

SENATE BILL REPORT

SB 5078

As Reported by Senate Committee On:
Natural Resources & Parks, February 14, 2017

Title: An act relating to impacts from wildlife damage.

Brief Description: Concerning impacts from wildlife damage.

Sponsors: Senators Pearson and Warnick.

Brief History:

Committee Activity: Natural Resources & Parks: 2/07/17, 2/14/17 [DP-WM, DNP].

Brief Summary of Bill

- Requires the Department of Fish & Wildlife (DFW) to reimburse public agencies for emergency response services provided when an elk collides with a motor vehicle.
- Requires DFW and other stakeholders to review the wildlife damage claim process and make legislative or administrative recommendations by November 1, 2017.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Fortunato.

Minority Report: Do not pass.
Signed by Senators Van De Wege, Ranking Minority Member; McCoy.

Staff: Kelsey Morfitt (786-7407)

Background: Washington State DFW. DFW manages and protects the state's fish and wildlife resources. DFW also monitors wildlife that threaten human safety or cause property damage.

Crops Reimbursement for Wildlife Damage. Current law provides a method for reimbursing the public for damage caused to crops or other property by state wildlife. Public

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reimbursement for property damage caused by wildlife is capped at \$10,000 and each claim must be at least \$500 to seek reimbursement.

Deer and Elk Collusion Impacts. According to Washington State Department of Transportation, about 1100 deer and elk collisions with motor vehicles are reported to the Washington State Patrol (WSP) annually. About 3500 wildlife carcasses are found by the state each year. Deer and elk account for the greatest number of wildlife-motor vehicle collisions.

Deer and elk collisions result in an average of 1190 human injuries and two fatalities per year in Washington State. The majority of collisions are caused by deer. However, elk are larger. Therefore, elk collisions are more likely to cause greater damage to vehicles, result in human injuries, and be reported to WSP.

Summary of Bill: Reimburse Public Agencies. DFW must reimburse public agencies for emergency response services provided when an elk collides with a motor vehicle on a highway. DFW must reimburse the public agency within 30 days of receiving the reimbursement request.

Public agencies include any city, county, town, district, municipal corporation, or other public authority partially or fully located within Washington that provide fire, police, medical, or other emergency services. The expense of an emergency response is defined as the reasonable costs incurred by the public agency that directly arise from the incident response.

Review Damage Claim Process. DFW, landowners, and other stakeholders must review the wildlife damage claim process. This includes reviewing relevant statutes, program funding, and agency rules and practices. DFW must summarize its findings and make any legislative or administrative recommendations to the Legislature and the Fish and Wildlife Commission by Nov. 1, 2017. This review process expires December 31, 2017.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: DFW should reimburse local agencies because it is DFW's fault for not properly managing the state's elk. DFW supports meeting with stakeholders to streamline and improve the property damage claims process

OTHER: This doesn't solve the problem; it just transfers the cost of accidents between entities.

Persons Testifying: PRO: Tom Davis, Washington Farm Bureau; Randy Good, Skagit County Cattlemen's, Friends of Skagit County, Skagit Chapter Alliance for Property Rights; William Schmidt, citizen.

OTHER: Mark Smith, citizen; Anis Aoude, DFW.

Persons Signed In To Testify But Not Testifying: No one.