



Oregon Wolf Management

Oregon Department of Fish and Wildlife, February 2016

Gray Wolf Biological Status Review: Development, Science, and Public Review

ODFW Development of the Biological Status Review

The Wolf Biological Status Review which was the primary basis for the Commission's delisting decision was first developed and presented at the public Commission meeting on April 24, 2015. An updated Review document using data collected through July 2015 was presented to the Commission on October 9, 2015 and it was this same document that was used during the Commissions November 9, 2015 delisting decision. The Review was developed using three primary documents which were authored by ODFW wolf managers and scientists as follows:

Russell L. Morgan, Wolf Program Coordinator, Oregon Department of Fish and Wildlife – principle staff person and primary author of the document titled *"Updated biological status review for the Gray Wolf (Canis lupus) in Oregon and an evaluation of criteria to remove the Gray Wolf from the List of Endangered Species under the Oregon Endangered Species Act"*.

Darren A. Clark, PhD, Wildlife Research Project Leader, Oregon Department of Fish and Wildlife – primary scientist and author of the document titled *"Assessment of Population Viability of Wolves in Oregon"*.

Priscilla K. Coe, Research Wildlife Biologist – GIS Analyst, Oregon Department of Fish and Wildlife – primary analyst and author of the document titled *"Mapping Potential Gray Wolf Range in Oregon"*.

Regarding Science Review and Peer Review Requirements

Delisting a species from Oregon Endangered Species act (ESA) (ORS 496.176) requires a public rulemaking decision by the Oregon Department of Fish and Wildlife (ODFW) Commission. Statute requires that any delisting decision must be made based on a review of the best available scientific and other data. Specifically, the scientific information used must be documented and verifiable information related to the species' biological status. Ultimately, the decision to delist wolves on November 9, 2015 was science-based, publicly vetted in an open / transparent way over extensive time (April – November, 2015), and made by Commissioners.

Regarding the criticism that ODFW failed to conduct an "independent scientific review panel" – ODFW believes this is based on misapplication of OAR 635-100-0100 (16) which defines what "verifiable" means. The rule clearly does not require ODFW to convene an "independent scientific review panel". It does, however, state that "verifiable" means scientific information reviewed by a scientific peer review panel of outside experts. Furthermore the rule lists specific types of information which are considered verifiable. Those that pertain specifically to this process are:

- (a) Articles and information published in peer-reviewed scientific journals, such as the *Journal of Wildlife Management* and *Transactions of the American Fisheries Society*;
- (b) Information developed by the department, which has been peer reviewed by outside experts (e.g., agency management plans, *Nongame Wildlife Program Technical Reports*);
- (c) Information developed by federal agencies, which has been peer reviewed (e.g., peer-reviewed agency management plans, final environmental impact statements, adopted recovery plans, interagency technical reports)
- (d) Peer-reviewed data gathered by the department or others using standard methodologies or protocols.

The data, model, and extensive literature cited section of ODFW's delisting documents made publicly available meet both the language and intent of the rule regarding verifiable information. Per OAR 635-100-0112, ODFW staff examined the best available scientific and other documented information related to the biological status of wolves in Oregon and determined that wolves met the criteria for delisting from the Oregon List of Endangered Species. A "panel review" is not a requirement of ESA statute or rule.

ODFW-Solicited Scientific Review

Prior to the final Commission delisting meeting ODFW sent out a request for scientific review. This was not an attempt to seek independent scientific review because the OAR contains no provision for such, but rather it was requested by the Commission Chair as an additional effort to strengthen the delisting process by seeking additional scientific scrutiny of a very important component of the analysis – the Population Viability Analysis Model (PVA). Reviewers were specifically asked to only review the validity of the science contained within the PVA and not weigh in on the issue of delisting – one reason for this was because though we had received some comments from several other outside scientists throughout the process, very few of those comments contained substantive scientifically-based input and most were clearly focused on the overarching social issue of whether the commenter thought wolves should be delisted or not. Requests for science review were sent to the following:

- Dr. Katie Dugger, Assistant Unit Leader USGS Oregon Cooperative Fish and Wildlife Research Unit, Oregon State University
- Dr. Tim Hiller, Faculty Researcher, Mississippi State University
- Dr. Pat Kennedy, Professor of Wildlife Ecology, Oregon State University
- Dr. Jon Horne, Senior Wildlife Research Biologist, Idaho Department of Fish and Game
- Dr. Scott McCorquodale, Regional Manager, Washington Department of Fish and Wildlife
- Dr. Ryan Long, Assistant Professor, University of Idaho
- Dr. Kelly Stewart, Associate Professor, University of Nevada, Reno
- Dr. Joe Bull, Postdoctoral Fellow, University of Copenhagen

All eight researchers solicited were fully accredited scientists and were asked to evaluate the science of the PVA and provide comments of that science, and not on the management or and other social implications of delisting. In the responses received it is clear that reviewers adhered to that request of objectivity. Dr. Bull from Copenhagen was specifically selected because he was the author of the published PVA model that ODFW used. The fact that Dr. Bull's model was already peer reviewed and published means that ODFW already had used documented and verifiable scientific information. Furthermore, ODFW contends that no existing person could more reliably interpret if ODFW's use of the PVA model was appropriate than the person who originally developed the model.

Four responses were received and those responses, along with ODFW's summary of input were made available during the public Commission process on November 9, 2015 and can be viewed at the following link:

http://www.dfw.state.or.us/agency/commission/minutes/15/11_november/Exhibit%20B_Science%20Review_11-6-15.pdf

Public Process and Peer Reviews

On October 14, 2015, in a continued effort to consult with agencies, organizations, local governments, tribes, other states, and interested persons, ODFW solicited review and comments to the October 9, 2015 updated biological status review. Twenty-seven groups or individuals responded to this general consultation request.

ODFW reviewed and considered all input received through this specific consultation and the entire public input process. However, nearly all of the scientifically-based comments received by ODFW during the 8-month long public input process came near the end of the process and was as a result of ODFW's specific request for input (i.e., consultation). Immediately following the October 30 deadline for those comments, a three person committee of ODFW staff specifically reviewed all input that was received which had a scientific component. Because much of the scientific input received was repeated by several responding scientists, staff developed a spreadsheet to help organize, tabulate, and group similar concerns together. On November 6, 2015 ODFW staff developed a 7-page document containing ODFW consideration and responses to the 23 primary and substantive concerns and criticisms given to ODFW by outside scientists. This document was then made available to the Commission for their consideration, was made part of the public record at the November 9, 2015 Commission meeting, and can be accessed at the following link:

http://www.dfw.state.or.us/agency/commission/minutes/15/11_november/Exhibit%20B_Consult%20Comments%20Addressed_11-6-15.pdf

A notable additional contact to ODFW Commission came from L. David Mech, a Senior Scientist with the Biological Resources Division, U.S. Geological Survey and an Adjunct Professor in the Department of Fisheries, Wildlife and Conservation Biology, and Ecology, Evolution and Behavior at the University of Minnesota. Dr. Mech has studied wolves and their prey since 1958, authoring many publications and books. His review agreed with the ODFW determination that the delisting criteria for delisting under the Oregon Wolf Plan had been met.

Effects of Delisting

Even with delisting, Oregon law / OAR's require the equivalent of ESA-listed protections in Western Oregon, and this law will remain in place until wolf numbers increase to the 4 breeding pair for 3 consecutive year threshold on the West side. Once this threshold has been met in the West, as it has currently in Eastern Oregon, the next phase of legal protection applicable to both Eastern and Western Oregon still requires (and imposes protections to ensure) wolf populations continue to recover to the 7 breeding pair threshold (on both sides of the State). And even after that, the next phase of legal protections prohibits trophy hunting, poaching, and other things related to killing wolves for other than livestock, human, or wildlife protection.

Current Status Summary

As predicted at the time of delisting, the 2015 Oregon minimum wolf population has now increased to 110 wolves, a 36% increase from the previous year. 12 packs were documented and 11 of those packs met the criteria as breeding pairs. In addition to the packs, 4 additional pairs of wolves were identified in 2015. Confirmed depredation events of livestock decreased for the second year in a row; 9 incidents of wolf depredation were confirmed in 5 areas of Oregon in 2015. Though the wolf population has increased significantly over the last 7 years, depredation events and livestock losses have stayed relatively stable. During 2015, 29% of packs that were active during the year (n=14) depredated livestock. Seven wolf mortalities were documented in 2015.

