



***Via Electronic mail***

Phil Anderson  
Director, Washington Department of Fish and Wildlife  
600 Capitol Way North  
Olympia, WA 98501

October 7, 2014

**RE: County Resolutions and Sensitive Fish and Wildlife Information Release Agreements**

Dear Director Anderson:

We are writing to express significant concern and to request action by the Department regarding its information-sharing agreement with Stevens County. As you may know, the Board of Stevens County Commission recently adopted resolutions placing wolves at substantial risk of harm or death, a risk that will be exacerbated by the sharing of sensitive information regarding wolf locations.

It is our understanding that the Department has wolf location information-sharing agreements with Stevens, Ferry and Pend Oreille counties where radio collared wolves reside. The formal agreements, known as “Sensitive Fish and Wildlife Information Release Agreements,” allow the Department to share with county officials “daily GPS locations of radio-collared gray wolves” within the respective county. The agreements indicate that the Department can generally provide this information “while meeting [its] responsibility to protect fish and wildlife from inadvertent or malicious harm.” The agreements also note that “[f]ish and wildlife information is deemed sensitive by the WDFW Director when the viability of a fish or wildlife population may be compromised by displaying the locations of a species or its habitat and at least one of the following apply: . . . (B) There is a history of malicious take of that species and the species’ behavior or ecology renders it especially vulnerable; . . . .”

Within the past month, Stevens County has adopted resolutions declaring a state of emergency and advising county residents of an alleged constitutional right by individuals or the commission to kill wolves to protect life, liberty or property (Board of Stevens County Commission Resolution No. 46-2014, adopted August 29, 2014; Board of Stevens County Commission Resolution 51-2014, adopted September 17, 2014).

In response, so far, the Department has written a letter, dated September 10, 2014, to the Board of Stevens County Commissioners. In that letter, the Department expressed concern about the August 29 resolution, noting that the resolution “may encourage citizens to take action that is not

constitutionally protected and that violates state law."<sup>1</sup> The Department further advised Stevens County that the Department's legal analysis of the county's resolutions and pertinent Washington Supreme Court cases indicates that the resolution "may lead the citizens of Stevens County to reach the wrong conclusions about the scope of their rights . . . appears to exercise authority that the County does not possess . . . [and] may place . . . citizens at risk." The Department urged Stevens County to rescind its resolution and invited the county to issue a joint news release with the Department to clarify actual legal rights of county residents. But Stevens County rejected the Department's overture. Instead, Stevens County subsequently issued a second resolution on September 17, 2014, demanding the Department to take immediate action to resolve the "imminent threat to life and property" or the Stevens County Board of Commissioners "will consider all available option (sic) to protect the residents of Stevens County, their families and their property."

It is our perspective that the county resolutions place Washington's wolves at significant risk of harm or death, and that it is incumbent upon the Department to immediately rescind the wolf location-sharing agreements with any county that has passed such resolutions. As noted in the agreements themselves, the Department has a responsibility to protect fish and wildlife from inadvertent or malicious harm. In the case of wolves, which were eradicated from Washington as elsewhere across the lower 48 United States largely as a result of the growing livestock industry, and which are just starting to return to the state, there is an extensive history of malicious take of this species. Exhorting citizens to violate the law and kill wolves continues that tradition and history.

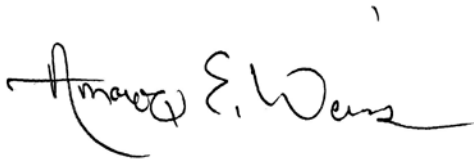
Wolf recovery in Washington is still in its infancy; the fact that wolves are highly social animals which live in family packs and which use and reuse specific den and rendezvous sites makes collared animals and their pack-mates especially vulnerable if location data obtained from the collars is shared. In light of these county resolutions and refusal to rescind them, there is no basis to trust or ensure that the wolf location information being provided to Stevens County will not be used to harm or kill wolves. Therefore the Department must rescind the information-sharing agreement with Stevens County and with any individuals or other entities that reside in or own or use property in Stevens County.

We note that Ferry County also recently adopted a resolution declaring a state of emergency, labeling wolf activities as "a threat to the health, safety and welfare of children, citizens, property, pets and livestock" and requesting the governor, Fish and Wildlife Commission and Department to take actions to remove the Profanity Peak pack (Ferry County Board of Commissioners Resolution 2014-23, adopted September 22, 2014). It is our understanding that Pend Oreille County is also considering passing a similar resolution. In the event that either Ferry or Pend Oreille counties pass resolutions similar to those passed in Stevens County, the Department's wolf location information-sharing agreements with those counties must be rescinded as well.

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<sup>1</sup> While the Department stated in its letter that it was concerned about a September 29, 2014 resolution adopted by Stevens County, this statement was clearly in error seeing as the Department letter itself was dated September 10, 2014. The letter discusses the resolution adopted by Stevens County on August 29, 2014.

Sincerely,

A handwritten signature in black ink that reads "Amaroq E. Weiss". The signature is fluid and cursive, with a long horizontal stroke at the end.

Amaroq Weiss  
West Coast Wolf Organizer  
Center for Biological Diversity

A handwritten signature in black ink that reads "Nick Cady". The signature is stylized and cursive, with a large, prominent initial "N".

Nick Cady  
Legal Director  
Cascadia Wildlands