

Agenda Item Summary

BACKGROUND

Oregon wolves are listed as endangered on the list of endangered species under the Oregon Endangered Species Act (OESA). The Oregon Wolf Conservation and Management Plan (Wolf Plan) contains a conservation population objective of four breeding pairs for three consecutive years in eastern Oregon, based in part on the requirements for delisting the species under OESA. The conservation population objective was achieved in January of this year and as called for in the Wolf Plan, staff initiated a biological status review for wolves in Oregon.

As part of the Commission process to consider the state listing status of wolves, staff has presented a report titled “Updated biological status review for the Gray Wolf (*Canis lupus*) in Oregon and evaluation of criteria to remove the Gray Wolf from the List of Endangered Species under the Oregon Endangered Species Act”.

To remove a species from the Oregon endangered species list, the Commission must review the “best available scientific and other data” OAR 635-100-0112. To meet this standard the scientific information must be documented and verifiable as defined by OAR 635-100-0100(16). Pursuant to direction and delegation from the Commission, staff has conducted the required review and incorporates data from that review in the attached materials and analysis. The review requirement of OAR 635-100-0112 is satisfied.

In addition, ODFW initiated consultation on the delisting determinations with all of the entities listed in OAR 635-100-0105(10) and engaged in consultation with those who responded. See Attachment 4. The consultation requirement of OAR 635-100-0105(10) is met.

PUBLIC INVOLVEMENT

- Communication with livestock producer organizations, sportsman’s groups, conservation organizations and other interested parties.
- Communication with local residents in the areas affected by Oregon’s wolf population.
- Questions from interested persons, including the news media, were answered.
- Consultation as required by OAR 635-100-0105(1).
- Four Commission meetings since October 2014 at which staff presented on the status of wolves in Oregon and the Commission took public comment.

ISSUE 1

BIOLOGICAL STATUS REVIEW OF WOLVES IN OREGON AND CONSIDERATION OF DELISTING FROM OREGON LIST OF ENDANGERED SPECIES

ANALYSIS

Oregon wolf population objectives were established using a three-phased approach when the Wolf Plan was adopted in 2005, and the Wolf Plan divides the state into the western and eastern wolf management zones (WMZ). In its 2010 review and update of the Wolf Plan, the Commission reconfirmed this approach for wolf management. Phase I is considered the “conservation phase” and includes a population objective of four breeding pairs of wolves in eastern Oregon for three consecutive years. In January of this year the conservation objective was reached and ODFW entered Phase II of the Wolf Plan in the eastern WMZ.

Upon entry into Phase II, the Wolf Plan directs the Commission to consider removing the gray wolf from the list of Oregon Endangered Species. Delisting a species from Oregon ESA requires a public rulemaking decision by the Commission and this decision is to be made on the basis of scientific information and other biological data. Specifically, the Commission must evaluate the biological status of the species, and if the Commission makes the following five determinations it may remove the species from the endangered species list:

1. The species is not now (and is not likely in the foreseeable future to be) in danger of extinction in any significant portion of its range in Oregon or in danger of becoming endangered; and
2. The species’ natural reproductive potential is not in danger of failure due to limited population numbers, disease, predation, or other natural or human-related factors affecting its continued existence; and
3. Most populations are not undergoing imminent or active deterioration of range or primary habitat; and
4. Over-utilization of the species or its habitat for commercial, recreational, scientific, or educational purposes is not occurring or likely to occur; and
5. Existing state or federal programs or regulations are adequate to protect the species and its habitat.

The biological status review in this packet (Attachment 3) contains scientific and other documented information related to these criteria and is based on the department’s review of documented and verifiable data. Key components of the analysis for the criteria are contained as separate reports in Appendix’ A and B of the biological status review.

As predicted when the Wolf Plan was developed, wolves have now become established in Oregon and have increased in both distribution and abundance from 2008 to present. The analysis of future population growth using conservative parameter inputs indicates a very high probability that Oregon’s wolf population will remain extant in future years, and a very low probability of decline below conservation levels as currently established in the Wolf Plan. The most important factors related to wolf health, habitat, dispersal, habitat connectivity, and survival all indicate a healthy and growing population.

Wolves do not yet occupy all of their potential range in Oregon, and particularly, they occupy only a portion of estimated potential range in

western Oregon. However, wolves occur throughout most of the state. Wolf collar data shows that wolves move freely between the eastern and western management zones and that they traverse the entirety of the Cascades within the western WMZ. Wolves have proven capable of crossing all types of potential barriers in Oregon (e.g. rivers, highways) and there are no known conditions which prevent wolves from occupying currently unoccupied areas of range. Documented wolf population growth and dispersal patterns support the conclusion that wolves are not at risk of extinction in the state. This situation was accurately predicted by the Commission when the 2005 Oregon Wolf Plan was adopted and the decision to divide the state into two management zones was a tacit effort to provide the flexibility needed to manage increasing numbers of wolves in eastern Oregon while maintaining conservation measures for colonizing sub-populations in western Oregon. The Commission's authority to manage the wolves as separate groups or with different management goals applying in different areas is distinct from the Commission's authority to list or delist the wolves under the OESA.

In the included biological status review (Attachment 3) we evaluated the status of wolves as related to each of the delisting criteria above for the entire state (Part 1), and also for the eastern Wolf Management Zone (WMZ) only (Part 2). Our evaluation is based on documented and verifiable information related to the species' biological status, and resulted in the conclusions that: 1) wolves were once extirpated as a result of historical efforts to eradicate them, and now in absence of those efforts and under current management frameworks, are increasing in abundance and distribution; 2) there are no known conditions which prevent wolves from inhabiting currently unoccupied portions of range in Oregon; 3) observed movement and dispersal patterns indicate connectivity from source populations; and 4) the probability of population failure is very low.

We also included analysis and discussion regarding the biological implications of wolves remaining listed as endangered in Oregon (Part 3).

OPTIONS

1. Adopt a rule to remove the wolf from the List of Oregon Endangered Species.
2. Adopt a rule to remove the wolf from the List of Oregon Endangered Species within the eastern wolf management zone only.
3. No action.

STAFF RECOMMENDATION

Staff has determined that the delisting requirements contained within OAR 635-100-0112 and OAR 635-100-0105(6) have been met and recommends that the Commission adopt a rule to remove the gray wolf from the Oregon List of Endangered Species.

DRAFT MOTION

I move to determine that the delisting determinations in OAR 635-100-0112 and OAR 635-100-0105(6) are satisfied; to adopt the reasoning and interpretations contained in Exhibit B and the attached documents; and to amend OAR 635-100-0125 to remove the gray wolf (*Canis lupus*) from the State List of Threatened and Endangered Species.

EFFECTIVE DATE

Upon Fling