



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

January 12, 2024

Claire Loeb Davis
Board President/Interim Executive Director
Washington Wildlife First
Via email: claire@animalearthlaw.com

Re: APA Appeal – WAC 220-440-080

Dear Ms. Davis:

On November 27, 2023, the Governor's Office received the appeal you filed in response to the Washington Fish and Wildlife Commission's ("Commission") decision to deny your petition to amend WAC 220-440-080, which establishes limitations and conditions on killing or trapping wildlife that is causing damage on private property. Under RCW 34.05.330(3), I may consider appeals of an agency's denial of a petition to amend an existing rule.

Specifically, you requested that the Washington Department of Fish and Wildlife (WDFW) undertake rulemaking to put into place enforceable standards to regulate the state's management of endangered gray wolves. The Commission denied your petition to commence rulemaking on October 31, 2023, pursuant to a 6-3 vote. The Commission followed the recommendation of WDFW staff who stated that rulemaking is not necessary at this time to aid in the enforcement of WDFW's wolf management. Pursuant to my authority in RCW 34.05.330(3)(b), I am directing that the agency initiate new rulemaking relating to wolf management.

While I cannot legally prescribe the specific policies that must be included in new rulemaking, I recommend that WDFW consider including the following issues in a new rule:

- Adopt the Wolf Advisory Group's lethal removal protocol as regulation or policy. I appreciate that the Director has utilized the protocol in his decision-making regarding lethal removal. Putting the protocol into rule or policy would provide consistency, continuity, and confidence for future administrations.
- Consider new policies or regulations on "caught in the act" procedures, as a number of wolves have recently been killed under "caught in the act" when they were not attacking livestock. If not restricted and carefully monitored, this vague policy may be used to unjustly kill an increasing number of Washington's wolves.

I appreciate the work of the Department, the Commission, and the Wolf Advisory Group, in seeking collaboration with stakeholders on long-term solutions.

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Thank you for your work to preserve the health of Washington's endangered wolf population. Your passion is evident, and I commend your leadership on this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Inslee". The signature is fluid and cursive, with the first name "Jay" and last name "Inslee" clearly distinguishable.

Jay Inslee
Governor of Washington

Cc: WDFW Director Kelly Susewind