

# HOUSE BILL REPORT

## 2SSB 5474

---

**As Passed House - Amended:**  
April 10, 2017

**Title:** An act relating to initiating proactive steps to address elk hoof disease.

**Brief Description:** Initiating proactive steps to address elk hoof disease.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senator Pearson).

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 3/15/17, 3/22/17 [DPA];

Appropriations: 4/3/17, 4/4/17 [DPA(AGNR)].

**Floor Activity:**

Passed House - Amended: 4/10/17, 98-0.

**Brief Summary of Second Substitute Bill  
(As Amended by House)**

- Requires the Department of Fish and Wildlife to adopt rules prohibiting the translocation of elk from areas with elk affected by hoof disease.
- Requires, subject to appropriation, the Washington State University College of Veterinary Sciences to develop an elk hoof disease monitoring and assessment program.

---

### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass as amended. Signed by 10 members: Representatives Blake, Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler, Lytton, Orcutt, Robinson, Schmick, Springer and J. Walsh.

**Staff:** Rebecca Lewis (786-7339).

---

### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Agriculture & Natural Resources. Signed by 31 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler,

---

*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.*

Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Cody, Condotta, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Nealey, Pettigrew, Sawyer, Schmick, Senn, Springer, Stanford, Sullivan, Taylor, Tharinger, Vick, Volz and Wilcox.

**Minority Report:** Do not pass. Signed by 1 member: Representative Pollet.

**Staff:** Lily Sobolik (786-7157).

**Background:**

Department of Fish and Wildlife Authority.

The Department of Fish and Wildlife (DFW) is responsible for the management of the state's fish and wildlife resources. Among other duties, the agency must classify wildlife and establish rules and regulations governing the time, place, manner, and methods used to harvest or enjoy fish and wildlife. Specifically, this includes the authority to:

- regulate the transportation and possession of fish and wildlife in the state; and
- authorize the removal of wildlife that is destroying property, or when it is necessary for wildlife management or research.

The DFW has developed elk herd management plans (management plan) for each of the 10 identified elk herds in the state. Each management plan contains a herd area description and information on herd distribution within that area. Other elements of the management plan include management goals and objectives for harvest and damage prevention, habitat management, past management strategies, social and economic values of elk, and review of other relevant research.

Elk Hoof Disease in Washington.

According to the DFW, reports of limping elk and elk with hoof deformities began in the 1990s in the Cowlitz River Basin. Since 2008 sightings increased to additional areas of southwest Washington, including in the areas of both the Mount St. Helens and Willapa Hills elk herds. In late 2015 evidence of elk hoof disease was detected in Skagit County.

**Summary of Amended Bill:**

The Department of Fish and Wildlife (DFW) must adopt rules prohibiting any person, including DFW staff, from translocating live elk from an area affected by hoof disease to any other location unless that translocation is:

- consistent with a process developed by the DFW for translocation for monitoring or hoof disease management purposes; or
- within an elk herd management plan affected by elk hoof disease.

Any translocation process must be developed with input from the affected federally recognized tribes.

The Washington State University College of Veterinary Medicine (College) is designated as the state lead in developing a program for the monitoring and assessment of causes and potential solutions for elk hoof disease. To carry out this mission, the College must establish an elk monitoring program in southwest Washington, and must work collaboratively with other entities including the DFW, the state veterinarian, and any tribes with an interest in participating. The College must provide updates on its findings, program needs, and any recommendations on at least an annual basis to the appropriate committees of the Legislature and the Fish and Wildlife Commission.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony (Agriculture & Natural Resources):**

(In support) This bill has been finely tuned through the process, and the prime sponsor agrees with the proposed amendment. Washington State University (WSU) is willing to be involved, and the WSU College of Veterinary Sciences is developing an animal disease center and diagnostic lab which will enable them to take an active role in monitoring and reporting. Elk hoof disease is a crisis and can impact domestic livestock. This is a positive approach that will provide more analytical review and aggressive action to control elk hoof disease. The DFW has had limited resources to study and control elk hoof disease. Elk hoof disease has been reported in eastern and western Oregon Washington in addition to much of western Washington. One concern is that there are six people on the Elk Hoof Disease Technical Advisory Group, which advises the DFW who are employees of WSU. There are two things that can be done to eradicate hoof disease: (1) verify previous research related to elk hoof disease; and (2) develop a vaccine for leptospira similar to the smallpox vaccine. These two things can be done within a year or two. There are many landowners concerned about elk for a variety of reasons, including the potential spread of elk hoof disease to their livestock herds. Elk hoof disease has been a serious problem in southwest Washington for several years, and has spread to other areas of the state. A farmer in Skagit County recently reported seeing a herd with several limping elk. The restrictions on transferring elk from areas with hoof disease are good, and involving WSU is a good idea. The DFW appreciates the prime sponsor's leadership. The DFW and WSU have been working in partnership to manage and prevent the spread of elk hoof disease.

(Opposed) None.

(Other) The workgroup is not working. It has been almost two years since the public working group has met. The state has lost over two-thirds of the elk herd. The DFW is not successfully managing the disease. People are leaving the state to hunt elk elsewhere because of the loss. Other states have wildlife research centers. This problem needs to be fixed for the future hunters of the state. Chronic wasting disease has been successfully managed in the Midwest. There is a deer scientist from that area who should be involved in the management of elk hoof disease here.

The Stillaguamish tribe would support the bill with the proposed amendment. To the scientific community, the word "significant" implies an ample level of data, but the data is not sufficient to make this claim. The amendment allows elk to be translocated within an elk herd management plan.

**Staff Summary of Public Testimony (Appropriations):**

(In support) None.

(Opposed) None.

**Persons Testifying (Agriculture & Natural Resources):** (In support) Senator Pearson, prime sponsor; Mark Smith; Boone Mora; Cindy Alia, Citizens' Alliance for Property Rights; Tom Davis, Washington Farm Bureau and Washington Cattlemen's Association; and Anis Aoude, Department of Fish and Wildlife.

(Other) Bruce Barnes; and Peggen Frank, Stillaguamish Tribe.

**Persons Testifying (Appropriations):** None.

**Persons Signed In To Testify But Not Testifying (Agriculture & Natural Resources):** None.

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