

GUIDELINES FOR CONDUCTING DEPREDAATION CONTROL ON WOLVES IN WISCONSIN FOLLOWING FEDERAL DELISTING

**By the Wisconsin Department of Natural Resources
Guidelines for 2008-2009**

May 15, 2008

The gray wolf (*Canis lupus*) was listed as Endangered by the federal government in 1974, and listed as Endangered by the State of Wisconsin in 1975. The State of Wisconsin reclassified wolves to threatened status in 1999, and August 1, 2004 the gray wolf was removed from the threatened species list, and classified as a protected wild animal. The U. S. Fish and Wildlife Service federally reclassified wolves in Wisconsin as Threatened on April 1, 2003, but a district court decision on wolf reclassification in Oregon on January 31, 2005, caused wolves to be relisted as endangered. Wolves were removed from the federal list of endangered and threatened species on March 12, 2007.

The 1999 Wisconsin Wolf Management Plan prescribes wolf management in the state following federal and state delisting. The goal of wolf management will be to maintain a healthy and viable population in the state, while responding quickly to wolf attacks on domestic animals, allow landowners flexible tools to deal with wolf problems, and reduce losses of domestic animals. The following guidelines were developed by the Wisconsin Wolf Science Committee to determine appropriate depredation control actions that are consistent with the 1999 Wolf Plan, and 2007 Wolf Plan Update. These guidelines are intended for dealing with wolf depredation to domestic animals. **Wolves that show any demonstrable threat to human safety would be dispatched by DNR, WS, other government agents, or local law enforcement officers.**

This document is intended solely as guidance and does not constitute any mandatory requirements except where requirements are referenced in statute or administrative rule. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed. This guidance cannot be relied upon and does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. These guidelines will be reviewed annually with scientists and stakeholders, and will be revised as necessary.

Authority—Authority to control and manage problem wolves in Wisconsin will be held by the Wisconsin Department of Natural Resources (DNR). The Wisconsin DNR authorizes USDA-APHIS-Wildlife Services (WS) to act as agents of the DNR, and consult with Great Lakes Indian Fish and Wildlife Commission (GLIFWC), tribal agents on Indian reservations, and other federal, state and tribal agents.

Definitions

Abatement—Techniques for reducing risk of depredation, e.g., creating exclusions, establishing barriers, or using scare devices.

Aversive Conditioning—Conditioning of animals to eliminate undesired behavior by associating such behavior with a disagreeable stimulus.

Chronic Farm—Farm with verified wolf depredation in 2 or more years in the past 5 year-period.

Control—Attempt to capture or shoot problem wolves, and may include translocating, placing in captivity for study or research, euthanizing, or dispatching.

Depredation—Refers to predation on domestic animals resulting in death or injury.

Depredation Site----Location where depredation has occurred. On private land this includes contiguous property under the same ownership or lease of the affected landowner or lessee.

Dispatch—Actions that humanely kill an animal in field situations.

Domestic Animal— (ATCP 10.02) The following animals are considered domestic animals under s. 169.01 (7), Stats., and are not considered wild animals:

- (1) Livestock.
- (2) Poultry.
- (3) Farm-raised game birds, except farm-raised game birds that have been released to the wild.
- (4) Ratites.
- (5) Farm-raised fish, except fish that have been released to waters of the state
- (6) Foxes, fitch, nutria, marten, fisher, mink, chinchilla, rabbit or caracul that are born, bred and raised in captivity and are not endangered or threatened species.
- (7) Pet birds.
- (8) Animals of any species that has been domesticated by humans.

Euthanize—Humane killing of an animal.

Guard Animal----Use of one species of domestic animal to provide predator protection for another species of domestic animal, and may include Guarding dogs, llamas, donkeys, and other animals. Guarding dogs are dogs specifically bred for the protection of livestock, and have historically been used for this purpose; specific breeds include Maremma, Shar Planinetz, Anatolian shepherd, Komondor, Great Pyrenees, Akbash, and various crosses of these breeds.

Landowner--- For the purpose of these guidelines, landowner refers to the owner of private land, but also includes lessees or occupants of specific parcels of private land.

Livestock--- (ATCP 10.0162) Bovine animals, equine animals, goats, poultry, sheep, swine other than wild hogs, farm-raised deer, farm-raised game birds, camelids, ratites and fish.

Maximum Take for Proactive Controls—The maximum number of wolves that could be removed by proactive control activities by government trappers and land owner permits.

Proactive Depredation Controls—Depredation controls intended to reduce abundance of wolves in pack areas with historical or previous verified depredations on livestock or pets near homes on private land. Proactive controls would include control actions conducted a year or two after verified depredations on a farm when the depredating pack continues to occur nearby, and control actions in response to imminent threats of depredation to domestic animals.

Proactive Control Area—Area of land where proactive control on wolves would occur and would generally represent the area occupied by a wolf pack or group that has caused depredations on two or more farms or residential areas or one or more chronic farms.

Reactive Depredation Controls—Depredation controls intended to remove specific individual wolves that have depredated on domestic animals on private land shortly after depredations have occurred.

Significant Loss—The verified killing or maiming of one or more domestic animals by wolves where the imminent threat of attacks on additional domestic animals is probable. For poultry or other small animals, loss of \$250 or likely to exceed \$250 would be considered a significant loss.

Verified Depredation—Depredation verified by USDA-WS or DNR, and defined either as **Confirmed**, clear evidence that one or more wolves were responsible, or **Probable**, sign strongly suggesting that one or more wolves were responsible.

I. REACTIVE DEPREDATION CONTROL GUIDELINES

A. Government Reactive Wolf Depredation Management

The goal of reactive wolf depredation controls by government agents is to quickly respond to wolf depredations soon after they occur and attempt to target specific individual wolves that have injured or killed domestic animals on farms or near people's homes. Lethal controls can occur anywhere in the state as long as the wolf population remains above 250 wolves outside of Indian reservations.

1) Use of Aversive Conditioning or Other Non-Lethal Methods----

- a) Where appropriate, WS will offer suitable non-lethal alternatives.
- b) Upon the first verification of depredation by wolves, a depredation management plan will be made for the farm, which will include recommended suitable non-lethal

methods and other practices that may reduce depredation on the farm. A signed plan will be required before any control actions can proceed on the farm.

- c) If cost effective abatement is feasible, cost-shared abatements will be offered by DNR if funds are available; DNR and WS will jointly determine suitable practices. Funds for abatement practices may also be available from private organizations as well.
- d) A depredation management plan would be developed on farms before cost-share abatements are offered; DNR and USDA-WS will develop the plan in consultation with county and state agriculture specialists.
- e) Experimental non-lethal abatement measures, such as the use of shock collars, will be done by either the DNR or WS after consultation; control trapping will normally not be conducted in areas where experimental abatement measures are being conducted.

2) Verifications Necessary to Begin Wolf Control —

- a) Control may begin in any zone after one significant loss during the current year (except as provided below under 9b).

3) Determination to Begin Wolf Control —

- a) On private land outside of Indian reservations or negotiated buffer zones around reservations, WS determines when trapping will begin, and will notify the local DNR wildlife biologist or other DNR representative.
- b) On public lands, WS, the local DNR wildlife biologist, and the manager of the public land, will determine if trapping will occur on such land. In the ceded Chippewa Territory, consultation will occur with GLIFWC before conducting control work on public land.
- c) On private lands in Indian Reservations, and any area surrounding the reservation negotiated between tribes and State, WS and DNR will consult with the tribe before trapping and dispatching of wolves. WS will attempt to co-investigate wolf complaints with designated tribal representatives.
- d) On tribal lands, wolves will only be trapped by WS if requested by the tribe.

4) Maximum Distance Trapping Will Occur From Livestock and Pet Depredation Site:

- a) Trap up to 1.0 mile from a depredation site within Wolf Management Zones 1 & 2 or a designated greater distance through consultation with DNR (see proactive controls below).
- b) Trap up to 5.0 miles from a depredation site within Wolf Management Zone 3
- c) Trap anywhere that depredating wolves occur in Wolf Management Zone 4

5) Duration of Trapping at a Depredation Site---

- a) WS will use its discretion to determine trapping effort needed to effectively resolve depredation problems and will generally trap up to 10 to 15 days for first time depredation, and up to 21 days for chronic farms. Trapping efforts may be extended if additional verified depredations occur.

6) Treatment of Special Sex/Age Group---

- a) No special age and sex consideration will be made except on a case by case basis based on consultation with WS and DNR.

7) Treatment of Radio-Collared or Tagged Wolves---

- a) Radio-collared or tagged wolves will be treated as any other depredating wolf (dispatch or translocate as appropriate), except as noted in 7b.
- b) Consultations on radio-collared or tagged depredating wolves will be made with tribal officials when such wolves are clearly from an Indian reservation or negotiated buffer zones when trapping within 6 miles of any reservation.

8) Capture of Dogs or Wolf-Dog Hybrids---

- a) Dogs caught at depredation sites will be turned over to town chairman, dog owner, animal shelter, or released on site.
- b) Wolf-dog hybrids that appear to be living in the wild and caught at depredation sites will be dispatched by WS or DNR if no collar or other identifying mark occurs on the animal.
- c) Wolf-dog hybrids that are marked will be held in captivity until the owner can be contacted, or dispatched after 14 days if no owner is found. The owner of a dog is liable for the full amount of damages caused by a dog injuring or causing injury to a person, domestic animal or property (WI Statue 174.02).

9) Wolf Control for Depredation to Dogs----

- a) Control could be conducted on wolves killing dogs that are leashed, confined, or under the owner's control on the owner's land if there is likeliness of additional depredation.
- b) No reactive control trapping would be conducted on wolves killing dogs that are free-roaming, roaming at large, hunting, or training on public lands, and all other lands open to public hunting except land owned or leased by the dog owner.
- c) Other abatement or aversive conditioning will be considered on public lands where depredation occurs on dogs or other domestic animals.
- d) Guard animals would be treated as other domestic animals for verification and control purposes.

10) Wolf Control on Deer Farms, Wild Fur Farms, Bird Hunting Preserves and permitted Hound Dog Training Enclosures.

- a) Wolf control may be conducted within a registered deer farm enclosure using the guidelines listed above if the fence is in compliance with s. 90.20 or 90.21, Stats., minimum standards. If the enclosure contains farm-raised white-tailed deer, the owner shall also hold a valid DNR fence inspection certificate for the fence. Wolf control may be conducted within a hound dog training enclosure which meets the minimum requirements of NR 17.045, Wis. Adm. Code and the owner holds a valid permit for the enclosure.

Note: ATCP 10.01(62) defines "Livestock" to include farm-raised deer and farm-raised game birds (domestic animals)

- b) Normally, trapping would only be allowed within the fenced area of the deer farm or hound dog training enclosure, unless unusual circumstances make it necessary to trap up to 100 yards beyond the fence. Trapping outside fence areas would only be considered following additional consultation among WS, DNR, and adjacent landowners.
- c) Wolf control would not normally be conducted for depredation on free roaming game on a licensed bird hunting preserve or wild fur farm. A wild fur farm license is not

issued for enclosed lands, and all fur-bearing animals on a licensed wild fur farm are considered free-roaming wild animals until they have been trapped by the licensee.

- d) Wolf control for depredation on other captive wild animals which are all required to be maintained within enclosures to prevent the animals escape, and other animals from entering, should be handled in the same manner as a depredation which occurs on livestock or other domestic animals.

11) Information Sharing-----

- a) DNR will share radio locations of wolves with USDA-WS
- b) DNR will notify landowners and publish information of wolf depredation problems through local news releases when appropriate.
- c) DNR will share information with tribes on wolves that travel onto Indian reservation lands.
- d) USDA-WS will turn all wolves euthanized at depredation sites over to the Wisconsin DNR or Tribes for final designation. Wolf carcasses will be used for research, education, and cultural purposes.
- e) DNR will develop publications and educational materials on wolf depredation focused toward specific organizations or groups most affected by wolf depredation.
- f) DNR will provide press releases to explain lethal and non-lethal forms of control.
- g) DNR will provide timely response to depredations with news releases.
- h) DNR will cooperate with USDA-WS and other organizations to test and research nonlethal methods of control, including methods of exclusion and aversive conditioning; results of such research will be published in scientific reports and in popular media.
- i) DNR will cooperate with USDA-WS and others to conduct cooperative research on wolf/livestock relationships and will attempt to determine means of preventing wolf depredation on pets and livestock and share this information with affected landowners and the public.
- j) DNR will provide GLIFWC and Tribes, when appropriate, information pertaining to verified wolf complaints and wolf complaint project reports.

B. Landowner Reactive Controls

The goal of landowner reactive controls is to allow people to defend their domestic animals on their land at the time of a wolf attack.

1) Wolves in the act of attacking domestic animals

NR 10.02(1)(b)

On private land, the landowner, lessee or occupant of the land may shoot and kill any gray wolf in the act of killing, wounding or biting a domestic animal. Shootings shall be reported within 24 hours to a department conservation warden. The carcass of the wolf shall be turned over to the department.

II. PROACTIVE DEPREDATION CONTROLS

A. Government Proactive Depredation Controls

The goal of proactive control by government agents would be to reduce the risk of depredation to domestic animals in areas where previous depredations have been verified by lowering the abundance of wolf packs or wolf groups that have been involved in these depredations.

- 1) **Use of Aversive Conditioning or Other Non-Lethal Methods----**Where appropriate, WS will offer suitable non-lethal alternatives (See I,A,1 above)
- 2) **Wolf population levels that would allow proactive controls.**
 - a.) In Zone 4 proactive controls can be considered if the statewide wolf population exceeds 250 outside of Indian reservations.
 - b.) In Zones 1-3, proactive controls can be considered if the statewide wolf population exceeds 350 outside of Indian reservations.
- 3) **Determination of maximum take for proactive controls.**
 - a.) In Zone 4 no maximum take will be set as long as the state wolf population exceeds 250 wolves outside of Indian reservations, the state delisting goal.
 - b.) In Zones 1-3, maximum take would be the amount of wolves above the population goal of 350 wolves outside of Indian reservations. In most years total take is not likely to exceed 50 wolves. In spring as a new survey is completed maximum take would be re-set for the next 12 month period. If other mortality factors become more important to wolves in the future, these may be incorporated into designation of maximum take by the Department.
- 4) **Designation of Proactive Control areas**
 - a.) Proactive control areas will be designated by USDA-WS district supervisors, DNR wolf program coordinator, local DNR wildlife biologist, GLIFWC biologist (if in Chippewa ceded territory), and tribal biologists if within 6 miles or other negotiated buffer area around recognized Indian reservations.
 - b.) Proactive control areas would have at least one chronic farm, or two or more farms that had wolf depredations within the last 2 years within the same pack area.
 - c.) Boundaries of proactive control areas would be determined, using roads, waterways, natural landscape features, and state boundary to designate the control area based on radio tracking, track surveys, and/or local reports of wolf observations.
 - d.) Proactive control areas could consist of a mixture of public and private lands, although generally large blocks of public lands would be avoided as would state parks, state forests, national parks, and wildlife refuges. Permission would be obtained on all lands for controlling wolves.
 - e.) Control areas could be established within any incorporated village or city, if wolves establish in these areas regardless of depredation history.
- 5) **Control Methods for Proactive Controls**

- a.) Government agents with USDA-WS and WDNR would control wolves through shooting and trapping.
- b.) Landowners, their agents or persons designated by the landowner as provided under s. NR 12.10(3)(a), Wis. Adm. Code, in designated control areas could be issued permits to shoot or trap wolves regardless of depredation history, if they have livestock at risk of wolf depredations, following guidelines listed below under B.

6) Duration of Proactive Controls

- a.) Proactive control actions may continue until a problem wolf pack appears to be eliminated or the maximum take for the state has been achieved.
- b.) Proactive control areas will be established and re-examined annually after new population counts have been completed.

B. Landowner Proactive Controls.

The goal of proactive control by landowner permits would be to reduce the risk of depredation to domestic animals in areas where previous depredations have been verified.

1) Landowner wolf control by permit.

- a.) DNR wildlife biologist can issue permits for up to 90 days using form 2300-316 (s. NR12.10, Wis. Adm. Code and s. 29.885, Stats.) if one of the following exists:
 - i.) at least one verified depredation has occurred within the last 2 years on owned or leased land.
 - ii.) a verified depredation has occurred within 1 mile of the applicant's property with vulnerable animals within the current calendar year.
 - iii.) a landowner's property exists within a Proactive Control Area created by DNR and the landowner has livestock at risk from wolf depredations (II, A, 4 above).
 - iv.) human safety concern from wolves exists on the property as determined by WS or WDNR.
 - vi.) harassment of livestock is occurring and based on the judgment of WS a permit should be issued.
- b.) The permit may allow the taking of up to as many wolves as are known to exist in the local wolf pack.
- c.) Wolves can be shot with firearms that are lawful for hunting big game in Wisconsin.
- d.) Wolves can only be shot or trapped on land under the control of the landowner occupant or lessee of the land.
- e.) In areas where it is not possible to discharge firearms, non-lethal techniques will be recommended
- f.) All wolves trapped, shot, or injured must be reported to the local WDNR conservation warden, wildlife biologist or Mammalian Ecologist within 24 hours of shooting or capture.
- g.) No wolves may be transported dead or alive to other locations.

- h.) All wolves killed under the permit shall be turned over to the WDNR as required in the permit.
- i.) Permits can be renewed for additional periods, and additional take can be increased if wolf problems persist..
- k.) If the maximum take is reached in the state, all permits will be rescinded.
- l.) WDNR may add additional conditions as necessary.
- m.) Copies of all permits will be sent to the DNR wolf program coordinator and USDA-WS
- n.) All other Wisconsin hunting and trapping regulations must be followed.

