle and 15 sheep were lost to wolf attacks in 2018, compared to 110 cattle and 81 sheep in 2017, and 154 cattle and 88 sheep in 2016. In response, the state lethally removed 64 wolves in 2018, which is slightly more than in 2017, but less than the peak of 113 removals in 2016.

Wyoming's strategy for wolf management creates two zones with different control strategies. In most of the state, wolves are designated as predatory animals and can be killed anytime. Livestock producers in these areas, however, do not qualify for compensation for lost livestock. In these areas, the state takes a hands-off approach, allowing ranchers the freedom to manage wolves but providing no safety net for depredations. This zone covers about 85 percent of the state and accounted for 25 of the wolves killed due to livestock attacks, about 39 percent.

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61 Foundation for Wildlife Management, "F4WM Brief Overview," [https://www.youtube.com/watch?time\\_continue=178&v=1ztV7JrDwtU&feature=emb\\_title](https://www.youtube.com/watch?time_continue=178&v=1ztV7JrDwtU&feature=emb_title)

62 Peacher, Amanda, "State Of Idaho Funds Controversial Wolf Bounty Program," Boise Public Radio , March 28, 2019, <https://www.boisestatepublicradio.org/post/state-idaho-funds-controversial-wolf-bounty-program>

63 Associated Press, "Idaho board gets \$400,000 to kill problem wolves," March 18, 2020, [https://www.idahostatejournal.com/news/state/idaho-board-gets-to-kill-problem-wolves/article\\_d59e7747-e296-553c-aaf0-dd5f870e7c8a.html](https://www.idahostatejournal.com/news/state/idaho-board-gets-to-kill-problem-wolves/article_d59e7747-e296-553c-aaf0-dd5f870e7c8a.html)

64 Wyoming Game and Fish Department, U.S. Fish and Wildlife Service, National Park Service, USDA-APHIS-Wildlife Services, and Eastern Shoshone and Northern Arapahoe Tribal Fish and Game Department. 2019. Wyoming Gray Wolf Monitoring and Management 2018 Annual Report. K.J. Mills and Z. Gregory, eds. Wyoming Game and Fish Department, 5400 Bishop Blvd. Cheyenne, WY 82006, [https://wgfd.wyo.gov/WGFD/media/content/PDF/Wildlife/Large%20Carnivore/WYWOLF\\_ANNUALREPORT\\_2018.pdf](https://wgfd.wyo.gov/WGFD/media/content/PDF/Wildlife/Large%20Carnivore/WYWOLF_ANNUALREPORT_2018.pdf)

The remaining 61 percent of wolves killed were in areas designated as a “Wolf Trophy Game Management Area” (WTGMA) or a Seasonal WTGMA, where wolves are protected for only part of the year. In these areas, management rules are similar to those in Idaho or Montana. The permanent and seasonal WTGMAs are located near Yellowstone National Park. Wolves in a game management area can be killed only with a hunting license, in self-defense, or when caught in the act of doing damage to livestock. Wyoming’s depredation compensation, however, is much more generous than that of other states in the region.

As with other states, livestock producers who suspect a wolf depredation must report a livestock loss to the Wyoming Game and Fish Department. If the state confirms the loss was due to a wolf attack, the owner can submit a request for compensation. The key difference between Wyoming’s approach and that of other states is the amount of compensation offered per proven depredation. All states recognize that livestock producers incur costs beyond the immediate value of the lost livestock, including depredations that are likely due to wolf attack but cannot be proven. It also includes weight loss due to stress from the presence of wolves. To compensate for these intangible losses, Wyoming pays seven times the proven loss amount for sheep and calves in a WTGMA. In 2018, Wyoming paid \$169,107 to compensate 21 livestock producers for wolf attacks in the WTGMAs. This amount is significantly more than either Idaho or Montana pay but is less than half the amount paid annually in each of the previous four years in Wyoming.

In Wyoming, as in Montana, environmental NGOs played an important role in creating support for the compensation program. While wolves were listed as an endangered species, Defenders of Wildlife paid more than \$1.4 million from 1987 to 2010 in compensation to ranchers for verified wolf attacks, much of it for losses in Wyoming. Since 2010, Defenders, along with the Sierra Club, the Natural Resources Defense Council and others, have lobbied for federal funding to help states compensate livestock producers. These funds are supplemented by state funding and provide assistance to the states that operate compensation programs.

Ranchers outside the WTGMA, however, are starting to feel the impact of wolf attacks. Although livestock producers can be more active in hunting wolves outside the WTGMAs, many claim their herds are experiencing heavy losses from wolves that have learned to be more careful of humans. Cowboy State Daily reported in 2019 that two individuals experienced losses of up to 10 percent from wolf encroachment. Two other unnamed individuals allegedly lost 48 calves. They noted, “the majority of the missing calves simply disappeared, as is typical when a large carnivore species preys on livestock in rugged terrain. If each of those calves were sold at \$700 per head this fall, that’s a loss of \$33,600 in revenue between the two.”<sup>65</sup> Legislation was introduced in 2020 to expand compensation to ranchers outside the WTGMAs, but it failed to receive the necessary political support.<sup>66</sup>

The compensation multiplier seems to work well where it is applied. John Steuber, of USDA Wildlife Services, told me that ranchers in Montana occasionally mention the Wyoming system with envy.<sup>67</sup> Although the number of wolves and depredations statewide are declining, Wyoming is considering providing compensation outside of the protected areas.

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65 Urbigkit, Cat, “Chronic Wolf Depredation,” December 9, 2019, <https://cowboystatedaily.com/2019/12/09/chronic-wolf-depredation/>

66 State of Wyoming, “House Bill No. HB0035,” 2020 Legislative Session, <https://www.wyoleg.gov/Legislation/2020/HB0035>

67 Interview with John Steuber, USDA Wildlife Services, March 18, 2020

The high level of compensation for livestock producers offers some useful lessons about recognizing the intangible damage wolves impose on livestock in areas where there is a heavy concentration of hunting packs.

### **Part 3: Recommendations for Washington**

In the span of just a decade, Washington's wolf population has rapidly grown from nonexistent to numbers that are near the statutory recovery level of 15 breeding pairs. That rapid increase, along with the fact that wolves have not yet dispersed across the state, has led to increased conflict in the northeast corner of the state.

We suggest a mix of strategies to resolve the current conflict related to the concentration of wolves in northeast Washington to better manage and sustain wolf populations in the future. A sustainable wolf recovery strategy should include more local decision making, increased payments for livestock losses incurred by ranchers, state delisting in eastern Washington to match the federal status, increased support for range riding, and quick removal of problem wolf packs. Hunting should also be allowed in areas where wolves are delisted, as a tool to maintaining appropriate population levels.

No single strategy will solve the existing conflicts while ensuring the state continues on the path to wolf recovery. Determining the right mix of strategies is best done in a collaborative effort among ranchers, who face the greatest risks from wolf recovery, conservationists, who want wolf recovery to be positive for the state, and others, including state agencies. That process can be arduous, but so far there has been a commitment to sticking with that approach by most groups. With a few more tools and some additional funding, the commitment to collaboration can pay off.

### **Empower local decisionmakers**

A key theme that emerges from discussions with members of Washington's Wolf Advisory Group and ranchers in northeast Washington is the need to have people in the affected communities be part of the decision-making process. The WAG includes ranchers, so they have a seat at the table. The current conflict, however, is focused on a specific group of ranchers, and their participation is critical and may be different from the general ranching community for addressing the immediate problems. Francine Madden, who served as facilitator for the WAG noted that she was careful not to appear to be imposing policy recommendations on ranchers who face risks from growing wolf populations. "The second we offer something, and it isn't theirs, they will react," she told me. "They are the ones being asked to adapt." Range rider Jay Shepherd agreed. "Wolf recovery doesn't work when you have an angry, local community," he told me. "They need to have a voice and be recognized."

It is also important that conservation groups work in the communities being affected, rather than trying to participate from a distance, often an urban location. This helps conservation groups understand the community and builds trust. Lisa Upson of People and Carnivores said bluntly, "I can't overstate the value of having folks live in the community and be community members."<sup>68</sup> The nonprofit Conservation Northwest has taken an active role in creating these relationships.

Jay Shepherd, who helps run one of the range riding programs, works with Conservation Northwest. If input from affected ranchers is restricted or they do not trust those making the rules at the state level, it can make it difficult to implement even potentially successful programs.

Conservation groups have helped create the Northeast Washington Wolf-Cattle Collaborative, which is designed to create cooperative solutions among ranchers, the state, and local conservationists. The Collaborative reduces conflict between wolves and ranchers by providing non-lethal tools to prevent depredation, such as range riding, while providing a voice for local ranchers who feel the greatest impact. The group is also exploring markets for “value-added beef products,” which would provide a financial premium for beef sold by ranchers who co-exist with and help sustain wolf populations in the state, although there is continuing debate about how to implement this idea.<sup>69</sup>

The other benefit of local participation is that the unique circumstances of each region can be addressed. It is widely recognized that wolf management is more difficult in northeast Washington due to the rugged terrain and favorable wolf habitat. Additionally, wolf management in an area with a large number of wolves will be different than one where interaction between packs and livestock is less likely.

Finally, even with depredation payments and other state support, ranchers are paying a price for living with increased wolf populations. Wolf recovery benefits the entire state and is something the people of the state of Washington want. Beneficiaries of wolf recovery, including citizens and conservationists who want to assist with wolf recovery, should help pay for an outcome that is desired by many people who do not incur the cost of increased wolf populations. Those payments, however, cannot occur without understanding the impacts felt by those on the front line. Washington’s depredation payments are smaller than those provided in Montana and Idaho, and one potential reason is that the payment system is geared toward ease of management for the agency, ensuring every reimbursement is justified, rather than emphasizing timely payment. Understandably, WDFW wants to ensure that when it makes a payment, the recipient is deserving. That, however, may lead to excessive diligence, frustrating those who have legitimate claims.

### **Increase payment for depredation**

When comparing the depredation payments in Montana, Idaho, Wyoming, and Washington, the disparity stands out. Although there are many fewer requests for payment in Washington state, the average amount per depredation in Washington is half of the amount paid in Montana, and lower than the Idaho level of requested reimbursement. In Wyoming, the average livestock producer received more than \$8,000 for depredations in 2018 – more than Washington state’s entire program.

One obvious reason Washington’s depredations are lower is that our wolf population is significantly smaller than those in Idaho, Montana, and Wyoming. The amount of funds provided for depredation compensation is a tiny fraction of the overall budget, accounting for less than one percent of the \$1,217,326 spent on wolf management in 2018.<sup>70</sup>

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69 Northeast Washington Wolf-Cattle Collaborative, “Home | newwcc,” <https://www.newwcc.org/>

70 Washington Department of Fish and Wildlife, Colville Federated Tribes, et al, 2018, p. ii

The ratio of wolves to depredations in Washington, however, is similar to Montana's, indicating that the lower number of depredations is probably not an indicator that non-lethal techniques are especially successful in Washington.

Additionally, Washington state law limits how much ranchers can be paid for depredations. The state will pay only up to the market value of the livestock, and "Compensation paid by the department combined with any other compensation may not exceed the total value of the assessed loss."<sup>71</sup> This creates a problem because not all wolf depredations can be confirmed as wolf kills. The state recognizes there may be some wolf kills that cannot be confirmed, which become losses to ranchers. The state tries to make up for this by providing compensation where there are suspected, but unproven, livestock depredations. The amount of compensation, however, is less than market value for each suspected depredation.

The market rate also assumes ranchers would have been willing to sell the killed livestock at market rate. This may not be the case for a number of reasons. The immediate value of a cow may be more than the existing market rate. Ranchers may value a cow for its genetics, making it more valuable alive than the market rate implies. Ranchers may prefer to wait until the market price improves. Even when cattle are not killed, there are costs associated with the presence of wolves, including stress on cattle and weight loss. These intangibles make it difficult to adequately reimburse ranchers for the full cost of living with wolves.

With the exception of Wyoming, compensation rules in Washington do not appear to be significantly different than other western states. Sentiment among some Washington ranchers, however, indicates frustration with the current system. One board member of the Northeast Washington Wolf-Cattle Collaborative, Wayne Madsen, who was previously a rancher, noted that for some ranchers, refusing to apply for compensation was a way to reject the current wolf management system. "There are a number of cattlemen who just don't want to be compensated," he said. "Many of the producers feel confirmation of kills is difficult." The difficulty confirming, applying, and then getting paid for a loss are all concerns mentioned by ranchers. Another problem is that the level of frustration with wolf management is higher in northeast Washington than in other states where the systems have been around for a longer period and ranchers are either accustomed to the system or resigned to it. To achieve the same level of buy-in from ranchers, it may require larger depredation payments and a simpler application process to overcome the frustrations ranchers are experiencing.

Given the small amount being spent on depredation, Washington state should change its reimbursement rules to allow livestock producers to recover more tangible and intangible costs. First, the amount of reimbursement the state provides should not count other payments that may be provided to ranchers, such as insurance or payments from NGOs.

This would allow NGOs to find creative ways to offer additional compensation to ranchers who implement additional non-lethal management strategies. Currently, such bonuses would limit or eliminate state depredation payments.

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<sup>71</sup> State of Washington Administrative Code, "WAC 220-440-180 Application for cash compensation for livestock damage or domestic animal - procedure," <https://app.leg.wa.gov/wac/default.aspx?cite=220-440-180>

Although Washington is a long way from reaching a limit on depredation funds, the bounty program in Idaho and the work of Defenders of Wildlife in Montana and Wyoming are useful reminders that NGOs can help fill the gap when federal or state funds fall short for compensation programs or wolf management.

Second, the state should consider following the lead of Wyoming and providing a multiplier to reimburse the value of lost livestock in parts of the state where wolves are meeting the recovery goals. Even if Washington used Wyoming's multiplier, the reimbursement for depredations would have amounted to less than \$53,000 in 2018. This improved but modest level of reimbursement might also help overcome the reticence of some ranchers toward the compensation program by recognizing their role on the front line of wolf recovery.

### **Partially delist wolves at the state level to match federal delisting**

A major cause of the existing wolf-livestock conflict in Washington state is the lack of dispersal of wolves in the state, with the majority of packs situated in the region of the state where wolves have been federally delisted. With strong populations in Idaho and Canada, neighboring populations can also migrate into the state. The population in the area is large enough that the Colville Tribe opened a hunting season for wolves on reservation land. The wolf population in northern Idaho is large enough that the state has increased funding for lethal removal. As demonstrated elsewhere, if Washington harmonizes the protected status of the wolves with federal delisting in the eastern portion of the state, local decisionmakers will have greater flexibility in dealing with wolves in areas where they are causing the most problems.

Delisting the wolf in a manner that is consistent with federal boundaries would acknowledge that populations have recovered in one region of the state, while continuing to provide a high level of protection in those areas where wolf population targets have not been met. It would also make the Wolf Advisory Committee and local efforts the primary venue for discussions about wolf management rather than the courtroom. It would create an incentive to negotiate strong agreements that do not rely on the decisions of judges who are not in the region and who are not part of the larger recovery process.

Partial delisting would also open up the possibility of hunting as an effective wolf management tool. The example of the Colville Tribe is instructive. As tribal officials note, they believe wolves are recovered on their lands and have decided to open a hunting season. They are tracking the number of wolves taken by tribal hunters, but they do not expect it to meaningfully impact the total population. Washington state could do the same, creating a limited season in the delisted area only. In Montana, fewer than three percent of hunting licenses sold resulted in wolves being killed. The program could also provide additional funding for wolf recovery. In Montana, wolf licenses generate nearly \$400,000 for wolf management. Such a program in Washington state would generate far less in the near term given the much smaller wolf population, but with WDFW asking for additional funding, the money from selling licenses would supplement the agency's efforts.

Opponents will make several arguments against this. First, some will argue this would create an open season on wolves in the northeast corner of the state. In Idaho, Montana and Wyoming, however, there are still rules governing the killing of wolves. In other words, regulated hunting in Washington would not mean that ranchers could

simply shoot a wolf without a hunting permit or evidence that it was in the act of attacking or threatening livestock.

Some will argue that increased killing by ranchers protecting their cattle or by hunters would jeopardize wolf recovery. The experience of Idaho, Montana, and Wyoming indicate this outcome is unlikely. Despite increased hunting, wolf populations are stable and well above recovery levels in each of those states. Wolf populations appear to be increasing in the portion of Wyoming where ranchers have the most freedom to kill wolves that threaten their herds. The judgement of the Colville Tribe is that very few wolves will be killed despite the tribe's extremely permissive hunting rules. Those examples indicate that giving ranchers more leeway to hunt threatening wolves can be managed to ensure continued progress on wolf recovery.

To be sure, partial delisting and introducing hunting would not on their own control wolf depredations. It would, however, acknowledge the reality on the ground that wolves have recovered in the eastern region of Washington, a fact reflected in federal law. At the very least, partial state delisting now should be part of discussions about how to make progress on other elements of a wolf management strategy. Additionally, it would provide an opportunity to demonstrate some of the potential policies included in a post-recovery plan.

### **Increase funding for range riding**

The state of Washington has prioritized funding for non-lethal efforts, but with increased wolf population density, some strategies are having only limited success. The response from Fish and Wildlife Director Susewind to the governor's letter notes that additional resources are necessary to provide increased human presence, including range riding. As range rider Jay Shepherd told me, human presence is often the most successful way to prevent wolf attacks.<sup>72</sup> All other techniques, including fox lights, fladry, herd management and guard animals, can be effective but are also expensive, and wolves can become habituated.

A further benefit of range riding is that conservation groups like the NRDC and Defenders of Wildlife have been willing to help fund range-riding programs in other states. Range riders also improve the process for receiving payment for lost livestock. By quickly finding livestock killed by wolves, riders can alert state authorities to confirm wolf kills and begin the reimbursement process.

The challenge of finding range riders who are trusted by ranchers remains. Range riders who are not paid by ranchers are not controlled by ranchers. Ranchers, even in areas where there are significant wolf populations, have been less willing to pay for range riders out of their own pocket, incurring a personal cost for the sake of public wolf recovery. Ranchers may not realize wolves are in the area or decide the risk is low, making them less likely to spend money on a threat they think is limited. In Montana, for example, the state does not require non-lethal efforts precisely because it does not expect ranchers to pay to prevent wolf attacks in areas where the risk appears low, especially as wolves expand their range across the state.

One of the goals of Washington's wolf recovery efforts is to maintain public support. That support is undermined if ranchers feel they are being forced to pay for something they believe the wolf-loving community should pay for.

Kyran Kunkel notes that even in Montana's successful range riding program, it was difficult to find ranchers who were willing to participate. That reticence was overcome in two ways. First, environmental NGOs and the state paid for range riders. Second, riders were chosen who had the trust of local livestock producers. The Northeast Washington Wolf-Cattle Collaborative is taking this approach. With funding from the Washington State Department of Agriculture, the NEWWCC board is working with local producers to find and fund range riders who are trusted and effective. These efforts worked in Montana, and they should be expanded and supported in Washington state.

### **Rapidly remove problem packs**

The increased number of conflicts by a few packs and the proactive stance taken by the Department of Fish and Wildlife to kill wolves involved in those attacks is part of what prompted Governor Inslee's letter expressing concern about the number of wolves killed by the agency. Although there is debate about the effectiveness of removing wolves, the experience of other states is clear that removing packs involved in depredations is an effective tool to reduce conflict. Montana began to rapidly remove problem wolf packs after depredations reached a high level in 2009. Afterwards livestock losses declined rapidly. Montana had the ability to take aggressive actions because it had a large wolf population that is well above the minimum population level required by the federal government. Washington has an excess of wolves in one area and removal would affect only the small percentage of wolves involved in conflicts.

Those on the ground agree that quick action is needed when livestock depredations occur in northeast Washington. One rancher told me, "There are going to be wolves here, but if we get a confirmed kill, then immediately there needs to be some sort of response, not four depredations later." Jay Shepherd, who works with the state and conservation groups, agreed, saying, "If you have a habituated pack, you need to get on it, and react in a more timely manner."

Rapidly removing problem wolves should not be the backbone of the new management regime. In the same way that ranchers should be involved in management decisions that affect them, conservation groups should be part of this discussion. The existing approach of severely limiting wolf kills, however, prolongs conflicts with problem packs.

### **Conclusion**

As wolf populations in Washington continue to grow, increased conflict with livestock producers will increase as well. The good news is that populations have increased rapidly, and wolves are moving toward delisting. That increase, however, comes with challenges, and the combination of strict rules designed to protect wolves and high wolf population density in a small area of eastern Washington creates tension. The state has an opportunity to demonstrate post-recovery rules in the part of the state where wolf populations functionally meet the recovery goals already. To do so, Washington should learn from the successes of Idaho, Montana, and Wyoming.

With a combination of the above approaches, ranchers and conservation groups, with the state's participation, should negotiate a new approach that increases incentives for non-lethal techniques and compensation payments when those approaches fail.



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Published by  
Washington Policy Center  
© 2020

**washingtonpolicy.org**  
**206-937-9691**

By reducing some of the existing regulations, the state can move away from its current role as the primary decisionmaker. As long as the state plays that role, all parties have an incentive to pursue a half-hearted approach to finding a settlement, hoping to win in the political or judicial arena what they cannot get with a mutually agreeable arrangement. The ability to appeal over the heads of the other side means any negotiation is conditional, reducing the chances that a durable agreement can be reached. Thus far, the state Department of Fish and Wildlife and judges have encouraged collaborative decision-making by parties at the table and members of the local community. Collaboration has been strained at times, but it is the best approach and the effort has been sincere. With some additional financial support and more flexible regulations, WDFW can build on successful efforts to increase wolf populations while reducing conflict where it is most serious.

The existing approach by WDFW has successfully increased Washington's wolf population. The existing system is being strained, however. It is time to begin the transition to post-recovery management, using the northeast corner of the state as a pilot area to build a locally designed, collaborative wolf-preservation policy that emphasizes incentives to limit conflict.