



June 30, 2010

Oregon Department of Fish and Wildlife
Wildlife Division
3406 Cherry Avenue N.E.
Salem, OR 97303
Delivered via: ODFW.Comments@state.or.us

RE: Comments on Oregon's Wolf Conservation and Management Plan

Dear Oregon Department of Fish and Wildlife:

Thank you for the opportunity to comment on the Oregon Wolf Conservation and Management Plan (December 2005; hereinafter "the Plan"). Please accept these remarks on behalf of Predator Defense as well as our members, most of whom are Oregon residents and all of whom have an interest in wolf recovery in Oregon.

Predator Defense understands that much hard work has gone into development and, more recently, implementation of the Plan, and we appreciate the challenges the state faces in balancing competing interests in those efforts. At the same time, we urge the Department to strengthen the Plan and submit the following suggestions.

1. The Plan's recovery and management goals should be based on science and restoring wolves' ecological effectiveness.

The Plan calls for stripping wolves of state protections in each part of the state with establishment of four breeding pairs (and full management at seven breeding pairs). These numbers have no scientific basis. In fact, it's common knowledge that these numbers resulted from a political compromise. The Department should engage independent biologists to help it determine how many wolves would be required for demographic and ecological recovery in Oregon. Wolves are apex predators and numerous studies have shown that they have significant impacts on the food web, with resulting benefits to ecosystems and ecosystem functioning (see Licht et al. 2010 for an exhaustive list of such studies).

Wolves are native to the Oregon landscape. Before humans exterminated them, they regulated prey species and asserted influences upon vegetation and competing predator species. To truly restore wolves in Oregon, these influences should be present. Demographic considerations are always important, but for keystone species like wolves, ecological effectiveness should also be a recovery consideration (Estes et al. 2010; Bergstrom et al. 2009).

2. The Plan's relocation provision should be modified.

According to the Plan, wolves involved in depredations can be relocated to nearest wilderness areas; however, much of these areas is not productive habitat for wolves or their prey. Language in the Plan should be changed to allow for relocations that may be appropriate to more distant locations. That said, relocations are not always appropriate and should not be considered the primary solution to conflicts. Predator Defense urges the Department to require livestock producers to take greater responsibility for protecting their stock.

3. The Plan's language regarding livestock conflict investigations should be modified.

ODFW should clarify language in the plan pertaining to the process ranchers must follow in response to livestock conflicts. Currently, Plan language allows landowners to contact the Department or Wildlife Services. The Department should be the lead agency in charge of investigations, and conflict prevention and response – not USDA-Wildlife Services. Producers should be required to contact ODFW, and ODFW should then lead investigations. Anyone who is familiar with Wildlife Services and the rural West knows that Wildlife Services has an institutional bias towards encouraging producers to take a kill approach to carnivores, not coincidentally protecting the agency's own self-interest. ODFW needs to ensure a balanced approach to handling wolf-livestock conflicts by asserting its leadership and preventing producers and/or Wildlife Services from taking over the process.

4. The Department should re-prioritize livestock conflict responses towards non-lethal solutions and strengthen response protocols.

Even though no depredations have occurred in weeks, the Department has extended authorization to kill two Imnaha wolves. In so doing, the Department has stated that "the action is limited to an area where previous losses have occurred and to private property with livestock activity." Yet the area in which lethal control can now take place is well beyond that limit, having been expanded by the Department, seemingly to carry out its wish to appease livestock producers. Moreover, the wolves have since moved upslope into forested areas, eliminating the need (if not to appease vocal minorities) to pursue the wolves.

Electronic signals have not been picked up on the pack's alpha male in weeks. If the alpha male is dead (as clearly suspected, even by agency personnel) and two other members of the pack are killed, Oregon's only confirmed breeding pack could be at risk.

The Plan states that non-lethal techniques are the preferred solution when wolf-livestock conflicts are reported, regardless of the wolf population status. Yet, there are no binding requirements that livestock producers take any particular actions, including removal of livestock carcasses. It has been reported that wolves that have killed livestock were drawn in to livestock areas by carcasses.

Predator Defense believes the Department has ignored the Plan and violated OAR 635-110-0100 numerous times by:

- Failing to issue permits for injurious non-lethal harassment, as required by section 3;

- Allowing injurious non-lethal harassment and lethal response given that livestock carcasses have been present on lands near or where wolves have preyed upon livestock (sections 3 and 5); and
- Issuing permits for lethal response, when there has been no documentation or proof that efforts to resolve the problems have been deemed effective by the agency (section 5 and 6).

The best way to resolve and minimize livestock conflicts is through education and implementation of non-lethal methods, such as guard dogs, shepherding, fencing, fladry, and improved animal husbandry tactics such as removing/protecting animals in greatest jeopardy such as cows and ewes during parturition and young vulnerable animals, and disposing of carcasses, afterbirths or any other attractant to predators. We appreciate the plan's emphasis on non-lethal control but suggest it be more clearly defined and be required before receiving financial compensation or permits to allow lethal take. Such provisions need to be more stringently enforced by the Department.

Rather than killing wolves, ODFW should:

- Add to conditions/requisites for issuance of non-lethal injurious permits, as follows:
 - Add a requirement for best husbandry practices, and exhaustion of non-lethal controls, including but not limited to fencing, fladry, electronic deterrents, shepherds, guard dogs.
 - OAR 635-110-0010(3)(d) mentions that issuance of future lethal control permits requires documentation of non-lethal methods but this is not sufficient and should be a requirement of non-injurious as well.
- Regarding the condition for lethal take in act of a livestock attack (rancher take permit) and non-injurious take permits that no unreasonable conditions exist to cause / attract conflict: This needs to be enforced more stringently, since carcasses have been seen on properties where take permits have been issued.
- A requirement for documentation of best husbandry and exhaustion of non-lethal practices must include the broad area where wolf activity has been confirmed, not just immediate property of depredation BEFORE issuing non-injurious or rancher take permit.
- Permits should have a specific and limited time length as well as specific boundaries which are not be extended as the wolves move away.
 - Non-injurious permits now for entire grazing period need to be shortened, and boundary limitations should be added.
 - Rancher take permits need to have temporal or geographic limits.
 - Chronic depredation take permits (authorized agent take permits) have no mentioned time or space limits and have recently been extended by weekly increments and by boundary as well. There need to be more parameters put in place to restrict open-ended kill pursuits.

We submit that rancher take permits should not be issued until phase 2 has been reached, and lethal take permits should not be issued for public lands.

If the Department's goal is to stop depredations, as so stated, it should re-double its efforts in prevention by requiring ranchers to bear more of the burden of raising livestock in or near areas where carnivores would reasonably be found. The Department has stated that "By killing the two wolves, wildlife managers hope to send a message to the pack to not kill livestock." Experience in the Northern Rockies has shown that randomly killing members of wolf packs does nothing to "teach wolves" not to depredate. Further, studies show that indiscriminate killing of wolves from packs can disrupt pack structure. Wolves have evolved under complex family-based social structures, and maintaining pack structure is important for several reasons. Pack disintegration has been tied to a potential for increased livestock conflicts (Rutledge et al. 2010; Treves 2009; Wallach et al. 2009). Management policies should look beyond numbers to biological and ecological considerations.

5. The Department's temporary rule change is ill conceived and the language is too ambiguous.

Yesterday, on June 29, 2010, ODFW filed a temporary rule change that changes the OAR language guiding lethal responses to wolf-livestock depredation. The rule changes add "in the area" to language pertaining to geographic authority for lethal control. The temporary rule appears to loosen restrictions on the agency authority to focus lethal control in a certain area; for example, if the targeted wolves disperse away from the original depredation site (as the Imnaha pack has). The new rule also allows ODFW to target wolves that depredate "in the area" rather than on or next to one's property, thus expanding the Department's authority to begin a lethal control process.

No doubt this temporary rule change was submitted to attempt to retroactively justify lethal control activities relating to Imnaha wolves and to provide cover for the Department when Wildlife Services and ranchers maintain pressure to kill depredating wolves, even when the wolves leave the area. The Department is essentially chasing the Imnaha wolves to hither and beyond, just to kill them, even though no depredations have occurred in weeks and the wolves have moved away.

This unfortunate response begs these important questions:

- Will the Department have the courage to let depredating wolves off the hook when spatiotemporal conditions for lethal control no longer exist?
- At what point does the Department simply need to tell Wildlife Services and the livestock producers to accept that sometimes wolves will kill livestock and that this will have to become part of raising livestock near wild areas, because – unless we're doing it just for revenge purposes – it just doesn't make sense to chase wolves for weeks or months and tens of miles?

Finally, the language in the rule change request is far too ambiguous; that is, what does "the area" mean? This wording is too ambiguous and allows far too much flexibility in expanding the geographic area for lethal control activities. This temporary rule change is an example of how the Department can lose its grip on wolf management on the slippery slope of responding to special interest pressures. Instead of this particular rule change, we would suggest the Department tighten the rules in the other direction – or simply clarify them – to support the notion that there

will be times when livestock is lost to wolves and that producers need to accept this fact and thus support a strong compensation program.

5. The Plan should provide for a progressive compensation fund that would eliminate producer hardship and the pressure by special interests to kill wolves.

Predator Defense supports implementation of a state compensation fund with funding for compensation at fair market value for livestock losses attributable (confirmed or probable) to wolves. Confirmed with the assistance of authorized agents, use of appropriate non-lethal methods should be documented before awarding compensation.

Ironically, livestock producers themselves have opposed establishment of such a fund. It's curious that producers would turn down compensation for livestock if the program was designed with their assistance and would accomplish their ultimate goals of receiving money for stock. One might reasonably question whether the issue is not in fact about compensation but rather power and control, and the desire to kill wolves. The Department should respond with leadership that establishes it is in charge and committed to restoring wolves on the Oregon landscape. With an adequate compensation program, wolves should not be killed in response to conflicts.

6. Wolves should not be managed to protect or enhance big game herds.

Predator Defense is opposed to wolves being managed or controlled for the benefit of big game or ungulate populations, and we request that provisions allowing such management be removed from the Plan. Wolves and elk (and other prey) have co-existed for thousands of years, with natural ebbs and flows to population demographics, distributions, and densities. Wolves make ungulate herds stronger by preying upon vulnerable or unhealthy animals (Licht et al. 2010), and numerous studies from the Northern Rockies have determined that the primary impact wolves have upon elk is to make them move around, seek cover, and be more vigilant, which also benefits the plant community (Halofsky and Ripple 2008).

George Wuerthner, ecologist, hunter, and former hunting guide, provides these remarks on the need for wolves to regulate game herds (Wuerthner 2010):

Pro hunting organizations are demanding that wolves be "managed" so they will have little effect upon elk numbers which hunters' desire. If wolves are going to have an ecological influence upon prey species like elk, they will occasionally reduce elk and other prey numbers in some places at some time. Ungulate populations will often stabilize at lower numbers. Other times they will--over time--rise again. But far too many hunters are impatient. Some hunters will remember the "good old days" when they could blast elk without much effort.

The fear among many hunters is that the few well-documented declines in elk numbers reported here and there will become the norm everywhere unless wolves are actively controlled. There is good reason to believe this will not be the case. It's important to point out that the vast majority of elk herds are holding their own in spite of the

presence of wolves. Indeed, many elk hunting units in Idaho, Montana and Wyoming have populations that are at and/or above agency objectives despite the presence of wolves and other predators.

Among the changes in Yellowstone attributed to wolf predation that many feel are positive—riparian areas are sprouting new growth. Stems of aspen have seen a reduction in elk browsing and subsequent higher proportion of aspen surviving to become mature boles. Beaver have responded to the increase in willows and aspen and are recolonizing areas where they have not been seen in decades. So as to emphasize the last point, this February I watched a beaver gathering willow at the confluence of the Lamar River and Soda Butte Creek in the park—a place where no beaver has been seen for decades. The presence of wolves has led to a reduction in coyotes. Since coyotes are the main predator on pronghorn fawns, the reduction in coyotes has led to more pronghorn. Wolves also produce carrion throughout the year that supports many scavenger species. Some ecologists have even suggested that extra carrion may help counter somewhat the effects of warmer winters due to climate change (in the past harsh winters killed many more elk and created a lot of carrion). These positive changes and more could only occur if wolves are left to “manage” their own numbers.

Unfortunately, most hunters are single minded about what is important and ecological integrity takes a backseat to “getting their elk.” Not only are elk numbers lower in some areas, but research has shown that elk appear to be more alert and wary, and are moving around more than in the past. All of these changes mean it is more difficult to get “your” elk in some parts of the West these days.

Some hunters spend lots of time studying wildlife. They are willing and able to walk all day, day after day for an opportunity to engage with elk and other prey. These hunters are willing to share the land with wolves and other predators. If you asked them, they would say that the presence of wolves enhances their entire outdoor experience whether they actually kill an elk or not. For many it is more exciting to cross a wolf track than a track of an elk. They put ecosystem integrity and the integrity of the wildlife first and foremost.

I do not want to diminish the contribution hunting and angling organizations have made to wildlife habitat acquisitions that benefit all wildlife species. Over the years hunters have contributed many millions towards acquisition of wildlife habitat. Yet such contributions do not give anyone greater “rights” to public wildlife. And the majority of the public wants wolves back on the land, and they want wolves to be wolves, not some emasculated version of their former self. The main value of wolves is their ecological footprint—how they influence ungulate populations. A few token wolves here and there will not be enough to sustain this ecological influence.

Conclusion

Predator Defense reiterates our appreciation for all the time and effort officials have put into developing and implementing the Plan. At the same time, we believe there are appropriate adjustments that need to be made (as outlined above), and that many of these adjustments would actually alleviate the pressure and difficult judgments the Department must make in the face of especially rancher and sportsmen criticisms and pressure. While we sympathize with the fact that predators have always been a controversial subject in wildlife management, we believe it is the Department's responsibility to educate people (including those from where the strongest political pressures come) and give greater consideration to well-established principles of ecology.

It's clear that negative attitudes towards predators from hunters and ranchers still dominate management policies of state wildlife agencies. Unfortunately, current predator management policies of most state agencies tends to reinforce negative attitudes and hostility to predators both in how agencies frame the issue of predators, as well as by advocating indiscriminate control that ignores predator ecology and disrupts social organization. We believe that for the Department to take a balanced approach to wolf management, it must resist the temptation to simply mollify certain political pressures. The Department is already perilously close to losing its independence and leadership on wolf management in Oregon.

We hope that you will consider our suggestions; we look forward to your response.

Thank you once again for the opportunity to comment.

Sincerely,

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Oregon Carnivore Representative
Predator Defense

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