

SENATE BILL REPORT

SB 5474

As of February 7, 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: Senator Pearson.

Brief History:

Committee Activity: Natural Resources & Parks: 2/07/17.

Brief Summary of Bill

- Specifies elk hoof disease-related wildlife management authorities.
- Directs the Department of Fish and Wildlife (DFW) to solicit and implement certain recommendations.
- Requires DFW to maintain the Elk Hoof Disease Public Working Group (working group).

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Staff: Curt Gavigan (786-7437)

Background: DFW Wildlife Management Authority in General. DFW serves as manager of the state's fish and wildlife resources. Among other duties, the agency must classify wildlife and establish the basic 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.

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

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.

Background on the Working Group. Since 2013, DFW has maintained an advisory working group on elk hoof disease. The stated purpose of the working group is to provide the opportunity to share information about hoof disease, discuss research and management questions, and public outreach.

Summary of Bill: Specifies Elk Hoof Disease-Related Wildlife Management Authorities. DFW's general statutory authority to authorize the transportation of fish and wildlife is amended to prohibit DFW from allowing any person from translocating a live elk out of an area with elk affected by hoof disease.

DFW staff in possession of a firearm while on duty are required to humanely euthanize an elk that is severely limping and located in an area with hoof disease. Additionally, certain landowners, licensed hunters, and tribal members are authorized to humanely euthanize an elk in those same circumstances.

Directs DFW to Solicit and Implement Certain Recommendations. DFW must seek recommendations from the State Veterinarian and Washington State University College of Veterinary Medicine. The recommendations must cover ways DFW can prevent hoof disease from being transmitted from elk to domestic animals. DFW must implement any recommendations agreed upon by both entities.

Requires DFW to Maintain the Elk Hoof Disease Public Working Group. DFW must maintain the working group to advise the agency on elk hoof disease issues statewide, with a similar structure and purpose to its current form. In doing so, DFW must:

- hold meetings at least quarterly;
- keep the working group informed of current information;
- seek input and recommendations from the working group at each meeting; and
- report on outcomes from working group meeting every six months.

Appropriation: None.

Fiscal Note: Requested on February 3, 2017.

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: Livestock owners must manage their animals, and DFW must take the same initiative for elk hoof disease. There is no more need for planning, but instead immediate action and problem containment. Landowners have done very little poaching on elk damaging their lands so there is no reason to believe people would poach based on the authority in this bill.

CON: There are a number of problems that tie into the elk hoof disease situation including DFW leadership, forest practices and pesticides, and public lands management that make this discussion worthwhile. But, this may open up the possibility of people taking advantage of the situation and poaching any limping elk.

OTHER: Translocation of elk with hoof disease is not a good idea, but there may be times where it is necessary for monitoring. There are concerns about enforcing the authority to euthanize diseased elk and the workload that could cause. Aggressive action is necessary. A center staffed by experts is needed to study this issue. Questions exist about how harvest information will be collected under the bill.

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

CON: Kirby Denger, Straight Shooters 4 Sportsmen; Bruce Barnes, elk hunter.

OTHER: Mark Smith, citizen; Phil Hall, citizen; Boone Mora, citizen; Mark Smith, citizen; Dan Cothren, Wahkiakum Co.; Dawn Vyvyan, Sauk-Suiattle Tribe; Anis Aoude, Washington Department of Fish and Wildlife.

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