



October 26<sup>th</sup>, 2024

Via electronic mail

Dear Chair Baker and Members of the Washington Fish and Wildlife Commission,

Conservation Northwest respectfully submits the following comments regarding the petition you are considering regarding developing formal regulations for the wolf-livestock interaction protocol and for updating the Caught in the Act regulation (WAC 220-440-080).

We ask that you reject rule-making governing wolf-livestock interactions for the reasons stated below. While we agree that there are legitimate concerns with Caught in the Act, we think that the Commission should independently initiate a rule-making process to update the Caught in the Act WAC in order to create a more inclusive process.

Our reason for advising against rule-making on the wolf-livestock interaction protocol is simple: The current system is working well for wolves. Washington has the lowest level of agency lethal control in all western states that have established wolf populations (We exclude California as they prohibit lethal control and only have [7](#) known packs). While Oregon is often held up as an example of a rules-based system that works, the data show that Washington has fewer livestock depredations and that the number of wolves lethally removed since 2008 is comparable to Oregon. Over the most recent three years, Oregon has lethally removed 20 wolves (with two more currently under lethal order) versus 10 in Washington.

The Northern Rocky Mountain states of [Montana](#), [Idaho](#), and [Wyoming](#) regularly killed 10-20% of their wolf population annually through lethal control prior to hunting becoming legal. These states now kill 20%-40% of their wolf populations through a combination of hunting and targeted lethal control, with Montana and Idaho having legal intent to kill up to 90% of their populations.

Given Washington's performance in comparison with other states, we do not think there is reasonable justification for changing a system that has been carefully constructed and which has evolved over time as the Department and stakeholders learn from past short-comings.

Conservation Northwest has been working both in the field and in the policy realm since 2010 to provide financial and technical support to ranchers in order to proactively reduce wolf depredations on livestock and reduce as much as possible the need for lethal control. We have gained considerable insight and evolved our own practices and our policy advocacy over these fourteen field seasons to improve the entire system, from increasing state funding over time to protocol language to field implementation of range riding and other deterrence methods. We have learned how to work with livestock producers and their communities in a constructive manner that has led to both increased uptake of proactive range riding and other practices, and improved implementation. This involves treating producers with respect and as partners in figuring out how best to deploy non-lethal measures, providing them with adequate resources to get the work done, and timely response to problems.

Based on this experience, which we note none of petitioners possess, we think that converting the current system of protocol as guidance with Director decision-making flexibility into formal regulations undermines flexibility needed to adapt to specific circumstances, and will have damaging impacts to wolves. While the journey has not been without difficult incidents, the vast majority of ranchers who have operations within the current wolf range have come to accept the need to conduct genuine proactive deterrence. Our interactions with the ranching community lead us to think this is because many of them have come to learn that it is the best way to prevent loss and damage to their livestock, not just because it is the only way that lethal control will be conducted if there are depredations. This was not the case for the first several years after wolves started to make their comeback in Washington.

We are concerned that ranchers will perceive the imposition of rules as dismissive to the efforts they have made and as a punitive system that makes their lives even harder. Such perceptions could lead to less effort and lower uptake of proactive deterrence measures, which in turn could lead to more depredations and increased frustration in the ranching community. The department could take the attitude that if inadequate non-lethal measures are adopted then they will not implement lethal control. The end result of such a scenario however would likely be the eventual need for lethal control and more wolves needing to be killed as higher livestock losses become both economically and socially unsustainable. It is much better in our view to maintain the buy-in that has been gained through years of sustained effort, relationship-building, and adaptive learning.

Thank you for your consideration of our comments.

A handwritten signature in black ink, appearing to read "Paula Swedeen", with a long horizontal flourish extending to the right.

Paula Swedeen, Ph.D.  
Senior Director of Policy  
Conservation Northwest