

SENATE BILL REPORT

SB 5613

As Reported by Senate Committee On:
Agriculture, Water, Natural Resources & Parks, January 20, 2022

Title: An act relating to the use of dogs to hunt black bear, cougar, or bobcat.

Brief Description: Concerning the use of dogs to hunt black bear, cougar, or bobcat.

Sponsors: Senators Van De Wege, Rolfes, Conway, Hasegawa, Liias, Lovelett, Pedersen and Stanford.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/18/22, 1/20/22 [DPS, DNP, w/oRec].

Brief Summary of First Substitute Bill

- Removes the exemption allowing an employee or agents of a county to hunt black bear, cougar, or bobcat with the aid of a dog.
- Provides that the Washington Department of Fish and Wildlife may authorize an employee or agents of a county agency to conduct a cougar public safety response with the aid of a dog or dogs.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 5613 be substituted therefor, and the substitute bill do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfes and Stanford.

Minority Report: Do not pass.

Signed by Senator Honeyford.

Minority Report: That it be referred without recommendation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Warnick, Ranking Member; Short.

Staff: Jeff Olsen (786-7428)

Background: The Washington Department of Fish and Wildlife (WDFW) may generally authorize the removal or killing of wildlife that is destroying or injuring property, or when necessary for wildlife management or research. The passage of Initiative Measure No. 655 in 1996 prohibited, with certain exemptions, the hunting of black bears, cougars, bobcats, or lynx with the use of dogs. One of the exemptions allows for employees or agents of a county, state, or federal agency, while acting in their official capacity, to hunt black bears, cougars, or bobcats with the use of dogs in order to protect livestock, domestic animals, private property, or the public safety. Other exemptions allow for the pursuit, relocation, or capture for scientific purposes, or the hunting of black bears, cougars, or bobcats in order to protect endangered species.

Summary of Bill (First Substitute): The exemption authorizing an employee or agent of a county to hunt black bear, cougar, or bobcat with the aid of a dog for the purpose of protecting livestock, domestic animals, private property, or the public safety is removed. The Department of Fish and Wildlife may authorize an employee or agents of a county agency to conduct a cougar public safety response with the aid of a dog or dogs.

EFFECT OF CHANGES MADE BY AGRICULTURE, WATER, NATURAL RESOURCES & PARKS COMMITTEE (First Substitute):

The Department of Fish and Wildlife may authorize an employee or agents of a county agency to conduct a cougar public safety response with the aid of a dog or dogs.

Appropriation: None.

Fiscal Note: Not requested.

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 on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: There are concerns that Klickitat County is using dogs to hunt cougars more than necessary to respond to public safety. This is not about public safety where an officer may have to use lethal force without the use of dogs. Counties need to be working with the WDFW and notifying them before using dogs to hunt cougars. Overall, the current system is working successfully in most counties. There have been a significant amount of cougars being removed in Klickitat County in recent years. The WDFW should be the primary responder to wildlife conflict absent the need for an immediate response. WDFW officers and staff are trained to deal with problem

wildlife, and an animal may need to be live trapped, or husbandry issues may need to be modified. From 2019- 2021 Klickitat County removed 27 cougars and used dogs to hunt cougars over 80 times and the WDFW was not notified. The presence of a cougar is not necessarily a public safety issue. There have been only two fatal cougar attacks in the history of the state. This bill should also ban bear baiting. Counties should focus on other priorities and allow WDFW to respond to cougars. Cougars are an important part of healthy ecosystem, and if an adult cougar is killed, young cougars will come in to establish their territory.

CON: WDFW staff must cover a large geographic area, and do not have sufficient resources to respond in a timely manner. To conduct a proper investigation and response to a cougar incident, timing is very important. If a problem is not dealt with, typically a cougar will return and there will be more attacks. The approach in this bill punishes all counties for the actions of one county. Klickitat County has reviewed their program with WDFW and only responds when there is a call from a citizen. Counties have an obligation for public safety, and only respond when it is a threat to the public. There have been more cougar attacks than fatalities, a cougar attack does not always result in a kill. Klickitat County has invited WDFW out on calls. Having experienced attacks on livestock from cougars, WDFW was not responsive in dealing with cougar depredation. Ranchers cannot afford to lose livestock, and need assistance. In NE Washington, WDFW response times to cougar attacks on cattle were slow. Counties are necessary to respond to problem wildlife. Sheriffs should not be stripped of their ability to respond and leave it to an understaffed agency. Don't put wildlife safety ahead of human safety and livestock.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor; Samantha Bruegger, Washington Wildlife First; Dan Paul, The Humane Society of the United States; Joshua Rosenau, Mountain Lion Foundation; Gabrielle Gilbert , Coexisting with Cougars ; Rachel Haymon; Timothy Coleman, Kettle Range Conservation Group; Lynn Mason; Ronald Reed, N/A; Sophia Ressler, Center for Biological Diversity; Kessina Lee; Jeff Wickersham.

CON: Brad Manke, Stevens County Sheriff's Office; Bob Songer, Klickitat County Sheriff's Office; Richard Drake; Morgan Gamble; Mark Herke, Yakima County Farm Bureau and self; Tom Echols, Hunters Heritage Council; Jeff Dawson, Washington Cattlemen's Association.

Persons Signed In To Testify But Not Testifying: PRO: Bob McCoy, Lived in Washington since 1962; Steph Taylor, Northwest Animal Rights Network.