



FISH AND WILDLIFE DIVISION BRIEFING



Wolf Related Incident Operating Procedures

February 2020

SUMMARY

In recent years, Gray wolves have continued to increase in number, as well as expansion in territory, throughout Oregon. With these increases, the occurrence of human interactions, wolf depredations and the taking of wolves, both lawful and unlawful, will likely continue to escalate. These issues are often highly publicized and remain a contentious topic within the State of Oregon. The purpose of this bulletin is to provide Oregon State Police (OSP) field force with direction and best practices for responding to and/or handling a wolf related call for service.

REGULATIONS & RESOURCES

All OSP Fish & Wildlife Division members should familiarize themselves with the regulations governing wolves as well as the Oregon Wolf Conservation and Management Plan (Wolf Plan)

https://www.dfw.state.or.us/wolves/management_plan.asp.

Oregon Administrative Rule(s) (OAR) 635-110-0000 through 0040 should be reviewed and referenced throughout OSP's response to wolf related incidents. <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=258796>

Both the OAR's and Wolf Plan can be located via the Oregon Department of Fish & Wildlife (ODFW) website.

<https://www.dfw.state.or.us/>

Members should specifically be aware of the three Management Phases (Conservation, Transition, and Management) of the Wolf Plan, and how the OAR's apply to each phase. Members should also be aware of the definitions of "Non-injurious harassment", "Non-lethal injurious harassment" and "Lethal take". The Wolf Plan outlines approved methods of harassment.

LEGAL STATUS

On May 5, 2011 the U.S. Fish and Wildlife Service (USFWS) delisted the Northern Rocky Mountain Distinct Population Segment of wolves from the list of endangered species. The delisting included the easternmost portion of Oregon bounded by Oregon Highways 395/78/95. As of this date, wolves in the remainder of Oregon (west of highways 395/78/95) continue to be federally protected as endangered and the Federal ESA sets the minimum protection levels for wolf management. **For locations of the State where wolves are federally protected, the USFWS maintains authority over all wolf harassment and take. All such incidents should be referred to the USFWS and ODFW.**

- PROCEDURES- West of the Federal Wolf Delisting Boundary:

Wolves occurring west of Oregon Highways 395/78/95 (blue dotted line) continue to be protected as endangered under the federal Endangered Species Act (ESA). In the federally listed portion of Oregon, ODFW implements the Wolf Plan under the guidance of the Federal/State Coordination Strategy. The USFWS make management decisions regarding harassment and take of wolves and collaborate on monitoring and depredation response.



PROCEDURES- East of the Federal Wolf Delisting Boundary:

A. Wolf Depredations of Livestock, etc:

1. If an OSP member receives a complaint relating to livestock or other wolf depredations, the member will immediately refer the complainant to the respective ODFW District Biologist (DB) and make notification through their chain of command. Members will not respond to the location unless requested by ODFW and following supervisor approval. Members will also follow up with the respective ODFW DB and if necessary, the complainant, to ensure proper response has been made. Members should refrain from making any comments to the complainant or the public regarding whether or not the member believes the depredation involved wolves or other predators.
2. Following these steps, the member will document their actions with a log entry in Niche (records management system) which includes, at a minimum, the date/time of referral and notifications, complainant name and contact information, and respective ODFW DB the complainant was referred to.

B. Harassment of Wolves:

1. If an OSP member receives a complaint of wolf harassment, the member will take the report and contact the respective ODFW DB to determine if a permit has been issued, and if the level of harassment is lawful or not, as listed in OAR 635-110.
2. If the OSP member determines the reported wolf harassment is lawful, the member will document the complaint and action taken with a log entry in Niche. The member should also make notification through their chain of command and ODFW as soon as practicable.
3. If the OSP member determines the reported wolf harassment is unlawful, the member will make notification through their chain of command, as well as ODFW, and conduct a thorough investigation, in consultation with their respective District Attorney's (DA) Office. The member will complete a detailed Niche report outlining the action taken and in most cases, refer the case to their respective DA for the filing of charges. In some instances, the member may issue citations for the offense following consultation with their supervisor. Notification to ODFW should take into account public/private information considerations.

C. Taking of Wolves:

1. If an OSP member receives a complaint or information related to the taking of a wolf, regardless of perceived lawful or unlawful activity, the member will immediately make notification through their chain of command. If the take occurred west of Hwy. 395/78/95, the case shall immediately be referred to USFWS and a Niche log entry completed.
2. The supervisor receiving notification will immediately contact the respective ODFW DB or USFWS agent, where applicable, and notify them of the details of the complaint, taking into account necessary public/private information considerations.
3. Following notification and if under State jurisdiction (East of Hwy. 395/78/95), the member will respond and conduct a thorough investigation to determine the legality of the take. This investigation will be conducted under the direction of their respective supervisor. The member and supervisor will also investigate in close coordination with ODFW personnel.
4. As part of the investigation, members will ensure proper custody, where feasible, of the wolf carcass, and will coordinate necropsy under the direction of their supervisor and with the assistance of ODFW. Prior to being released for necropsy, the member will photograph the wolf, including injuries, take hair and tissue samples, and log these items into evidence per evidence procedures.
5. The investigation and actions will be thoroughly documented with a Niche report. The member or their supervisor will also make notification through their chain of command indicating the result of the investigation.
6. If the investigation determines the take to be unlawful, or questionable, the member and their supervisor will consult with their respective DA's office and will refer the case for the filing of charges. All other operating and reporting procedures relating to the handling of cases will be followed.

D. Human Attacks:

1. In the rare event a person is attacked or claims attack by a wolf, the OSP member receiving complaint will immediately contact their supervisor. The supervisor will immediately make notification through their chain of command.