

HOUSE BILL REPORT

ESHB 2438

As Passed Legislature

Title: An act relating to adding permanency to a pilot project that allowed for the use of dogs in cougar hunting.

Brief Description: Extending a pilot project that allows for the use of dogs to hunt cougars.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Williams, Blake, McCune, Newhouse, Takko, Chandler, Condotta, Armstrong, Dunn, McDonald, Warnick and Pearson).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/30/08, 2/4/08 [DPS].

Floor Activity:

Passed House: 2/19/08, 66-29.

Passed Senate: 3/4/08, 31-18.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Extends for three years the pilot project that allowed for the hunting of cougars with the aid of hounds.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Blake, Chair; Van De Wege, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Eickmeyer, Grant, Kristiansen, Lantz, Newhouse and Orcutt.

Minority Report: Do not pass. Signed by 3 members: Representatives Loomis, McCoy and Nelson.

Staff: Jason Callahan (786-7117).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

General Conditions for Hunting Cougars with the Aid of Dogs

Generally, the use of dogs to hunt or pursue cougars is unlawful in Washington. However, there are situations where the Fish and Wildlife Commission (Commission) is authorized to allow the use of dogs to hunt cougars. One such situation is when the Commission determines that there is a public safety need.

The use of dogs to hunt cougars when there is a public safety need must be limited to specific game management units, and may only be allowed after the Commission has determined that there is no practical alternative to the use of dogs. Practical alternatives include seasons for hunting cougars without the aid of dogs, public education, cougar depredation permits, and relocation or euthanasia programs administered by the Department of Fish and Wildlife (WDFW).

The Commission may authorize the use of dogs in public safety cougar removal efforts if the WDFW believes, based on complaints or observation, that 11 interactions occurred between humans and cougars in a given year. Of those 11 confirmed interactions, at least four must have resulted in incidents where livestock or pets were killed or injured by the cougar.

If the necessary interactions occur, and no practical alternatives exist, the WDFW may allow for the use of dogs to take one cougar per 120 square kilometers in rural or undeveloped areas, or one cougar per 430 square kilometers in urban or suburban areas. All public safety cougar removals must occur between December 1 and March 15 in most game management areas.

Cougars may be hunted with modern firearms, bows, or muzzleloaders outside of the public safety cougar removal program; however, the use of dogs is prohibited.

Pilot Project for Hunting Cougars With the Aid of Dogs

In 2004 the Legislature directed the Commission to adopt rules that establish seasons for pursuing and hunting cougars that allows the use of dogs. The seasons were limited to a three-year pilot program located only in Ferry, Stevens, Pend Oreille, Chelan, and Okanogan counties, and were only to occur within identified game management units. The pilot program was required to be designed to provide for public safety, property protection, and cougar population assessments.

In establishing the pilot seasons, the Commission was required to cooperate and collaborate with the legislative authorities of the impacted counties. This coordination took the form of local dangerous wildlife task teams composed of representatives from the WDFW and the local counties. The task teams were also directed to develop a more effective and accurate dangerous wildlife reporting system.

In 2007 a fourth year was added onto the pilot project and, for the first time, counties other than the original five were allowed to petition the Commission for inclusion in the pilot project. The legislative authority of any county that was not included in the cougar hunting pilot project could request the Commission to include its county in the pilot project if the

legislative authority adopted a resolution requesting inclusion, documented the need to participate by identifying the number of cougar interactions within that county, and demonstrated that the existing cougar management tools for that county are insufficient.

Summary of Engrossed Substitute Bill:

The pilot project to allow for the hunting of cougars with the aid of hounds is extended for three additional years. The conditions, limitations, and requirements of the original pilot project are retained.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Almost immediately after the passage of the initiative that banned the use of dogs to aid in the hunt of cougars, reports of cougar attacks skyrocketed. The pilot project in the five northeast counties provided a surgical approach to cougar management which was better for the overall health of the species. The four years under the pilot project have proven to be very successful, and it would be wise to allow it to continue. Cougars in the five counties have been conditioned to avoid human conflicts. The cougars are part of the ecosystem, and nobody wants to see them removed completely from the landscape.

Animals and children have and will continue to be attacked by cougars if the WDFW is not given the management tools that it needs to control the cougar population. Cougars are increasingly appearing in urbanized areas where the use of rifles is not safe or possible. Cougars have even been seen near homes and assisted living communities.

Currently the WDFW is updating their cougar game management plan, and the public is invited to participate in the process.

(Opposed) The ban on using hounds to hunt cougars was established by the vote of the people in 1996, and making the pilot project permanent would simply be a de facto appeal of the initiative. The language in the bill allowing additional counties to join into the cougar hunting program is vague and presents a low burden-of-proof before cougar hunting is allowed in a particular county.

The current law allows problem cougars to be removed in a more sensible manner. Hunting cougars with hounds leads to innocent cougars being killed and results in only trophy-quality cougars being targeted. This pattern ignores the juvenile member of the species, which are the

animals that cause most of the problems. There is no evidence that less cougars leads to less reported human interactions.

This legislation is premature. The report stemming from the pilot project has not been peer reviewed or vetted by stakeholders. In addition, the WDFW does not yet have a cougar management plan.

Persons Testifying: (In support) Representative Kretz, prime sponsor; George Brady, Washington State Trappers Association; Ed Thiele; Lee Backer; Jack Field, Washington Cattleman's Association; Jay Kayser, Klickitat County Cattlemen; Brad Camron; and Steve Pozzanshea, Washington Department of Fish and Wildlife.

(Opposed) Inga Gibson, Humane Society of the United States.

Persons Signed In To Testify But Not Testifying: None.