



**Meeting Report  
Wolf Conservation Stakeholder Subgroup  
September 16, 2014**

California Department of Fish and Wildlife  
Wildlife Branch Conference Room  
1812 9<sup>th</sup> St.  
Sacramento, CA 95811



Photo courtesy of Bruce Bohlander

**California Department of Fish and Wildlife**

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## **1.0 Introduction**

On September 16, 2014 the Wolf Conservation Subgroup (WCS) of the California Wolf Stakeholder Working Group (SWG) convened in the Conference Room at CDFW's Wildlife Branch Office in Sacramento. This was the eighth meeting of the WCS, which was established to help the California Department of Fish and Wildlife (CDFW, Department) develop a consensus-driven framework of strategies for wolf conservation and management in California.

## **2.0 Meeting Objectives and Mechanics**

The purpose of the meeting was to continue discussion of potential topics for inclusion in a Wolf Conservation chapter in the California Wolf Plan.

Objectives of the meeting were:

- Determine points of agreement on the Conservation Objectives Strategy
- Confirm subgroup schedule moving forward

The meeting was attended in person by the meeting facilitator, six stakeholders, and four CDFW staff, with two additional stakeholders attending via conference line. Appendix A provides a list of participants, their affiliations, and their contact information. In addition, one legislative representative attended in person. Appendix B provides that individual's name, affiliation and contact information. Appendix C contains the meeting agenda.

## **3.0 Meeting Outputs**

### **Updates/Housekeeping**

- Because this group is meeting again on October 2<sup>nd</sup>, they will delay appointing a member to present updates to the SWG until that date.
- No edits were suggested for the July 21 Conservation Subgroup meeting report but members requested additional time to review and comment as needed. They were asked to send comments by Friday, Sept. 19<sup>th</sup>.
- The next Conservation Subgroup meeting is scheduled for October 2<sup>nd</sup>, and the group discussed where to hold the meeting. It was decided to hold it in Sacramento.
- Significant progress has been made on the Wolf Conservation chapter, but its completion will be affected by any recommendations on conservation strategies from this group. It will therefore not be available for viewing prior to its incorporation into the full draft. Some contracts have been drawn up for the peer reviewers, and they will be able to begin their review once the strategies

discussions are completed and the SWG has reviewed the full draft plan. This should occur in November, and the final draft should be completed around the end of December.

## **Review/Discuss Conservation Objectives Strategy**

This section began with Department staff explaining the changes that were made to the strategies based on previous discussions. The current version (dated September 3, 2014) of the Conservation Strategy no longer contains a zonal approach, but rather considers the objectives for wolves at a statewide level. It also shortens Phase 1 to ten years. Because there are no peer-reviewed, scientifically validated models to inform the timing and population size for wolf reestablishment in California, the Department proposes to utilize empirical data as experienced in nearby Oregon to hypothesize how it will occur here, which is the basis for the proposed California wolf objectives. By the end of Phase 1, in 2024, California will likely have had sufficient experience with wolves first hand to make needed revisions to Phases 2 and 3 toward a longer term strategy.

One significant difference between this proposed strategy and those developed for Washington and Oregon is that California's is not proposing quantitative delisting criteria for wolves because we don't have enough information about where wolves will establish, what their territory sizes will be, and what size constitutes a resilient wolf population that will no longer require CESA protections. The Department therefore does not consider they have a basis for proposing delisting criteria at this time.

Questions, comments, and suggestions by stakeholders are listed below, with Department responses in italics:

- Please clarify Element B. Does it mean the Department will further flesh out strategies for the next phase, or they will be completely rewritten?
  - *This is structured as an adaptive management strategy. Phase 1 is more specific in the short term and Phases 2 and 3 have a structure, but we anticipate fine tuning them based on our experience with wolves during Phase 1. Element B indicates when to begin the process of planning for the next phase, which may require additional funding, legal authority, etc.*
- You may consider conferring with Washington and Oregon over how they engaged in developing the next phases. Oregon decided to not include stakeholders; Washington convened a wolf advisory group.
  - *What I hear is that we need more detail in Element B; not just when to begin the process but specifics about what and who it would include*
- Please explain what is meant in footnote 1 where it says "...aggressive behavior directed toward a person that is not reasonably believed to be due to the presence of responders."

- *An animal may show aggressive behavior because it is cornered by someone; so Element C applies to animals that are displaying abnormal behavior, not defensive behavior. Judgment by staff with experience dealing with wildlife has to be applied in such situations.*

Mr. Stopher provided some explanation for the rationale behind strategies in Element D. First, the Department does not have the authority to allow for lethal take of wolves for management of wolf conflicts while the species remains federally listed. Further, if California's experience is similar to Oregon's the number of depredations will not be so great as to warrant using lethal methods, and our proposed compensation and nonlethal methods should alleviate pressure from what depredations may occur. In Phase 2 of the proposed strategy, assuming by that time federal listing will be withdrawn, the Department will not have legal authority to use lethal control for management because of CESA protections. Under current law, section 219 does allow the Fish and Game Commission to adopt emergency 12 month regulations which would be one way to alleviate impacts to wild ungulates but not livestock. Further, the issuance requirements for an incidental take permit are substantial enough that it is unlikely they could be met during Phase 1.

The following questions, comments, suggestions were offered:

- For Phases 2 and 3 of Element D, it is not stated specifically that managed lethal control is subject to lifting of federal endangered status. It may be of value to clarify that.
  - *We should develop strategies irrespective of federal and state authority, and then stipulate with language that says "However currently under CESA and ESA it is prohibited" just to reinforce that we are subject to those statutes.*
- A wolf population with 4 breeding pairs could be quite a few animals and they could have a significant impact on a small elk herd. They could then turn to livestock depredations if they exhaust their wild food source. We need a lethal tool to manage such a situation.
  - *In the event that wolves reduce the wild prey, the natural, biological response is likely a decrease in pack number and size with larger territories; and we have developed strategies for dealing with potential livestock conflicts. The fact is we do not have the authority to use lethal control for managing those conflicts in the near term. There will be opportunity later, as the wolf population grows, to develop the proper authority to use additional tools.*
- Suggest adding "but not limited to" in Element E because new technologies are being developed all the time so you won't be limited by what's listed here.

- Suggest adding “but not by a motorized vehicle” or putting a distance limit to chasing wolves in Element E
- Suggest expanding situations for which non-injurious harassment can be used; for example to prevent wolves from becoming habituated to dump sites or other locations that could eventually lead to human safety concerns
- Suggest if strategies are the same across the row, that it simply says “same” as it does in Element C
  - *That’s a good suggestion; makes it easier to read and clearer as to what is actually different between phases.*
- By putting strategies in place for Phases 2 and 3, are we limiting what future decision makers will be able to do? This plan does not account for the possibility that the wolf population in Phases 2 and 3 is stable and having impacts on livestock and ungulates. We must somehow acknowledge that there may be a stable population of wolves in California and we should be allowed to mitigate for any conflicts.
  - *That is a good point. Given the requirement that the wolf population must have increased by 5% in Element D-1, we may not need Element D-2 which is a fractional limit on take. And we can’t expect a 5% increase forever. Will re-think D-1 and D-2. As to Phases 2 and 3, those are intended to provide some structure to what may be down the road because members have expressed that it is hard to endorse or agree to a phase down the road without something concrete to consider. That is what those phases are intended to do.*
- It may still be important to retain both the minimum 5% population increase and the 10%/15% maximum on human-caused mortality because human-caused mortality affects the population differently than natural mortality.
- Additionally if human take of wolves beyond a threshold leads to increased conflict you would not use lethal control to reduce the conflict.
- We haven’t talked about the purpose of Phase 3 yet other than that it addresses wolf effects on small ungulate populations.
  - *Phase 1 is a period of relatively slow growth with just a few successful breeding pairs and requires immigration for continued establishment. Phase 2 is a period of transition to greater reproduction by California wolves, and less need for immigration. Phase 3 is the period during which the population goes from some minimal level of resiliency and stability to what might be called biologically sustainable. The management strategies in those phases would come into play as a consequence of the risks posed by those different population stages, as well as their need for conservation measures in order to be sustainable.*

- I could change my position if Phase 3 was eliminated and called sustained population management phase. Calling it Phase 3 implies too many speculative and unexplained things.
- Suggest you define the phases the way you just did in terms of what they mean from a biological perspective. I also suggest we drop the dates and use population size with the biological explanation; or use a date to begin looking at new information but if the wolf population doesn't warrant the next phase the date shouldn't matter.
  - *I thought I had included a minimum population size for commencing Phase 2 somewhere in the document, possibly Element D, but I don't see it here now. I am in favor of having dates to look at the plan again though, no matter what the population size is. If the wolf population is that low, lethal control will likely not be used. Our closest parallel is the Oregon experience. If our wolf reestablishment goes faster than in Oregon we have the biological numbers to trigger revisiting the plan. If it goes more slowly, then the date triggers a reevaluation anyway.*
- The phased approach makes sense to me but suggest we need more years of data to inform them. Oregon may delist with 4 pairs for 3 successive years. Why is ours for two successive years? If the population fluctuates two years may not be enough to be confident that the population is stable.
- What matters more than the contents of Element A is contents of the elements that list what management actions are allowed. If using a date allows us to expand management options then that is important. Even with a small wolf population if there are depredations that affect a small rancher there are no options to alleviate the pressure on that community. Such conflicts do not promote wolf conservation.
- Elements D-5 and D-6 should be included in Phases 1, 2, and 3. If it's ok to propose strategies that we may not have authority to implement in Phase 2, why is it not okay to do that for Phase 1? We can work on statutory changes to get that authority later and you gain good will from some communities by having options in place in the plan.

At this point the facilitator gave a recap of two issues. Most members thought that having dates to mark the end of a phase was not appropriate, and that it should be based only on the wolf population size, while one member thought that having dates to signal a more expansive management approach was important. Regarding lethal take of wolves for conflicts, in the opinion of the agriculture and ungulate conservation caucuses it should be listed for all three phases, and the environmental caucus thinks there is need for further discussion of that element before they are ready to state a position on whether it should be listed for Phase 1.

The group generally agreed that there are probably some points around which further discussion may lead to consensus, and they requested greater opportunity for caucusing in upcoming meeting(s).

### **Conservation Subgroup Scheduling/Conclusion**

The meeting concluded with Department staff committing to incorporating some changes to the strategy document based on today's conversation. They will also be incorporating the Wolf-Livestock Subgroup's strategies to the table, and will make that combined document available next week. The next meeting of the Wolf Conservation Subgroup is scheduled for Thursday, October 2<sup>nd</sup> in Sacramento.

### **Action Items:**

- Subgroup members will send comments on the 7/21 Conservation Objectives Subgroup meeting report to Karen Converse by Friday, 7/19
- The next Conservation Objectives Subgroup meeting will be held October 2 from 9am-1pm at the Wildlife Branch, 1812 9<sup>th</sup> St, Sacramento
- Staff will work to incorporate comments on the Conservation Objectives Strategy, including elements from the Livestock and Ungulate Strategies, and distribute, in ~~strikeout~~/underline, to the Subgroup next week



## APPENDIX A WORKSHOP PARTICIPANTS

Name	Affiliation	Email
<b>Stakeholders</b>		
Noelle Cremers	California Farm Bureau	<a href="mailto:ncremers@cfbf.com">ncremers@cfbf.com</a>
John McNerney	The Wildlife Society – Western Section	<a href="mailto:jmcnerney@cityofdavis.org">jmcnerney@cityofdavis.org</a>
Jerry Springer	CA Deer Association	<a href="mailto:jerry@westernhunter.com">jerry@westernhunter.com</a>
Amaroq Weiss	Center for Biological Diversity	<a href="mailto:aweiss@biologicaldiversity.org">aweiss@biologicaldiversity.org</a>
Rich Fletcher	Mule Deer Foundation	<a href="mailto:richfletcher@sbcglobal.net">richfletcher@sbcglobal.net</a>
Damon Nagami	Natural Resources Defense Council	<a href="mailto:dnagami@nrdc.org">dnagami@nrdc.org</a>
Pamela Flick	Defenders of Wildlife	<a href="mailto:pflick@defenders.org">pflick@defenders.org</a>
<b>California Department of Fish and Wildlife Staff</b>		
Karen Converse	Environmental Scientist – Lands Program	<a href="mailto:karen.converse@wildlife.ca.gov">karen.converse@wildlife.ca.gov</a>
Mark Stopher	Senior Policy Advisor – CDFW	<a href="mailto:mark.stopher@wildlife.ca.gov">mark.stopher@wildlife.ca.gov</a>
Karen Kovacs	Wildlife Program Manager – Region 1	<a href="mailto:karen.kovacs@wildlife.ca.gov">karen.kovacs@wildlife.ca.gov</a>
Eric Loft	Wildlife Branch Chief	<a href="mailto:eric.loft@wildlife.ca.gov">eric.loft@wildlife.ca.gov</a>

**APPENDIX B  
PUBLIC PARTICIPANTS AND COMMENTS**

<b>Legislative Representatives</b>		
<b>Name</b>	<b>Affiliation</b>	<b>Email</b>
Catherine Bird	Sen Ted Gaines	<a href="mailto:catherine.bird@sen.ca.gov">catherine.bird@sen.ca.gov</a>

I have one comment regarding the impacts to a single producer. Impacts to a producer that affect him financially don't just harm that producer; that harm affects the entire community. Housing and other costs are going up, and the news of 30 new jobs in Redding gets the community excited. Rural communities are struggling and if one producer is driven out of business it can negatively affect the community through reduced revenue for policing, etc.

## APPENDIX C – AGENDA

Conservation Objectives Subgroup  
1-5 PM September 16, 2014  
1812 Ninth Street, 2<sup>nd</sup> Floor conference room, Sacramento  
Teleconference Line 877.860.3058, PC 758045#

\*Parking is available on the street (bring lots of quarters) or parking garages on both 10<sup>th</sup> and 11<sup>th</sup> streets between “O” and “P” streets

### Objectives:

- Determine points of agreement on Conservation Objectives Strategy
  - Confirm subgroup schedule moving forward
1. Introductions and Logistics (5 minutes)
  2. Updates/Housekeeping (15 minutes)
    - a. Identify Stakeholder member for update at next SWG meeting
    - b. Review, discuss, and revise July 21 meeting report
    - c. Discuss Conservation Objectives Subgroup Scheduling
    - d. Status of Conservation Objectives chapter
  3. Review/Discuss Conservation Objectives Strategy (90 minutes)
  4. BREAK (20 minutes)
  5. Discuss Conservation Objectives Strategy-Continued (90 minutes)
  6. Public questions (10 minutes)
  7. Discuss Action Items and Next Steps (10 minutes)
    - Action Item Review
  8. Next Steps

**APPENDIX D**  
**CDFW PHASED WOLF CONSERVATION STRATEGY**

	Element/Phase	Phase 1	Phase 2	Phase 3
A	Parameters for Concluding Phase	<ul style="list-style-type: none"> <li>December 31, 2024, or</li> <li>Four successful breeding pairs anywhere in California for two successive years</li> </ul>	<ul style="list-style-type: none"> <li>December 31, 2034, or</li> <li>Eight successful breeding pairs anywhere in CA, for two successive years</li> </ul>	Indeterminate
B	Commence development of next phase when:	<ul style="list-style-type: none"> <li>January 1, 2023, or</li> <li>Two successful breeding pairs for two consecutive years</li> </ul>	<ul style="list-style-type: none"> <li>January 1, 2033, or</li> <li>Six successful breeding pairs for two consecutive years</li> </ul>	If and when warranted based on experience implementing the Plan or changes to controlling law.
C	Lethal control for human safety <sup>1</sup>	Allowed when authorized by CDFW and carried out by CDFW or its agent. No limit on how many wolves can be removed for public safety.	Same	Same
D	Use of lethal control for management. Allowed when authorized by CDFW and carried out by CDFW or its agent.	<ul style="list-style-type: none"> <li>Prohibited</li> </ul>	Managed over the entire state subject to the following suggested framework and sufficient statutory authority: <ol style="list-style-type: none"> <li>Allowed if the statewide wolf population estimate increased by at least 5% in the preceding calendar year, compared to the year</li> </ol>	Managed over the entire state subject to the following suggested framework and sufficient statutory authority: <ol style="list-style-type: none"> <li>Allowed if the statewide wolf population estimate increased by at least 5% in the preceding calendar year, compared to the year</li> </ol>

<sup>1</sup> This is anticipated to be an extremely rare occurrence. Will be implemented when a wolf demonstrates aggressive action that has resulted in physical contact with a human; or a wolf exhibits an immediate threat to public health and safety, given the totality of the circumstances. Immediate threat refers to a wolf that exhibits one or more aggressive behaviors directed toward a person that is not reasonably believed to be due to the presence of responders. Public safety includes situations where a wolf remains a threat despite efforts to allow or encourage it through active means to leave the area.

			<p>before</p> <ol style="list-style-type: none"> <li>2. Allowed to the extent that total human caused mortality<sup>2</sup> in any year is limited to 10% of the estimate of the statewide wolf population at the end of the preceding calendar year</li> <li>3. Restricted to wolves in packs confirmed by CDFW to have depredated livestock</li> <li>4. Subject to additional requirements of the wolf-livestock conflict management strategy</li> </ol>	<p>before</p> <ol style="list-style-type: none"> <li>2. Allowed to the extent that total human caused mortality in any year is limited to 15% of the estimate of the statewide wolf population at the end of the preceding calendar year</li> <li>3. Applied only to wolves in packs confirmed by CDFW to have depredated livestock</li> <li>4. Subject to additional requirements of the wolf-livestock conflict management strategy,</li> <li>5. Applied to wolves in packs determined by CDFW to likely extirpate or significantly diminish designated populations of wild ungulates.</li> <li>6. Subject to additional requirements of the wolf-ungulate conflict management strategy</li> </ol>
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<sup>2</sup> Human caused mortality includes public safety take, poaching, vehicle accidents, accidental death from trapping or hunting and any authorized lethal take for management.

Draft for Discussion with members of the stakeholder working group

E	<p>Non-injurious harassment, including:</p> <ul style="list-style-type: none"> <li>• Air horns or whistles</li> <li>• Firearm discharge aimed in a safe direction at an angle of 45° or more away from wolves</li> <li>• Cracker shells</li> <li>• Shouting</li> <li>• Throwing objects</li> <li>• Motion activated lights or sprinklers</li> <li>• Using deterrent sprays</li> <li>• Radio activated guard boxes</li> <li>• Chasing wolves on foot or horseback</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed when wolves are within 100 yards of a residential or agricultural structure (i.e. barns, shops, storage sheds or lambing sheds) or within 0.25 mile of livestock.</li> <li>• Harassment is prohibited within 0.25 mile of known den or rendezvous sites. CDFW will advise affected livestock producers.</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed when wolves are within 100 yards of a residential or agricultural structure (i.e. barns, shops, storage sheds or lambing sheds) or within 0.25 mile of livestock.</li> <li>• Harassment is prohibited within 0.25 mile of known den or rendezvous sites. CDFW will advise affected livestock producers.</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed when wolves are within 100 yards of a residential or agricultural structure (i.e. barns, shops, storage sheds or lambing sheds) or within 0.25 mile of livestock.</li> <li>• Harassment is prohibited within 0.25 mile of known den or rendezvous sites. CDFW will advise affected livestock producers.</li> </ul>
F	<p>Injurious harassment<sup>3</sup></p>	<ul style="list-style-type: none"> <li>• Prohibited</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed when specifically authorized by CDFW, subject to criteria for when, where and how this may be implemented.</li> </ul>	<ul style="list-style-type: none"> <li>• Allowed when specifically authorized by CDFW, subject to criteria for when, where and how this may be implemented.</li> </ul>

<sup>3</sup> Defined as any harassment that causes any object to physically contact a wolf, including firearms discharging nonlethal ammunition (e.g. rubber bullets or bean bags) or using a motorized equipment (e.g. an all-terrain vehicle, motorcycle, or four wheel drive vehicle) to follow or pursue a wolf.