

Addendum to 2010 Oregon Wolf Conservation and Management Plan

On May 23, 2013, July 12, 2013, and January 10, 2014, the Department of Fish and Wildlife and the Fish and Wildlife Commission (Commission) adopted amendments to OAR 635-110-0010 and 635-110-0020. OAR 635-110-0010 regulates harassment and take of wolves during Phase I (Conservation Phase) of the Oregon Wolf Conservation and Management Plan (Plan). The amendments were a result of a lawsuit, subsequent settlement agreement, and new legislation regarding lethal take of wolves. These amendments are summarized as follows:

- Changes in the definition of chronic depredation
- Designation of “Areas of Know Wolf Activity” to improve information dissemination and coordination of non-lethal deterrent measures prior to depredation
- In situations of depredation, designation of “Areas of Depredating Wolves” and “Area-Specific Conflict Deterrence Plans” to focus efforts on non-lethal deterrents best suited for specific situations
- New agency public disclosure and transparency requirements regarding wolf-livestock conflicts
- Changes in the duration of lethal take actions, and specific reinstatement provisions
- Specific lethal take provisions for situations of extreme circumstances
- Removed the permit requirement for take of wolves caught-in-the-act of attacking (biting, wounding, or killing) livestock in certain circumstances – per legislation
- Broadened the caught-in-the-act take rule by including “chasing” during time periods of chronic depredation in certain circumstances – per legislation

OAR 635-110-0020 regulates harassment and take of wolves during Phase II of the Plan. The Commission’s intent in amending OAR 635-110-0020(5) was to remove the Phase I reference and make this portion of the Phase II rule compatible with HB 3452 (2013). The remainder of the rule retains the substantive requirements for Phase I that were in OAR 635-110-0010 prior to the May 23, 2013 amendment. The changes to OAR 635-110-0020(5) were necessary to reflect new legislation regarding caught-in-the-act take of wolves. These amendments are summarized as follows:

- Removed all Phase I reference and replaced section (5) to reflect new legislative changes by; a) removing the requirement of non-lethal measures as a prerequisite to lethal take in response to wolves chasing livestock or working dogs in certain circumstances, and b) removing the requirement of “chronic” status as a prerequisite to lethal take in response to wolves chasing livestock or working dogs in certain circumstances.
- Remainder of this rule retained pre-lawsuit Phase I language.

The amendments to OAR 635-110-0010 and 0020 result in conflicts between that administrative rule and some of the provisions of this Plan. With regard to these conflicts, the administrative rule governs. The Plan wording will be modified to be consistent with rules during the next Plan revision.