

SHB 2097 - H AMD 241

By Representatives Kretz, Vick

ADOPTED 03/11/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) It is the legislature's intent to
4 support full recovery of gray wolves in Washington state in
5 accordance with the department of fish and wildlife's 2011 wolf
6 recovery and management plan and state law. It is also the
7 legislature's intent to support the livestock industry and rural
8 lifestyles and ensure that state agencies and residents have the
9 tools necessary to support coexistence with wolves.

10 (2) The wolf plan requires that the department of fish and
11 wildlife conduct a review of the effectiveness of the plan's
12 implementation every five years. The legislature finds that because
13 the regional recovery goals have been exceeded in the eastern
14 Washington recovery region, but not yet in other regions, it is
15 timely for the department of fish and wildlife to conduct a periodic
16 status review and recommend to the state fish and wildlife commission
17 whether a change in status is warranted.

18 (3) Furthermore, the legislature recognizes that management of
19 wolf-livestock conflict is key to both wolf recovery and public
20 acceptance of wolves in rural areas and that as the wolf population
21 grows, and even after it achieves recovery, stable and adequate
22 funding for nonlethal wolf deterrence will be needed to support
23 livestock producers and the livestock industry and minimize the need
24 for lethal removal of wolves. As such, it is the intent of the
25 legislature, regardless of the listing status of gray wolves, to
26 continue to sufficiently fund nonlethal deterrents for minimizing
27 depredation of livestock by wolves. Proactive deterrence and
28 community collaboration, as set forth in RCW 16.76.020, are necessary
29 to reduce conflict between wolves and livestock and will be important
30 for maintaining the economic viability of the livestock industry, the
31 state's wolf populations, and public acceptance of wolves in

1 northeast Washington after wolves have recovered and have been
2 delisted.

3 (4) Further, the legislature intends to expand funding and
4 personnel resources in the department of fish and wildlife for
5 similar nonlethal deterrent efforts to mitigate conflicts statewide,
6 as wolves recover in the remainder of the state beyond northeast
7 Washington.

8 NEW SECTION. **Sec. 2.** (1) The state department of fish and
9 wildlife shall immediately review the listing status of the gray
10 wolf, *Canis lupus*. The review must determine if Washington's wolf
11 population is no longer in danger of failing, declining, or no longer
12 vulnerable to limited numbers, disease, predation, habitat loss or
13 change, or exploitation, and must examine the relationship between
14 wolf population levels in the eastern Washington recovery region and
15 their role in wolf colonization in the remaining recovery regions.
16 The review required in this section must be based solely on the
17 numerical biological status and preponderance of scientific data
18 available. The department must complete the review by February 29,
19 2020.

20 (2) If the review required under subsection (1) of this section
21 finds that the gray wolf is no longer in danger of failing,
22 declining, or no longer vulnerable to limited numbers, disease,
23 predation, habitat loss or change, or exploitation, the state fish
24 and wildlife commission shall consider whether a change in listing
25 status is warranted.

26 (3) The state fish and wildlife commission's consideration of the
27 listing status of gray wolves as required by this section must be
28 completed by August 31, 2020.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.12
30 RCW to read as follows:

31 (1) The department shall implement conflict mitigation guidelines
32 that distinguish between wolf recovery regions, identified in the
33 2011 wolf conservation and management plan, that are at or above the
34 regional recovery objective and wolf recovery regions that are below
35 the regional recovery objective. In developing conflict management
36 guidelines, the department shall consider the provisions of its 2011
37 wolf recovery and management plan. This section only applies when the

1 commission has designated wolves as either an endangered or protected
2 species under RCW 77.12.020.

3 (2) For the purposes of this section, "protected species" means
4 species classified as either threatened or endangered by the
5 commission.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.36
7 RCW to read as follows:

8 The department shall maintain sufficient staff resources in Ferry
9 and Stevens counties for response to wolf-livestock conflict on an
10 ongoing basis and for coordination with livestock producers on the
11 continued implementation of proactive nonlethal deterrents.

12 **Sec. 5.** RCW 16.76.020 and 2017 c 257 s 3 are each amended to
13 read as follows:

14 (1) The northeast Washington wolf-livestock management grant is
15 created within the department. Funds from the grant program must be
16 used only for the deployment of nonlethal deterrence resources in any
17 Washington county east of the crest of the Cascade mountain range
18 that shares a border with Canada, including human presence, and
19 locally owned and deliberately located equipment and tools.

20 (2)(a) A four-member advisory board is established to advise the
21 department on the expenditure of the northeast Washington wolf-
22 livestock management grant funds. Advisory board members must be
23 knowledgeable about wolf depredation issues, and have a special
24 interest in the use of nonlethal wolf management techniques. Board
25 members are unpaid, are not state employees, and are not eligible for
26 reimbursement for subsistence, lodging, or travel expenses incurred
27 in the performance of their duties as board members. The director
28 must appoint each member to the board for a term of two years. Board
29 members may be reappointed for subsequent two-year terms. The
30 following board members must be appointed by the director in
31 consultation with each applicable conservation district and the
32 legislators in the legislative district encompassing each county:

33 (i) One Ferry county conservation district board member or staff
34 member;

35 (ii) One Stevens county conservation district board member or
36 staff member;

37 (iii) One Pend Oreille conservation district board member or
38 staff member; and

1 (iv) One Okanogan conservation district board member or staff
2 member.

3 (b) If no board member or staff member qualifies under this
4 section, the director must appoint a resident of the applicable
5 county to serve on the board.

6 (c) Board members may not:

7 (i) Directly benefit, in whole or in part, from any contract
8 entered into or grant awarded under this section; or

9 (ii) Directly accept any compensation, gratuity, or reward in
10 connection with such a contract from any other person with a
11 beneficial interest in the contract.

12 (3) The board must help direct funding for the deployment of
13 nonlethal deterrence resources, including human presence, and locally
14 owned and deliberately located equipment and tools. Funds may only be
15 distributed to nonprofit community-based collaborative organizations
16 that have advisory boards that include personnel from relevant
17 agencies including, but not limited to, the United States forest
18 service and the Washington department of fish and wildlife (~~(, or to~~
19 ~~individuals that are willing to receive technical assistance from the~~
20 ~~same agencies)~~).

21 NEW SECTION. **Sec. 6.** If specific funding for the purposes of
22 this act, referencing this act by bill or chapter number, is not
23 provided by June 30, 2019, in the omnibus appropriations act, this
24 act is null and void."

25 Correct the title.

EFFECT: The striking amendment makes the following changes to the substitute bill:

Removes a reference to WAC 220-610-110 in the intent section.

Removes language specifically directing the Department of Fish and Wildlife (Department) to review the status of the gray wolf as an endangered, threatened, or sensitive species under RCW 77.12.020, or the rules adopted under RCW 77.12.020, but maintains all other language requiring and directing the status review.

Changes the due date of the Department review from December 31, 2019, to February 29, 2020.

Changes the due date of the Fish and Wildlife Commission (Commission) consideration of the gray wolf listing status from June 30, 2020, to August 31, 2020.

Directs the Department to, during the time when wolves are classified by the Commission as an endangered or protected species, develop and implement conflict mitigation guidelines considering the provisions of the 2011 Wolf Recovery and Management Plan. Conflict mitigation guidelines must distinguish between the wolf recovery

regions defined in the 2011 Wolf Conservation and Management plan that are at or above the regional recovery objective and regions that are below the regional recovery objective.

Specifies that the Department must, instead of increasing staff resources, maintain sufficient staff resources in Ferry and Stevens counties for wolf-livestock conflict response.

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