

FINAL BILL REPORT

HB 1077

C 293 L 07

Synopsis as Enacted

Brief Description: Modifying requirements concerning the public disclosure of sensitive fish and wildlife information.

Sponsors: By Representatives Blake and Kretz.

House Committee on State Government & Tribal Affairs
Senate Committee on Natural Resources, Ocean & Recreation

Background:

The Department of Fish and Wildlife (DFW) manages more than 640 animal species and approximately 150 species of fish and shellfish. Among other activities, the DFW issues hunting and fishing licenses, enforces habitat protection laws, removes wild animals, and arrests poachers.

The Public Records Act (PRA) mandates disclosure of public records unless the record falls under a specific exemption. Certain sensitive information relating to fish and wildlife is exempt from public disclosure. The DFW may, however, release this sensitive information to government agencies concerned with fish and wildlife resource management.

The definition of sensitive fish and wildlife data includes location data that could compromise the viability of a specific fish or wildlife population and where at least one of the following criteria is met:

- a species with a known commercial or black market value;
- a history of malicious take of that species; or
- a known demand to visit, take, or disturb, and the species behavior or ecology renders it especially vulnerable or the species has an extremely limited distribution and concentration.

Summary:

The PRA's disclosure exemption for sensitive fish and wildlife data is amended to allow the data's release to the following entities and their agents for fish, wildlife, land management purposes, or scientific research needs:

- government agencies;
- public utilities; and
- accredited colleges and universities.

The data may also be released to:

- tribal governments; and

- owner, lessee, or right-of-way or easement holder of the private land to which the data pertains.

The release of sensitive data may be subject to a confidentiality agreement. This requirement does not apply when the release of sensitive data is to an owner, lessee, or right-of-way or easement holder of private land who initially provided the data.

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- a history of malicious take of that species and the species behavior or ecology renders it especially vulnerable;
- a known demand to take, visit, or disturb the species; or
- the species has an extremely limited distribution and concentration.

Sensitive fish and wildlife data does not include data related to reports of predatory wildlife interactions. "Predatory wildlife" is defined as grizzly bears, wolves, and cougars. The DFW is further required to post on its web site reported predatory wildlife interactions, including reported human safety confrontations or sightings as well as the known details of reported depredations by predatory wildlife on humans, pets, or livestock.

Votes on Final Passage:

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|--------|----|---|-------------------|
| House | 95 | 0 | |
| Senate | 37 | 9 | (Senate amended) |
| House | 94 | 1 | (House concurred) |

Effective: July 22, 2007