

## DRAFT MEETING SUMMARY

### **Oregon Wolf Conservation and Management Plan (Plan) Wolf Plan Stakeholder Representative (WPSR) Work Group Process *Salem, OR – October 9, 2018***

#### **OVERVIEW**

The Oregon Wolf Conservation Management Plan's (Plan) Wolf Plan Stakeholder Representative (WPSR) Work Group met at the Tillamook Room at the Oregon Department of Forestry in Salem, Oregon on August 30, 2018. Curt Melcher, ODFW Director, Shannon Hurn, ODFW Deputy Director for Fish and Wildlife Programs, Kevin Blakely, Wildlife Division Deputy Administrator, and Derek Broman, Carnivore/Furbearer Program Coordinator represented ODFW leadership at the meeting. Amira Streeter, Natural Resources Policy Advisor represented the Governor's Office.

Attendance included eight WPSR Work Group members representing stakeholders from throughout Oregon.

Over the course of the meeting, WPSR Work Group members discussed the following topics with each other, ODFW staff, and the Governor's Office.

- Confirm WPSR Work Group facilitation topics
- Strive for resolution on initial topics proposed for resolution
- Discuss and seek resolution on key topics/issue areas
- Confirm approach going forward, including approach to resolving remaining topics, upcoming meeting dates, and next steps

This report summarizes the major meeting discussions, action items, and next steps for the WPSR Work Group process.

## **1. Welcome, Introductions, Context, and Agenda**

*Curt Melcher, ODFW Director and Deb Nudelman, Kearns & West*

Curt Melcher, ODFW, welcomed attendees and expressed optimism for continued productive discussions. Amira Streeter, Governor's Office, expressed that the Governor appreciates everyone's engagement on the issue and trying to find a collaborative solution.

WPSR Work Group members and audience introduced themselves by name and affiliation.

Deb Nudelman, Kearns & West (K&W) reviewed the meeting agenda. She explained that members shared their ideas and key concerns at the last meeting. After that, the ODFW team developed proposed language to address those concerns and help direct productive conversation. Kevin Blakely, ODFW, will review four topics identified as having a higher likelihood of resolution, then Derek Broman, ODFW, will provide a presentation on four topics identified as needing further discussion. Derek will share the status on each topic, the current proposals under consideration, and the likely path forward if there is no resolution during the Work Group process. After lunch, the group will discuss those topics holistically. There will be opportunity for public input.

Deb encouraged members to provide updates. A few participants noted they met with the Governor's Office where they reflected on the August 30 WPSR Work Group meeting and discussed six different topics. Shannon Hurn, ODFW, noted that the ODFW team met with the Rocky Mountain Elk Foundation (RMEF) since it was not able to send a representative to this meeting. A participant added that they had also spoken with the RMEF and that their philosophies and views of the Wolf Plan are aligned.

## **2. Confirm Approach for Discussion**

*Shannon Hurn, Deputy Director for Fish and Wildlife Programs*

Shannon Hurn, ODFW, explained today's meeting agenda is structured to provide a more focused discussion format. ODFW reviewed the list of key discussion topics developed at the August 30 WPS Work Group meeting and organized them into topics that have a higher likelihood of quick resolution, and topics that need significant further discussion. ODFW developed and previously provided background documents on those topics that the Work Group will review today. ODFW will share the status on each topic in the current Wolf Plan, current proposals under consideration for each of the topics, and the likely path if there is not resolution by the WPSR Work Group. The language in the current proposed Wolf Plan will be presented to the Commission if an alternative is not found through this Work Group.

A participant expressed concern that the draft language will not be amended unless the Work Group comes to consensus, because the discussion itself might provide insight into an improved draft. The ODFW team agreed and clarified that it will be transparent and open to the Commission to explain where the Work Group was and was not able to reach consensus.

### **3. Review and Seek Confirmation on Initial Topics Proposed for Resolution**

*Kevin Blakely, ODFW Wildlife Division Deputy Administrator, and Derek Broman, ODFW Carnivore/Furbearer Program Coordinator*

ODFW staff reviewed proposals for resolution on four topics, and members asked questions and made comments. For each topic, Deb Nudelman, Kearns & West, asked if members agreed to the proposals in principle.

#### **a) Radio Collars**

Kevin Blakely, ODFW, presented ODFW's proposal for radio collars.

- ODFW will continue to make efforts to collar at least one member in every known pack during Phase 1 and 2. There will continue to be some scenarios where collaring would not be beneficial or feasible.
- ODFW will look into best practices to share data.
- ODFW will use more GPS collars in addition to VHF collars.

Kevin asked for questions from the participants.

- Q: What collaring data is being shared, with whom, and under what circumstances?
  - A: ODFW does not have confidentiality agreements with any entities. When ODFW shares information with producers, it does so usually conversationally and by discussing maps.
- Q: Are there plans for long-term collaring?
  - A: ODFW will continue collaring for as long as it is useful and cannot say now what the future approach will be. It is expected that the percentage of collars will decrease as the wolf population increase. ODFW is looking to maintain the same level of information collection.
- Q: What are the plans in Phase 3?
  - A: Collaring will continue in Phase 3 to help address conflict and to aid in use of non-lethal tools. ODFW plans to continue using collars in conflict areas during Phase 3 and will look for creative solutions to reduce the cost of collaring.

Members discussed the collaring program, and some noted that because collars help to reduce conflict and assist in non-lethal efforts, having a collar in every pack is important to these efforts. Members also noted that collars have benefits and drawbacks; for example, some collars may not send data accurately and can lead to a false assumption that no radio signal means no wolves in the area.

Deb Nudelman, Kearns & West, asked if the *Proposed Resolution to be reflected in the Plan update* language, as reflected in the *Initial Topics Proposed for Resolution* handout, is acceptable to the Work Group. A few participants noted that the challenge with indicating acceptance to individual issues is that each of the issues is interconnected. Deb advised the group that this exercise is meant to indicate "agreement in principle."

All Work Group members indicated agreement in principle on this topic.

## b) Investigations

Kevin Blakely, ODFW, presented ODFW's proposal for investigations, as reflected in the *Initial Topics Proposed for Resolution* handout.

- The purpose of investigations is to reduce conflicts on the landscape. Investigations can lead to lethal removal requests and opportunities and provide opportunity to understand what is happening on the ground.
- ODFW recommends that it continue investigations and have staff that are trained for these investigations and strive for greater efficiency in investigations.
- ODFW will use training protocols currently used by staff to train investigators, particularly in Phase 3 areas where Wildlife Services staff are expected to conduct investigations. The goal is to have consistency in investigations and have a base that is trained to make consistent decisions.

Kevin asked for questions from the participants. Participants asked the following questions and made comments:

- Q: Will Wildlife Services conduct depredation investigations and authorize lethal control in Phase 3?
  - A: The current Wolf Plan authorizes these investigations by Wildlife Services staff, and ODFW proposes to authorize such investigations. ODFW would like to standardize the investigation process so that Wildlife Services staff can conduct investigations in the same manner as ODFW staff. However, the authority to implement lethal control remains with ODFW.
- Q: Statistically, Wildlife Services findings differ greatly from ODFW findings about when a depredation has occurred. If Wildlife services is being paid by ODFW to conduct the investigations, how will that work?
  - A: Currently, Wildlife Services do not do the types of investigations that ODFW conduct to evaluate a depredation. The proposal going forward is to allow Wildlife Services to conduct investigations in Phase 3 areas and train them in with the same methodology as ODFW. Wildlife Services are paid to conduct investigations on a fixed amount per biennium.
- Q: Will the formal investigation procedure be laid out in rule?
  - A: Yes, the plan indicates investigators will be properly trained and gets adopted into rule. There are field forms that ODFW uses currently.
- Q: Members asked about the scope of “adaptive measure” and “local measures” in the proposal. They asked whether it will be necessary to train external investigators if ODFW has increased resources and knowledgeable staff. Some were concerned about ODFW's ability to monitor non-ODFW investigators and terminate contracts if the investigations are not up to the ODFW standard.
  - ODFW staff responded that Wildlife Services staff have great expertise on the ground and can conduct effective investigations. They would undergo the same training and certification as ODFW staff and mentor with an investigator. To date, Wildlife Services has only conducted investigations in tandem with ODFW staff but ODFW expects that Wildlife Services could conduct autonomous investigations with proper training. Currently, ODFW investigations and depredation determinations are never conducted by one individual. There is oversight. ODFW will have policies, trainings, and supervisory control over Wildlife Services

- Members discussed how sheriff departments might be engaged in investigations. ODFW staff noted they would like to engage with local sheriff departments to capitalize on their local knowledge. Currently, sheriff departments have not been asked to conduct independent investigations. A participant supported using local sheriff departments and local biologists to aid in investigations, and to help fill the void where ODFW investigators/biologists are not available. There are many contractors outside of ODFW and Wildlife Services who could also be considered as wolf populations grow and capacity is overwhelmed.
- Members commented that no matter who does the investigations, they should be well-trained in the varying types of non-lethal methods and which are most effective in each situation.

Deb Nudelman, Kearns & West, asked if the proposed language is acceptable to the Work Group. Most indicated that they still need more discussion before agreeing in principle.

#### **c) Other Sources of Mortality**

Kevin Blakely, ODFW, provided the proposed resolution, as reflected in the *Initial Topics Proposed for Resolution* handout.

- ODFW would like to be more informed about other sources of mortality on the landscape, such as highway killings, poaching, and disease.
- The proposal recognizes that those other sources of mortality exist and that it is important to understand as much as possible about them. ODFW will acknowledge other sources of mortality in the Wolf Plan.

Derek and Kevin asked for questions and comments from the participants. Comments included:

- A member noted that the proposed language acknowledges illegal human activity that leads to mortality but does not seem to acknowledge legal human activities that lead to mortality such as traps, snares, or coyote hunting. The member recommended that this section include legal human activities that lead to unintended mortality and propose ways to address situations where wolves are inadvertently caught in legal traps and snares meant for other animals.
- A member noted that studies suggest that less poaching occurs when people see the agencies act against chronic depredators. There is also evidence that the lowest poaching rates occur when the agencies take strong non-lethal management measures to reduce conflict.

Deb Nudelman, Kearns & West, asked if the proposed language is acceptable to the Work Group. Most indicated agreement in principle. Two participants indicated that they need more discussion before agreeing in principle.

#### **d) Compensation**

Kevin Blakely, ODFW, provided the proposed resolution, as reflected in the *Initial Topics Proposed for Resolution* handout. He noted that ODFW is not the main agency involved in compensation – the Department of Agriculture is. The proposed language recognizes ODFW's role and clarifies that it does not drive the process.

Kevin asked for questions and comments from the participants.

- A few participants expressed concerns that there has not been an evaluation of how well the compensation programs are working and where they can be improved.
- Members asked how the compensation program can be sustained without continued federal funding. Another participant noted that federal funding goes only to non-lethal activities. State funds are often redirected to support non-lethal methods rather than covering losses.
- A participant noted that the compensation program is set up to pay for both compensation and co-existence. There should be a reporting structure to see how the funds are being used in the states so that Oregon continues to be eligible. Delisting wolves may also have an impact on funding for the compensation program.

Deb Nudelman, Kearns & West, asked if the proposed language is acceptable to the Work Group. Four participants indicated that they need more discussion before agreeing in principle.

#### **4. Presentation on Key Topics/Issue Areas**

*Derek Broman, ODFW Carnivore/Furbearer Program Coordinator*

Derek Broman, ODFW, presented on four topics that need further discussion, as outlined in the *Topic Backgrounder for WPSR October 9, 2018* handout:

- a) Non-lethal tools and techniques
- b) Chronic depredation
- c) Controlled take
- d) Budget and funding for implementation

He clarified that the term “current plan” means the currently adopted plan being used today.

##### **a) Non-lethal tools and techniques**

The current plan identifies non-lethal tools, techniques, and requirements. New tools are developed regularly, and the number of non-lethal options continues to grow. There have been requests to extend Phase 1 non-lethal tool requirements into Phases 2 and 3, and requests for external review and approval of non-lethal tools following chronic depredations.

ODFW proposes the following for the updated plan:

- Continue to emphasize appropriate use of non-lethal tools and techniques
- Continue to coordinate with area producers, and
- Continue to integrate some Phase 1 features into Phases 2 and 3

##### **b) Chronic Depredation**

The current plan considers lethal control in two instances: (1) in Phase 1 when four confirmed depredations occur within a six-month window, and (2) in Phases 2 and 3 when two confirmed depredations or one depredation with three attempted depredations occur with no established time period. Stakeholders have requested a time component in Phases 2 and 3 and rolling the Phase 1 criteria into Phases 2 and 3.

ODFW proposes no changes to Phase 1. It proposes that in Phases 2 and 3, lethal control will be considered after three confirmed depredations within a 12-month period. ODFW also proposes

additional lethal control options in Phase 3 if there are 2 confirmed depredations and extreme circumstances.

### c) **Controlled Take**

The current plan allows controlled take in Phase 3 only. This allows members of the public to kill a wolf with a special permit aimed to address chronic livestock conflict or for wolf population management. There are criteria that must be met before a controlled take and certified trappers are able to use traps in certain situations. Derek Broman, ODFW, presented a diagram that clarified when and how special permit agents can be used.

ODFW proposes that it will:

- Add Federal Section 10(j) rule language to define conflict with wild ungulate populations
- Add the use of special permit agents as a tool
- Add a Special Status Game Mammal chapter to better organize the description of controlled take
- Another option is for ODFW to remove the concept of a special permit agent from the Plan

### d) **Budget and Funding for Implementation**

ODFW proposes that it will present a policy option package in the 2019-2021 budget development process to fund five ODFW positions strategically scattered throughout Oregon to implement Wolf Plan programs. Derek presented the chart in the *WPSR Oct 9 Meeting Topics Backgrounder* that displayed the percentage breakdown of the ODFW Wolf Plan funding structure.

- Q: Do you have dollar amounts attached to the percentages?
  - A: We can try to present that, but it is difficult to separate dollars from other program funds.
- Q: Does this chart include compensation or co-existence funding?
  - A: No, it covers the cost of monitoring, assisting with non-lethal tools and techniques, and engaging with stakeholders. ODA administers the compensation program.

## 5. **Discuss and Seek Resolution on Key Topics/Issue Areas**

### *Deb Nudelman, Kearns & West*

Deb Nudelman, Kearns & West, opened the key topics for group discussion. The participants indicated that they wanted to start with chronic depredation.

One participant offered a proposal from the conservation community. The proposal included the following components:

1. Significantly increase in funding for compensation and non-lethal methods.
2. ODFW would work with the livestock producers to create site-specific non-lethal methods plans.
  - These site-specific plans would proactively avoid conflict and get financial support for implementation

- If the site-specific non-lethal plans are adopted, move forward with investigations by Wildlife Services
  - If the site-specific non-lethal plans are adopted, work on a timeline for depredation that is shorter than 12 months
3. Key is to proactively get support from state as baseline
  4. Collaring: Groups have concerns but the current ODFW proposal has some consensus
  5. Investigations: Conservation community has discomfort with Wildlife Services conducting investigations, but can support it with other components in place
  6. Non-lethal methods need to be considered up front before consideration of lethal control
  7. Lethal removal threshold standards: all have strong feelings about the numbers. Talk about a standard that can work, if non-lethal methods are used up front

A participant stated a concern that the costs of non-lethal methods plans are incurred by the ranchers and producers. These costs are meant to be repaired by the government, but there have been times when funding was cut, and the costs were not reimbursed. This participant noted that there would be hesitation from the ranching/producing community if they are asked to take on more costs without assured funding for the program.

Another participant asked if more funding or resources would help resolve some of the wolf program issues. A participant answered that it would help, but the main concern is whether the funding will last through different administrations. Additionally, there is concern over *who* is funding program components; currently, hunters bear that financial responsibility. Some noted that the program funding should not just be funneled into more biologists, but a variety of funding elements including increased compensation to reduce the burden on ranchers.

Shannon Hurn, ODFW, asked whether ODFW would regain social acceptance in the ranching and producer communities if the state found more funding to put more staff on the ground to help with non-lethal methods and develop non-lethal plans. A participant noted that it would help win acceptance for the wolf program.

Shannon stated that there are currently legislative proposals to get funding for compensation programs which would include county-specific plans for non-lethal methods to provide to local operators.

After a break, a participant presented a new proposal for WPSR Work Group consideration. The proposal included the following components:

## PROPOSAL:

1. ODA/ODFW meets with Rancher
  2. They write the agreed-upon plan for non-lethal conflict deterrence
  3. Funding comes in from ODA/ODFW/Others; Get agreement with funding
  4. All non-lethals are available/deployed
  5. An agreed-upon chronic depredation (whatever this standard is)
  6. Then, okay to implement lethal control
- If rancher does not agree to the approach, does not fall under chronic depredation
  - Then, no lethal request is allowed; not eligible for lethal control
  - Can still apply for compensation

The participant made the following clarifications about the proposal:

- The proposal contemplates significant increase in funding for compensation and support of non-lethal methods, with consideration of tiering funding to population.
- ODFW/ODA staff would meet with livestock producers to create proposals for non-lethal conflict deterrence that are specific for their local area; this would be supported by funding from government, private NGOs, and other sources. In the case of conflict, the Livestock producer should deploy the non-lethal methods as outlined in the area specific plan (with support from agencies). If chronic depredation occurs even after deploying the non-lethal methods, the producer would be permitted to use lethal control. If a producer chooses not to work with ODFW/ODA to develop non-lethal deterrence plans, then that producer would not be eligible to use lethal control.

Deb Nudelman, Kearns & West, asked the group to review the proposal and provide their initial reactions and concerns:

- Most members noted that the proposal is a positive step forward, and they see it as an acceptable baseline for developing a WPSR Work Group recommendation.
- The definition of “chronic depredation” will need to be developed and agreed upon by the group.
- The prioritization of non-lethal methods upfront is essential, and this proposal reflects that. It is likely that the proposal will not result in absurd or overly onerous plans, because ranchers work directly with ODA/ODFW to develop the plans.
- How does ODFW regain buy-in from producers? A participant suggested that part of the solution could include ODFW management and implementation of non-lethal methods for ranchers.
- All participants must uphold their agreements.
- A major concern is a need for sufficient and consistent funding. The plans cannot be too much of a financial burden on producers. Members suggested that funding sources should

include sources in addition to hunting tag revenue. Funding should be representative of diverse viewpoints. Funding could be used to offset the cost born by those who bear the burden of dealing with wolf populations. We should look at: What are the funding gaps in Oregon and how might they be filled?

- Members discussed the compensation program and how the funds are used. ODFW staff clarified that compensation funds would not be withheld from ranchers who did not choose to meet with ODFW/ODA staff to develop a specific non-lethal deterrence plan.

Deb Nudelman, Kearns & West, asked if the group could agree in principle to this proposal and present it to their constituencies. All agreed. A few participants highlighted the need to work as a group, and that there should not be side meetings outside of the WPSR Work Group process.

Deb asked the group to present the proposal to their groups and gather any concerns or changes. At the next meeting, the group will strive to ratify the proposal.

The group discusses management zones and how ODFW could address the question of future management zones. Some noted that they would like to have a discussion on the establishment of management zones for the future. ODFW staff responded that this would require modeling, and that it is premature at this point until Oregon wolf populations increase. Members noted that they would like to see some statement from ODFW that shows the agency will work towards establishing wolf population thresholds, when the time becomes appropriate. Deb Nudelman, Kearns & West, suggested that the group keeps the proposal in its current form and keep a separate note of the topics to be addressed in future proposals. She reminded the group that the proposal is not a final work product.

## **6. Opportunity for Public Input**

*Deb Nudelman, Kearns & West*

### **Public Comment**

Deb Nudelman, K&W, opened the floor for public comments.

Haley Stewart, Humane Society of the United States

- The Humane Society is impressed at the stakeholder process and collaboration. Its interests are represented by a few groups at the table. For their members, they prioritize non-lethal management of wolves and appreciate the group talking through that priority. They do not support the hunting of wolves and would like to see the reduction of lethal control.

Jerome Rosa, Oregon Cattlemen's Association

- The Oregon Cattlemen's Association worked on a compensation bill but there was a story in the Oregonian that alleged that the funds were not used properly. That story was cited during the legislative session. Today, people seem on board with compensation, but the groups in support today were opposed to it during the legislative hearing. It is disappointing to hear the conversations today after what happened on the record.

## 7. Approach Going Forward, Upcoming Meeting Topics, Next Steps and Summary

### *Curt Melcher, ODFW Director, and Deb Nudelman, Kearns & West*

Deb Nudelman, Kearns & West, thanked everyone for their participation. The group scheduled three future meetings extending into January, although Deb noted that the January meeting may not be necessary if they reach an agreement before then.

Upcoming Meeting Dates	Location
<ul style="list-style-type: none"> <li>• November 5, 1:00 – 4:00 pm</li> <li>• November 27, 9:00 am – 4:00 pm</li> <li>• January 8, 9:00 am – 4:00 pm</li> </ul>	<ul style="list-style-type: none"> <li>• Webinar/Conference Call</li> <li>• Pendleton, OR</li> <li>• Portland, OR</li> </ul>

Members discussed next steps and meeting topics for the upcoming meetings.

- **Next Steps for the Proposal:** ODFW will draft up a proposal for group discussion, based on the proposal members commented on at the end of today’s meeting. Members should then review the proposal, take it to their members for their comments and levels of support. If there seems to be significant pushback on the proposal, members should send concerns via email to WPSR Work Group members as soon as possible and offer alternative language or solutions.
- **Agenda for November 5 Webinar:** Members should be ready to report out on their level of support for the proposal. Additional topics that may be discussed at the webinar, depending on time available, include:
  - Resources/funding
  - Collaring
  - Depredation investigations: who should conduct the investigation?
  - Chronic depredation standard: what is the right standard?
  - Who decides on appropriate lethal/non-lethal methods?
- **Agenda for November 27 in-person WPSR Work Group Meeting:** Topics for discussion may include:
  - Predation
  - Controlled take
  - Communication methods and tools to get information out about how to implement non-lethal methods
  - How to engage sheriffs in conversation around investigation certification

ODFW Commission meetings are scheduled for December 7 and January 18. The December 7 meeting will include an update on the Wolf Plan process to date.

Curt Melcher, ODFW Director, thanked everyone for their time and dedication. He thanked Representative Barreto for attending. Rep. Barreto affirmed that he is working toward a compensation plan to alleviate the financial burden for ranchers and producers.

The meeting was adjourned at 3:35 pm.

## Meeting Attendance

### WPSR Work Group Representatives

Name	Organization/Entity
Jim Akenson	Oregon Hunters Association
Nick Cady	Cascadia Wildlands
Mark Bennett	Oregon Farm Bureau
Sean Stone	Oregon Wild
Suzanne Stone	Defenders of Wildlife
Todd Nash	Oregon Cattlemen's Association
Amaroq Weiss	Center for Biological Diversity
	Rocky Mountain Elk Foundation

### ODFW Team

Name	Title
Curt Melcher	Director
Shannon Hurn	Deputy Director for Fish and Wildlife Programs
Doug Cottam	Wildlife Division Administrator
Kevin Blakely	Wildlife Division Deputy Administrator
Derek Broman	Carnivore/Furbearer Program Coordinator

### Governor's Office

Name	Title
Amira Streeter	Natural Resources Policy Advisor

### Team Members and Audience

Name	Organization/Entity
Greg Barreto	State Representative – HD 58 - Cove
Bryn Hudson	Governor's Natural Resources Office
Sristi Kamal	Defenders of Wildlife
Ken McCall	Oregon Hunters Association
Al Elkins	Oregon Hunters Association
Danielle Moser	Oregon Wild
Samantha Barr	Oregon Farm Bureau
George Rollins	Oregon Cattlemen's Association
Jerome Rosa	Oregon Cattlemen's Association
Jeanne Barbouletos	Member of the Public
Tom Barbouletos	Member of the Public
George Plaven	Capital Press
Rebecca White	Pacific Wolf Coalition

Haley Stewart	Humane Society of the United States
Hunter Mackin	University of Oregon
Ale Peña	University of Oregon
Drew Donahue	University of Oregon
Orlando Lorang	University of Oregon
Nick Richardson	University of Oregon
Hugo Séguin	University of Oregon
Peg Boulay	University of Oregon
Steven Pearlman	University of Oregon
Zoë O'Toole	University of Oregon
Gabriel Alvarez	University of Oregon
Ned Maynard	University of Oregon

**Proposal Suggested by WPSR Work Group Members**

