
**Agriculture & Natural Resources
Committee**

HB 2394

Brief Description: Extending a wildlife crop damage reimbursement program.

Sponsors: Representatives Newhouse, Linville, Clements, Schoesler, McMorris, Orcutt, Holmquist, Delvin, Hinkle and Grant.

Brief Summary of Bill

- Extends for four years the ability of the owners of private rangeland used for commercial livestock forage to file a deer or elk damage reimbursement claim with the Department of Fish and Wildlife.

Hearing Date: 1/21/04

Staff: Jason Callahan (786-7117).

Background:

The owners of either a commercial agricultural or horticultural crop, or of private rangeland forage used for commercial livestock grazing, may apply to the Department of Fish and Wildlife (WDFW) for payment of damages caused by the browsing of wild deer or elk (RCW 77.36.040). Payments are limited to the value of the crop, but are generally capped at \$10,000 per claim. Claims valued over \$10,000 must be filed with the Office of Risk Management, which will forward a recommendation on the claim to the Legislature (RCW 77.36.050).

It is the responsibility of the WDFW to examine and assess the damage upon notification from the claimant, although the WDFW and the claimant can agree to have the damage assessed by a third party. Any damage payments accepted by the owner represents the exclusive remedy against the state for wildlife-caused damages (RCW 77.36.040).

The WDFW is limited to only spending \$30,000 per year from the general fund on wildlife damage claims, unless an emergency is declared by the Legislature. Of that \$30,000, only one-third may be used for reimbursement of damage caused to rangeland forage on private lands (RCW 77.36.080). Fifty percent of any portion of the \$30,000 not used for damage reimbursement at the end of the fiscal year must be used for matching grants to enhance deer and elk habitat on public lands.

As of July 1, 2004, the wildlife crop damage reimbursement program's scope will be narrowed. Reimbursement will be limited only to the growers of commercially raised horticultural or agricultural products. Livestock producers and the owners of private rangeland will not be eligible for reimbursement for damage caused by deer or elk. In addition, no portion of the unspent allocation for crop damage will be required to be used for habitat improvements.

Summary of Bill:

The ability for livestock producers and the owners of private rangeland forage used for commercial livestock grazing to file a deer or elk damage reimbursement claim with the WDFW is extended from June 30, 2004 until June 30, 2008. The requirement that the WDFW use half of unspent damage reimbursement claims on habitat improvement on public lands is also extended until June 30, 2008.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.