

County of Lassen
BOARD OF SUPERVISORS

CHRIS GALLAGHER

District 1

GARY BRIDGES

District 2

TOM NEELY

District 3

AARON ALBAUGH

District 4

JASON INGRAM

District 5



County Administration Office
221 S. Roop Street, Suite 4
Susanville, CA 96130
Phone: 530-251-8333
Fax: 530-251-2663

May 2, 2023

TO: Board of Supervisors
Agenda Date: May 9, 2023

FROM: Tony Shaw, Deputy County Administrative Officer

SUBJECT: Board of Supervisors' actions relative to gray wolves impacting Californians.

A handwritten signature in blue ink that reads "TS".

The Board's prior actions are as follows:

On October 16, 2018, by Resolution No. 18-070 the Board requested assistance from the California Fish and Game Commission to expedite the implementation of strategies to avoid and reduce adverse impacts caused by gray wolves in California.

In August, 2020, the Board referred California Department of Fish and Wildlife's (CDFW) "draft local wolf strategy and communication plan" to the Lassen County Fish and Game Commission for review. The County's Commission then held public meetings with CDFW staff and received public input about how the State should respond to regulations preventing the management of wolves, including criminal penalties, fines, limited authority and no funding to prevent or stop wolves from preying on, damaging or killing livestock or pets.

By Resolution No. 20-050 the Board provided recommendations to Wade Crowfoot, Secretary, California Natural Resources Agency, for compensating Californians for damages and losses caused by wolves. In 2021, funding for a compensation program was appropriated in the State budget by Senate Bill 170 (SB170).

In response to SB170, on March 9, 2022, the Board sent a letter requesting assistance from the state legislature to clarify that the intent of SB170 was for CDFW to help all Californians who had suffered losses and economic impacts due to wolves killing livestock, including those who suffered losses prior to enactment of Senate Bill 170.

On June 22, 2022, the Lassen County Board of Supervisors invited Wade Crowfoot, Secretary, California Natural Resources Agency, to be a guest speaker at a "quad county" meeting to make a presentation regarding the status of the wolves; this report was to be made at the July 26, 2022 quad-county meeting held concurrently by the Plumas, Sierra, Modoc, and Lassen Board of Supervisors. Secretary Crowfoot declined the Board's invitation, and later declined subsequent invitations to reschedule through October 2022; Ultimately, Secretary Crowfoot suggested that the Board connect with Chuck Bonham the Director of the Department of Fish and Wildlife to discuss the topic.

||||||||||||||||||

Tony Shaw

From: Goncalves, Kimberly<CNRA <kimberly.goncalves@resources.ca.gov>
Sent: Friday, October 21, 2022 8:46 AM
To: Tony Shaw
Subject: RE: Invitation from Lassen County Board of Supervisors

This message comes from an external sender. EXTERNAL SENDER WARNING!

Good morning Tony,

Secretary Crowfoot is unfortunately unable to attend an upcoming meeting and would like to suggest connecting with Chuck Bonham the Director of the Department of Fish and Wildlife to discuss the topic.

If you would like to explore this option I can connect you with Director Bonham's office to coordinate a mutual date and time for the discussion.

Thank you,
Kim

Kimberly Goncalves

Assistant to Secretary Wade Crowfoot
California Natural Resources Agency



From: Tony Shaw <TShaw@co.lassen.ca.us>
Sent: Wednesday, October 19, 2022 11:44 AM
To: Goncalves, Kimberly<CNRA <kimberly.goncalves@resources.ca.gov>
Cc: Chris Gallagher <cgallagher@co.lassen.ca.us>; Richard Egan <REgan@co.lassen.ca.us>; Joshua Cook <Josh.cook@sen.ca.gov> <Josh.cook@sen.ca.gov>; Brahms, Erik <Erik.Brahms@asm.ca.gov>; Bruce Ross - Dahle <Bruce.Ross@sen.ca.gov> <Bruce.Ross@sen.ca.gov>; Bennett, Alice <Alice.Bennett@asm.ca.gov>
Subject: RE: Invitation from Lassen County Board of Supervisors

Hi Kim,

Hope this email finds you well. In searching through my emails, since we last exchanged messages, below, I am not finding a response about Secretary Crowfoot's availability.

The Board's next regularly scheduled meetings are November 15, 22 or December 13, 20, 27th. If those dates are not available, then I am certain that the Board would call for a special meeting to accommodate the Secretary's schedule. Please let me know.

Thank you for your time and assistance with this matter.

Tony

Tony Shaw
Deputy County Administrative Officer

RESOLUTION NO. 18-070

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN, STATE OF CALIFORNIA, REQUESTING ASSISTANCE FROM THE CALIFORNIA FISH AND GAME COMMISSION TO EXPEDITE THE IMPLEMENTATION OF STRATEGIES TO AVOID AND REDUCE ADVERSE IMPACTS CAUSED BY THE GRAY WOLF IN CALIFORNIA

WHEREAS, the gray wolf, an apex predator, is listed as endangered throughout portions of its range, including California, under the Federal Endangered Species Act of 1973; and,

WHEREAS, in 2011 the California Department of Fish and Wildlife (CDFW) organized working group meetings for preparing a plan for management of wolves in California; and,

WHEREAS, on March 12, 2012, the California Fish and Game Commission (Commission) received a Petition to List the Gray Wolf (*Canis lupus*) as Endangered as submitted by the Center for Biological Diversity, Big Wildlife, the Environmental Protection Information Center, and the Klamath-Siskiyou Wildlands Center; and,

WHEREAS, on October 3, 2012, the Commission voted to accept the Petition and initiate review of the species' status in California; and,

WHEREAS, the CDFW is responsible for administering, implementing and enforcing policies and regulations set by the California Legislature and Commission, as well as for providing biological, scientific information and expertise to inform the Commission's decision making process; and,

WHEREAS, on February 5, 2014, Charlton H. Bonham, Director of CDFW wrote in his memorandum to Sonke Mastrup, Commission's Executive Director, "based upon the best scientific information available to the Department, listing the gray wolf as threatened or endangered is not warranted;" and,

WHEREAS, on June 4, 2014, when the Commission voted to approve listing the gray wolf as endangered under the California Endangered Species Act there were no known wolves in California. Commissioners Richard Rogers, Jack Baylis and Michael Sutton voted affirmatively for listing, while Commissioner Jacque Hostler-Carmesin voted no. Commissioner Jim Kellogg was absent; and,

WHEREAS, in December 2016, CDFW issued a Conservation Plan for Gray Wolves in California; and,

WHEREAS, the Commission's terrestrial predator policy is that "human-predator conflict resolution shall rely on management strategies that avoid and reduce conflict that results in adverse impacts to human health and safety, private property, agriculture, and public and private economic impacts;" and

WHEREAS, the Conservation Plan says that "a primary challenge for CDFW in developing and implementing the [Conservation] Plan is that state and federal listing of wolves as an endangered species affects the state's ability to manage the species with respect to any possible use of lethal take for management. It is reasonably foreseeable that some forms of

RESOLUTION NO. 18-070

aversive condition and lethal take to protect human safety, to reduce livestock depredation, or to mitigate risks of substantial effects on native ungulates, may become warranted;" and,

WHEREAS, in January 2017, the Pacific Legal Foundation, representing the California Cattlemen's Association and the California Farm Bureau, filed suit against the Commission, challenging the Commission's 2014 decision to list the gray wolf; and

WHEREAS, in 2017 and 2018, the presence of the gray wolves in Lassen County and Plumas County is resulting in wolf-livestock interactions involving the slaughter/depredation of livestock and those killings have been corroborated by evidence collected by CDFW staff, including data from satellite GPS tracking indicating that wolves were in the vicinity of the killing; and

WHEREAS, the wolf's legal status prohibits the implementation of a Commission policy that "in the event that some birds or mammals cause injury or damage to private property, depredation control methods directed toward offending animals may be implemented;" and,

WHEREAS, a violation of a wolf's legal status may result in criminal and civil fines of up to \$50,000 and/or imprisonment; and,

WHEREAS, the Board of Supervisors is appreciative of the State organizing working group meetings for preparing a plan for the management of wolves in California; and,

WHEREAS, the Board of Supervisors is supportive of the Commission's policies that avoid and reduce conflicts that results in adverse impacts to human health and safety, private property, agriculture, to reduce livestock depredation, public and private economic interests, or to mitigate risks of substantial effects on native ungulates (e.g. deer, pronghorn antelope, and elk populations); and,

WHEREAS, the Board of Supervisors agrees with the Department's Conservation Plan statement that "a primary challenge for CDFW in developing and implementing the [Conservation] Plan is that state and federal listing of wolves as an endangered species affects the state's ability to manage the species;" and,

WHEREAS, it is the Board of Supervisors' opinion that the Commission's 2014 split-decision to list the gray wolf as endangered was and still is a baseless and premature decision that is preventing the implementation of the Commission's own policies for protecting human health and safety, to reduce livestock depredation, and to mitigate risks of substantial effects on native ungulates.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Lassen urge the Commission to reconsider the listing of the gray wolf based upon the Department's recommendation of February 5, 2014, that "based upon the best scientific information available to the Department, listing the gray wolf as threatened or endangered is not warranted."

BE IT FURTHER RESOLVED that the Commission should delist the gray wolf as threatened or endangered and direct CDFW staff to apply for a Federal Fish and Wildlife Permit to allow the take of wolves that would involve both lethal and nonlethal control for individual wolves for the

RESOLUTION NO. 18-070

protection of human health and safety, and individual wolves involved in depredating livestock, livestock guard animals, pets, and for mitigating risks of substantial effects on native ungulates.

The foregoing Resolution was adopted at a regular meeting of the Board of Supervisors of the county of Lassen, State of California, held on the 16th day of October 2018 by the following vote:

AYES: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond.

NOES: None.

ABSTAIN: None.

ABSENT: None.



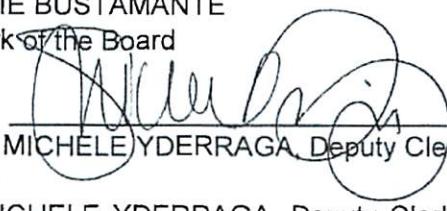
CHAIRMAN OF THE BOARD OF SUPERVISORS
COUNTY OF LASSEN, STATE OF CALIFORNIA

ATTEST:

JULIE BUSTAMANTE

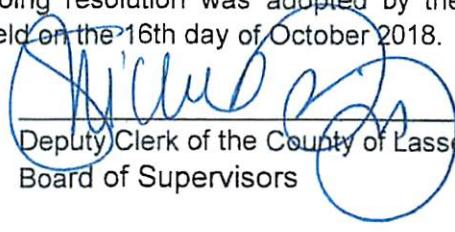
Clerk of the Board

BY:



MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 16th day of October 2018.



Deputy Clerk of the County of Lassen
Board of Supervisors

County of Lassen
BOARD OF SUPERVISORS

CHRIS GALLAGHER

District 1

DAVID TEETER

District 2

JEFF HEMPHILL

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District 5



County Administration Office
221 S. Roop Street, Suite 4
Susanville, CA 96130
Phone: 530-251-8333
Fax: 530-251-2663

November 24, 2020

Via Email: Wade.Crowfoot@resources.ca.gov

Mr. Wade Crowfoot
Secretary, California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Re: Gray Wolf

Dear Secretary Crowfoot:

As Chairman of the Lassen County Board of Supervisors, I write to provide you with information about a long-standing issue with the California Department of Fish and Wildlife.

The issue begins with the State's Conservation Plan for Gray Wolves in California that identifies legal, scientific, and funding "management limitations" that affect the State's ability to manage gray wolves in California. Those limitations include criminal penalties, fines, limited authority and no funding to prevent or stop wolves from preying on, damaging or killing livestock or pets for food. In addition, while many states have programs for compensating ranchers and pet-owners for such losses, such a program is not available to Californians.

This is an issue of not only local concern but statewide. While the "Lassen Pack" of gray wolves call a portion of this county home, as their "pack territory", other wolves are dispersing throughout the state. Depredations of livestock have been confirmed and reported by the California Department of Fish and Wildlife over the past several years.

I have enclosed a Lassen County Board of Supervisors resolution for your information. This resolution contains our responses and recommendations generated during public input about what a statewide program could do to help Californians. Our resolution was developed by the Lassen County Fish and Game Commission, who held public meetings and received public input in response to information provided by staff from the California Department of Fish and Wildlife.

It is the County's understanding that the first step in solving this issue is a legislative matter. From our public meetings it has been said that the Legislature and the Governor must direct CDFW or some other State agency or department with the statutory authority and funding to correct this issue.

Rapidly approaching is the 2021 state legislative session deadline to introduce a bill for consideration by the Legislature and Governor. I hope that this issue will be successfully resolved this year with your support and guidance. Please share the enclosed Board of Supervisor's resolution with the Governor, President pro Tempore of the State Senate, Speaker of the State Assembly, and Director Charlton H. Bonham to inform them of the County's official recommendations for resolving the issue.

Thank you for your time and attention to this matter.

Sincerely,



David Teeter, Chairman
Lassen County Board of Supervisors

CC: Lassen County Board of Supervisors
Rural County Representatives of California (RCRC)
California State Association of Counties (CSAC)

Attachment

RESOLUTION NO. 20-050

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN, STATE OF CALIFORNIA, PROVIDING RECOMMENDATIONS TO THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR COMPENSATING CALIFORNIANS FOR DAMAGES AND LOSSES CAUSED BY THE GRAY WOLF IN CALIFORNIA

WHEREAS, on June 4, 2014, the California Fish and Wildlife Commission voted to approve listing the gray wolf (*Canis lupus*) in California (State) as endangered under the California Endangered Species Act (CESA); and

WHEREAS, on May 4, 2016, the U.S. Fish and Wildlife Services (USFWS), California Department of Fish and Wildlife (CDFW), and U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) issued its Federal/State Coordination Plan For Gray Wolf Activity in California. Wherein CDFW is the lead agency for investigating and determining if livestock (e.g., cattle, sheep, goats, horses, mules, llamas, alpacas, and donkeys), livestock guarding and herding dogs, or other depredations on domestic animals by a wolf or wolves; and

WHEREAS, in December 2016, CDFW issued Part I and Part II of its Conservation Plan for Gray Wolves in California (the "Plan"). The Plan identifies legal, scientific, and funding "management limitations" that affect CDFW's ability to begin to manage nongame animals effectively such as wolves. Such limitations include legal considerations and Federal/State endangered species protections, lack of scientific information, limited funding, lack of staffing, and the need for specific statutory authority to provide mechanisms for resolving depredation by wolves on livestock; and

WHEREAS, in addition to depredation by wolves on livestock as a food-source, the Plan identifies that it is known that wolves attack and kill domestic dogs, including dogs used for livestock protection and herding, and companion dogs and hunting dogs; and

WHEREAS, those management limitations continue to exist statewide. CDFW has been provided limited legal, scientific and funding authority by the State for adequately managing wolves. CDFW does not have statutory authority or resources to prevent or stop CESA protected wolves from preying on, damaging and killing livestock for food, as confirmed by CDFW's livestock depredation investigations reports (investigations); and

WHEREAS, as reported by CDFW in July 2020, there is known and unknown wolf activity in the State. Known wolves past and present include satellite collared wolves in the Shasta Pack and Lassen Pack, and dispersing wolves such as OR-54, OR-59, OR-44, OR-25, OR-7, and other uncollared dispersing wolves that have been periodically detected in northeastern California via trail cameras, DNA, handheld cameras and visual observation by CDFW, and CDFW investigations; and

WHEREAS, the majority of CDFW satellite collared and monitored CESA gray wolf activity is within Lassen County and Plumas County. That activity is in a CDFW designated "wolf pack territory" where investigations have confirmed actual, probable and possible wolf depredations of livestock; and

WHEREAS, the State of California has not enacted a compensation program to pay Californian's for their losses caused by a CESA protected gray wolf; and

Resolution No. 20-050

WHEREAS, in July 2020, the CDFW released its draft components of a compensation program to pay livestock producers for damages and losses caused by CESA protected wolves and submitted that compensation program to the Lassen County Board of Supervisors for review and comment; and

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Lassen is hereby providing its comment and recommendations to the State of California as follows:

- 1) A compensation program to pay Californians and visitors to the State for damages and losses caused by or related to gray wolf attacks should also include a compensation program to pay for damages and losses caused by mountain lions and bears.
- 2) When a depredation investigation has determined that a gray wolf, mountain lion or bear has likely caused the death or severe injury of a pet, working-animal or livestock, the State should fully compensate that animal's owner for their loss:
 - a. Full compensation should be composed of two parts: (1) an amount of direct compensation to pay for the owner's direct loss of the animal and (2) an amount of indirect compensation to the owner for other costs or the probable indirect effects of the predation.
 - i. The amount of direct compensation to the owner shall not be less than 100% of the fair market value to replace the animal at the time of loss.
 - ii. Fair market value of calves, lambs and other nursing age livestock shall be defined as the market value of said livestock at its projected weaning weight.
 - iii. An amount of indirect compensation shall also be paid to the owner in addition to direct compensation. Indirect compensation is a multiplier or percentage increase in compensation that is intended to account for other predator related damages, as suggested by current research on predator impacts and losses.
 - iv. Damage and losses caused by a gray wolf, mountain lion or bear shall entitle the owner to receive direct and indirect compensation regardless of the depredation location in the State, and irrespective to wolf pack territorial boundaries, wolf travel patterns, or "pay for presence" compensation.
 - v. "Probable" wolf kills should be eligible for direct compensation in addition to "confirmed" wolf kills.
- 3) Where a gray wolf pack territory overlaps a livestock grazing range, pasture, allotment, or other livestock production area, a "pay for presence" loss compensation program should immediately be implemented to cover indirect losses being incurred by agricultural businesses, as suggested by current research.
 - a. Agricultural businesses electing to participate in a "pay for presence" program shall also be eligible to receive direct compensation and indirect compensation when a depredation investigation has determined that gray wolf, mountain lion or bear has caused or partially contributed to the death of their pet, working-animals or livestock.
 - b. Independent third parties should verify size of pack territory; territory should be generous.
 - c. Pay for presence compensation should be calculated on a sliding scale relative to pack population and other factors over time.

Resolution No. 20-050

- 4) Local government agency representatives, other than those working for the Department of Fish and Wildlife, should be granted authority to conduct depredation investigations and render opinions of an animal's cause of death. Depredation investigators should err on the side of the kill being caused by a predator. Livestock deemed as "probable" depredation by a qualified investigator should qualify for full value compensation.
- 5) Loss Compensation should be retro-active to the first documented loss in California; November 18, 2015, Livestock Depredation Investigation ID: Siskiyou-01
- 6) Any loss compensation program should be established and implemented by a State agency other than the California Department of Fish and Wildlife

BE IT FURTHER RESOLVED that it is respectfully requested that the California Legislature and the Governor of the State of California should promptly enact legislation and a budget appropriation to implement these recommendations herein for implementing the Conservation Plan for Gray Wolves in California and repaying Californians and visitors to the State for their losses and damages.

The foregoing Resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 17th day of November 2020 by the following vote:

AYES: Supervisors Teeter, Hemphill, Albaugh and Hammond.

NOES: None.

ABSTAIN: None.

ABSENT: Supervisor Gallagher.



CHAIRMAN OF THE BOARD OF SUPERVISORS
COUNTY OF LASSEN, STATE OF CALIFORNIA

ATTEST:

JULIE BUSTAMANTE

Clerk of the Board

BY:



MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 17th day of November 2020.



Deputy Clerk of the County of Lassen
Board of Supervisors

County of Lassen
BOARD OF SUPERVISORS

CHRIS GALLAGHER

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TOM HAMMOND

District 5



County Administration Office
221 S. Roop Street, Suite 4
Susanville, CA 96130
Phone: 530-251-8333
Fax: 530-251-2663

March 9, 2022

Honorable Bob Wieckowski, Chair
Senate Subcommittee 2 on Resources,
Environmental Protection and Energy
1020 N Street, Room 502
Sacramento, CA 95814

Honorable Richard Bloom, Chair
Assembly Sub 3 Climate Crisis,
Resources, Energy, and Transportation
P.O. Box 942849
Sacramento, CA 94249-0019

RE: Department of Fish and Wildlife – Gray Wolf

Dear Senator Wieckowski and Assembly Member Bloom:

On behalf of the Lassen County Board of Supervisors, I write to urge your help with resolving an issue with the California Department of Fish and Wildlife (CDFW). CDFW refuses to help Californians who suffered losses that predate the enactment date of Senate Bill 170, Ch. 204, Statutes of 2021 (Section 52). This bill authorized and provided funding to CDFW to pay for the economic impacts on Californians due to depredation by wolves.

The gray wolf is a recovering endangered species protected under the California Endangered Species Act. Its prey includes pets and livestock owned by Californians. The first documented depredation of livestock occurred on November 18, 2015 (Livestock Depredation Investigation ID: Siskiyou-01). The intention of SB 170 was to help Californians who suffered such losses, and the Legislature and Governor supported the bill.

Yesterday, on March 8, 2022, representatives of CDFW met with the Board of Supervisors. We asked CDFW to resolve this issue and they declined, and directed the Board to seek legislative relief. Because CDFW is refusing to honor the direction of the Legislature and Governor, we respectfully request your help to give specific legislative direction in the 2022 budget to CDFW to compensate Californians who suffered losses retroactively to the first documented depredation event of November 18, 2015.

For this reason, we respectfully ask for your help. Please do not hesitate to contact me if you have questions or would like more information about the issue. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Gallagher".

Chris Gallagher, Chairman
Lassen County Board of Supervisors

CC: Assembly Member Megan Dahle
Senator Brian Dahle
Wade Crowfoot, Secretary, California Natural Resources Agency



State of California – Department of Fish and Wildlife
INTERIM WOLF LIVESTOCK LOSS COMPENSATION GRANT PROGRAM
APPLICATION FORM

Interim Wolf Livestock Loss Compensation Grant Program Application Form

Interim Grant Process: In 2021, the California state legislature appropriated funding through Senate Bill 170, Ch. 204, Statutes of 2021 (Section 52) to the Department of Fish and Wildlife (CDFW) to “develop a grant process to allocate funds to pay for the deterrence of wolf presence near livestock, the impacts of wolf presence on livestock, and for verified loss of livestock for participating ranchers.” To address the current economic impacts due to depredation, CDFW has developed an interim Wolf Livestock Loss Compensation Grant Program to immediately award grants for the third prong of this legislative directive to address confirmed livestock losses while the full pilot program is in development. A stakeholder working group is developing recommendations for a comprehensive grant program to also fund deterrence efforts and to provide compensation for the impacts of wolf presence on livestock.

Note to Applicants: Effective September 23, 2021, grant funding is available from CDFW to compensate livestock producers for actual loss (death) of animals due to confirmed or probable wolf depredation. CDFW will accept applications and award grants on an on-going basis, contingent on available funding. Cause of death will be determined during a depredation investigation and documented in a CDFW Livestock Loss Determination Form.ⁱ Eligible applicants may submit applications to the CDFW Gray Wolf Program via email: wolfprogram@wildlife.ca.gov.

APPLICANT INFORMATION	
Applicant Name (Livestock Owner, Authorized agent)	
Applicant Address	
Contact Person	Phone
Title (If Applicable)	Email
Applicant Type (Individual, Corporation, Joint-Venture, Tribe)	
LIVESTOCK LOSS DETERMINATION	
CDFW Final Determination (Confirmed, Probable)	*Attach CDFW Livestock Loss Determination Form
Description of Loss (Livestock Type, Age, Number of Loss)	
Date of Investigation	
Date of Loss	
County where Loss Occurred	
Land Type (Public, private)	