

# HOUSE BILL REPORT

## HB 1250

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to providing the fish and wildlife commission with independent biological information.

**Brief Description:** Conducting a pilot project to provide the fish and wildlife commission with independent biological information.

**Sponsors:** Representatives Orcutt, B. Sullivan, Kretz, Alexander and Pearson.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/22/07, 2/5/07 [DPS].

**Brief Summary of Substitute Bill**

- Requires the Fish and Wildlife Commission to conduct a pilot project that is designed to provide it biological information and recommendations on elk and deer management from a source that is independent from the Department of Fish and Wildlife.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson, Eickmeyer, Grant, Hailey, Kagi, Lantz, McCoy, Newhouse, Orcutt, Strow and VanDeWege.

**Staff:** Jason Callahan (786-7117).

**Background:**

The Fish and Wildlife Commission (Commission) is composed of nine individuals appointed by the Governor. The Commission is charged with the duty of preserving, protecting, perpetuating, and managing the state's wildlife. Specifically, the Commission is charged with setting basic goals for the Washington Department of Fish and Wildlife (WDFW) to

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implement, and reviewing the performance of the WDFW in implementing the policies established by the Commission.

Deer and elk, like all wildlife in the state, are managed by the WDFW under the direction of the Commission.

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**Summary of Substitute Bill:**

The Commission is directed to conduct a pilot project that is designed to provide it biological information from a source that is independent from the WDFW. The Commission must contract directly with private sector wildlife biologists, and have those biologists prepare an assessment of the WDFW's current elk and deer management activities. The private biologists must also provide recommended future management plans for the deer and elk resource. Two separate analyses must be conducted each year for five years for the habitat included in the range of two separate elk herds, with the two first herd ranges studied being the Mount Saint Helens herd and the Colockum herd.

The final results and recommendations from the contracted biologists must be reported to the Commission by October 31, 2008. Upon receipt, the chair of the Commission must present a report to the Legislature that outlines the differences between the management recommendations made by the independent wildlife biologists and the future management plans developed by the WDFW.

During the pilot project, the WDFW must grant the independent biologists with access to land and information as requested by the biologists.

**Substitute Bill Compared to Original Bill:**

The original bill required separate analyses to be conducted for each of the game management units established by the WDFW.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) A large elk die-off was witnessed within the Mount Saint Helens herd, but official reports from the WDFW did not match witnesses' observations. Elk were seen in painful advance stages of starvation due to over-grazing of the habitat and mismanagement by WDFW biologists. The WDFW is currently providing supplemental feed to the elk, and are

planning to increase hunting in the area. However, they have not admitted that there was anything wrong with their management of the herd.

Past elk management plans have not been implemented, and the new one was delayed in development. Evidence suggests that similar problems are mounting statewide. The WDFW has refused to consider the input of local citizens, and the inability of the WDFW to make critical decisions is usually blamed on insufficient staffing.

The Commission has no choice but to rely on information provided by the WDFW's biologists. A second set of eyes on the data will ensure that the Commission has the accurate information they need to manage the resource. There is no such thing as too much information when a valuable resource is being managed. There is a lot of expertise outside of the WDFW, and the Commission should take advantage of it in managing important wildlife resources. A third party assessment will provide valuable information that just may support the WDFW's findings.

(Opposed) Nobody likes to see dying elk, but it may be a continued reality as the carrying capacity of the landscape is reduced by human encroachment and the maturation of the post-volcanic eruption forest. The issue is less a matter of needing science, and more about implementing the science that we already know. Herds need to be reduced in size and the Legislature can help the problem by finding new ways to encourage public hunting on private lands.

The bill invests a lot of money into duplicate services and undermines the working relationship between the Commission and the WDFW.

(Neutral) The Commission has a new chair who may be able to address these concerns.

**Persons Testifying:** (In support) Representative Ed Orcutt, prime sponsor; Mark Smith and Jonathan Brake, Mount Saint Helens Preservation Society; Jack Field, Washington Cattlemen's Association; David Douglas, Blacktail Specialties; and John Matson.

(Opposed) Jerry Gutzwiler and Steve Pozzanghera, Washington Department of Fish and Wildlife Commission.

(Neutral) Perry Brake.

**Persons Signed In To Testify But Not Testifying:** None.