

# SENATE BILL REPORT

## SB 6136

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As of January 31, 2012

**Title:** An act relating to the regional management of mammalian apex predators.

**Brief Description:** Concerning the regional management of mammalian apex predators.

**Sponsors:** Senators Morton, Schoesler, Delvin and Hobbs.

**Brief History:**

**Committee Activity:** Energy, Natural Resources & Marine Waters: 2/01/12.

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### SENATE COMMITTEE ON ENERGY, NATURAL RESOURCES & MARINE WATERS

**Staff:** Curt Gavigan (786-7437)

**Background:** Department of Fish and Wildlife (DFW) Generally. DFW serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect and manage fish and wildlife, including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife. DFW also manages nearly 1 million acres of public land for fish and wildlife, habitat conservation, and wildlife-oriented recreation.

State Endangered Species Authority. The Fish and Wildlife Commission (Commission) has the authority to identify species that are seriously threatened with extinction and designate those species as endangered. Such a species classification must be requested by the Director of the Department of Fish and Wildlife.

The Commission may only list a species as endangered, threatened, or sensitive on the basis of the biological status of the species being considered. This decision must be based on the preponderance of scientific data. Species may be classified when populations are in danger of failing, declining, or are vulnerable. Once listed, the Commission must also rely on the preponderance of available scientific data when making delisting or reclassification decisions.

A species may be delisted from endangered, threatened, or sensitive only when populations are no longer in danger of failing, declining, or vulnerable. The listing of a species by the Commission requires the creation of a management plan for the species. The management plan must identify target population objectives, reclassification criteria, an implementation plan, public education, and a species monitoring plan.

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*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.*

**Summary of Bill:** The Commission is authorized to consider petitions for changing the classification of an endangered, threatened, or sensitive species on a regional basis. However, that authority only applies if the species in question is a mammalian apex predator. In determining the validity of petitions for regional classification changes, the Commission must consider the biological status of the mammalian apex predator in the proposed region based on the preponderance of the scientific information available and the species' status under the federal Endangered Species Act (ESA).

A regional change in the classification of a mammalian apex predator requires the Commission to suspend any statewide management plans or planning processes for the species in question if that species is not listed as endangered under the federal ESA for the entirety of Washington. The planning suspension may only be lifted if the Commission makes amendments to the plan to reflect the regional status of the mammalian apex predator in question.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.