

Via Electronic Communication

August 13, 2020

Honorable Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee:

We write to express our outrage regarding Washington Department of Fish and Wildlife Director Kelly Susewind's dismissal of Tim Coleman from the citizen Wolf Advisory Group (WAG) last week.

Mr. Coleman is the executive director of Kettle Range Conservation Group, and since 2015, he has filled a unique role on the WAG as the only environmental group representative who lives and works in the core wolf territories in northeast Washington. Frequently, Mr. Coleman was also the sole voice of dissent on the WAG in his opposition to Department actions favoring the interests of the livestock industry over wolves. He was the only member willing to challenge the Department when it disregarded its commitments both to WAG and to the people of the state.

The Department's Actions Violate Mr. Coleman's First Amendment Rights

Director Susewind dismissed Mr. Coleman last week, just two days before a WAG meeting at which the Department insisted that the WAG adopt amendments to its lethal removal protocol. Director Susewind's letter of dismissal (attached as Exhibit A) lists the following justifications:

- Mr. Coleman submitted declarations in a 2017 Thurston County lawsuit.¹
- Mr. Coleman participated in a 2018 protest outside Department headquarters.
- In 2018, Mr. Coleman was interviewed for a documentary about wolf management.²

¹ Mr. Coleman did not provide declarations in connection with the 2017 Thurston County lawsuit. However, he did provide two declarations in connection with a 2018 lawsuit to which he was not a party. His declarations can be provided on request.

² We are unaware of any such video produced in 2018, but presume the Director was referring to this 2017 documentary: <https://www.youtube.com/watch?reload=9&v=G7B56M1eDVM>.

- In 2019, Mr. Coleman joined a lawsuit alleging that the Department did not follow the WAG's approved protocol when killing the entire OPT wolf pack, and that the Department had violated the State Environmental Policy Act (SEPA).

Each of these actions are core First Amendment activities, through which Mr. Coleman expressed dissent with the actions of his state government.

All of Coleman's Actions Addressed His Concerns with the Department, not the WAG

In none of these actions did Mr. Coleman challenge the WAG or any WAG-based decisions. In each of the actions cited in the dismissal letter, Coleman challenged only the *Department* for its decisions and actions. In fact, in the cited documentary (which Coleman neither produced nor controlled), Coleman openly expressed his respect for the WAG and its members, as follows:

"I honor the Wolf Advisory Group. I think the Department of Fish and Wildlife is doing the best they can with a difficult situation. But I expect to have a minority opinion as long as they allow me to serve as a member of the WAG, because I am on the side of predators, and as much as I appreciate the agriculture industry, I think there is a place where you just have to say no, you just have to say enough is enough, you know, these animals should be entitled to live in the wilderness."

Removing Dissenters is Further Evidence the Development of Livestock-Wolf Conflict Management Policy Does Not Belong in the WAG and Should Go Through a Rule-Making Process

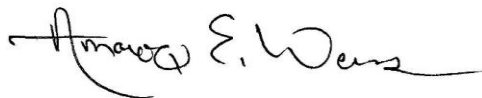
At a Washington Fish and Wildlife Commission hearing in July, the Department opposed a rulemaking petition filed by some of the undersigned, which sought to give the Washington people a voice in formulating wolf policy. The Department's contention was that the WAG was a sufficient substitute for rulemaking because it accommodated the full diversity of views on the topic.

This has never been true. The WAG has always been a poor reflection of the interests of the state's citizens. It has no racial or cultural diversity and grants two thirds of its seats to hunters and ranchers, who represent a tiny minority of Washingtonians. Now that Mr. Coleman has been silenced, it no longer provides *any* voice to those of us—like the undersigned, and the tens of thousands of state constituents that we represent—who are willing to stand up for wildlife's right to exist in the wild. In fact, during public comment at last week's WAG meeting, 16 of the 23 commenters expressed deep dismay with how the Department is handling livestock-wolf conflicts including 11 who

were outraged that the one voice on the WAG who represented their view had been removed.

As Washington's chief executive, you have taken initial steps to try to curb the Department's continued excessive and futile killing of endangered wolves. The Department has been defiant in response. We ask that you reject the Department's excuses and persist in demanding more. We also ask that you recognize that development of legally enforceable rules through a public rulemaking process is how to give the people of Washington an effective voice in wolf policy. Without such a public process, wolf policy will be driven by the WAG, which lacks voices the Department seeks to silence—the vast majority of citizens who stand with the state's wildlife.

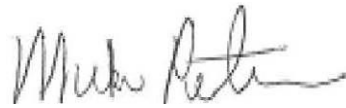
Sincerely,



Amaroq Weiss, M.S., J.D.
Senior West Coast Wolf Advocate
Center for Biological Diversity



Sophia Ressler
WA Wildlife Advocate/Staff Attorney
Center for Biological Diversity



Mike Petersen
Executive Director
The Lands Council



Brooks Fahy
Executive Director
Predator Defense



Camilla Fox
Executive Director
Project Coyote



Wally Sykes
Co-Founder
Northeast Oregon Ecosystems

Samantha Bruegger
Wildlife Coexistence Campaigner
WildEarth Guardians

Debra Chase
CEO
Mountain Lion Foundation

Hank Seipp
Executive Director
Western Wildlife Conservation

Jane A. Hutchinson
Wildlife Program Director
Farmer Frog

Jennifer Fuentes
Grassroots Leader
Indigenous Sisters Resistance

Darrell Smith
Board Member and Science Advisor
Western Wildlife Outreach

Nick Cady
Legal Director
Cascadia Wildlands

Kimberly Baker
Public Land Advocate
Epic – Environmental Protection
Information Center

Lain Kahlstrom

Lain Kahlstrom
Director of State Affairs
Animal Wellness Action

Mitchell Fox

Mitchell Fox
Director of Advocacy
Center for a Humane Economy

Rachel Bjork

Rachel Bjork
Board President
Northwest Animal Rights Network



Jocelyn Leroux
Washington & Montana Director
Western Watersheds Project

cc:
Senior Policy Advisor JT Austin
WDFW Director Kelly Susewind
WDFW Wolf Policy Lead Donald Martorello
Washington Attorney General Bob Ferguson
Washington Fish and Wildlife Commission

EXHIBIT A

August 3, 2020 Letter from Department Director Kelly
Susewind to WAG Member Tim Coleman



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: P.O. Box 43200, Olympia, WA 98504-3200 • (360) 902-2200 • TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

August 3, 2020

Mr. Tim Coleman
tcoleman@kettlerange.org

Dear Mr. Coleman:

After careful consideration, I am removing your Wolf Advisory Group (WAG) membership for a pattern of behavior that has eroded necessary trust between yourself, other WAG members, and Department staff.

In all Washington Department of Fish and Wildlife (WDFW) Advisory Groups, the Department invites a broad range of stakeholders to share their views. Meetings of the WAG are intended to provide a forum for teamwork, collaboration, and trust among those who may not share the same perspectives but who want to work toward solutions that honor cohesion and coexistence to the greatest extent. To cultivate that environment and allow for vulnerability and trust to develop, WAG members and WDFW staff must be able to count on one another to honor the conflict transformation process to which we are all committed.

You helped to develop the 2016 and 2017 wolf-livestock interaction protocols, which guide the use of nonlethal and lethal tools to mitigate wolf-livestock conflict. You also helped develop the WAG's decision-making model that addresses the processes for when a WAG member opposes a decision (<https://wdfw.wa.gov/about/advisory/wag#mission-statement>). WAG's decision-making process states, "Once a decision is reached, it will be supported by the entire group, including those who opposed the decision. Dissenting voices recognize that maintaining the long-term integrity of the process and relationships is more important than the decision and therefore will work outside WAG and within their own group or community to 1) uphold support for the decision within their community or group and 2) ask for their organization or group to "stand aside" and not take action to oppose or overturn the decision, even if they themselves did not secure their preferred decision." However, when the protocol's guidance was implemented, your actions did not align with what you agreed to in the WAG forum and hindered the ability of your fellow WAG members to trust and collaborate with you.

In the 2017 Thurston County case, you provided a declaration in litigation against WDFW because of a lethal removal decision by the Director. In 2018, you participated in a protest against a lethal removal action and a video demeaning the collaborative process in which you participated, putting other WAG members and conservation groups in a negative light.

Mr. Tim Coleman
August 3, 2020
Page 2

Following your participation in the video, WAG members shared their concerns publicly with you during a meeting.

As a result of those concerns, on April 24, 2019, WAG members committed to providing advanced notice to their fellow WAG members and the Department when they were taking action that was not in support of WAG-based decisions, such as litigation, news releases, videos, etc., so all would have full knowledge ahead of time and not be caught off-guard.

I waited for that discussion and the outcome before making any reappointments to WAG to include language addressing that process step: "It is expected that all WAG members will follow the ground rules, process steps, and communication guidelines upon which the group collectively agreed" (see enclosed).


Following your commitment to that process step, you became a litigant against WDFW in 2019 in King County without providing notice to WDFW or your fellow WAG members. Although you stated that you tried to communicate this information via e-mail, no WAG members or Department staff ever received or saw the original communication.

Your participation as a litigant against the U.S. Forest Service in 2020 is not the basis for your removal, but it undermines the ability of the group to see you as a true collaborator and brings up past issues in which you did violate WAG commitments.

For the benefit of the WAG process, I am therefore removing your membership, and we will seek a new representative from the environmental community for the WAG to ensure a diversity of wolf advocates continue to have a voice on this committee.

We value a diversity of perspectives including yours and want to continue working collaboratively with you through the variety of other stakeholder engagement opportunities

Respectfully,



Kelly Susewind
Director

Enclosure

cc: Eric Gardner
Donny Martorello