

# HOUSE BILL REPORT

## HB 1698

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**As Reported by House Committee On:**  
Agriculture and Natural Resources

**Title:** An act relating to providing flexibility for the department of fish and wildlife to collaborate with local governments to manage gray wolves.

**Brief Description:** Providing flexibility for the department of fish and wildlife to collaborate with local governments to manage gray wolves.

**Sponsors:** Representatives Kretz, Chapman, Lekanoff, Dent, Maycumber, Springer, Morgan and Eslick.

**Brief History:**

**Committee Activity:**

Agriculture and Natural Resources: 2/8/23, 2/17/23 [DPS].

**Brief Summary of Substitute Bill**

- Establishes a procedure for the Department of Fish and Wildlife (WDFW) to manage gray wolves as if the species has been removed from state designation as endangered in counties when certain population criteria have been met.
- Requires the WDFW to convene a workgroup to develop a regional management plan in areas where the population criteria have been met, and to complete and implement the plan within six months.

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### HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Kloba, Kretz, Lekanoff, Orcutt, Schmick and Springer.

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*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.*

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

**Background:**

Both the state and federal government maintain designations for the gray wolf in Washington as endangered or protected. Federal law lists the gray wolf as an endangered species for the portion of the state located west of highways 97, 17, and 395 that run through Central Washington. The State Fish and Wildlife Commission (Commission) has authority to classify endangered and threatened species in Washington by rule, and has classified the gray wolf as an endangered species statewide. A wildlife species may be removed from state listing when, based on the preponderance of scientific data available, its populations either: (1) are no longer in danger of failing, declining, or are vulnerable due to certain factors including limited numbers, disease, predation, exploitation, or habitat loss or change; or (2) meet target population objectives set out in a Department of Fish and Wildlife (WDFW) developed and Commission adopted recovery plan.

The Commission adopted the Gray Wolf Conservation and Management Plan (Conservation and Management Plan) in December 2011, which identifies target population objectives, management tools, reclassification criteria, an implementation plan, and a species monitoring plan. The Conservation and Management Plan identifies three wolf recovery regions: (1) the Eastern Washington region; (2) the North Cascades region; and (3) the Southern Cascades and Northwest Coast region. The recovery objectives identified in the Conservation and Management Plan to allow the gray wolf to be removed from the state's endangered species list are based on target numbers and species distribution.

Under the Conservation and Management Plan, the gray wolf will be considered for state delisting if the WDFW documents 15 successful breeding pairs for three consecutive years, distributed so that each recovery region contains at least four breeding pairs; or 18 successful breeding pairs, distributed so that each recovery region contains at least four breeding pairs.

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**Summary of Substitute Bill:**

When the recovery objective of 15 breeding pairs has been met statewide, the Department of Fish and Wildlife (WDFW) must manage gray wolves as if they have been removed from listing as a state endangered species in any county or portion of a county where the gray wolf is not designated under the federal Endangered Species Act and there are at least three documented breeding pairs in the county or in the portion of the county.

Once the criteria have been met, the legislative body of the county must provide notice to both the Fish and Wildlife Commission (Commission) and the Director of the WDFW (Director) that the gray wolf no longer meets the criteria for state designation as endangered. When the Commission receives this notice, the WDFW must convene a work

group and hire a third-party neutral facilitator to develop a management plan for the county or portion of a county where the criteria have been met. The work group must include representatives of county cattlemen organizations, county governments, a conservation nonprofit, and a regional nonprofit organization that operates range riding and other year-round wolf and livestock conflict avoidance tactics in Northeast Washington. The WDFW must invite affected tribes to participate and give affected tribes the opportunity to review drafts of the plan before it is completed. The WDFW must complete and implement the plan within six months and may revise the plan periodically as conditions change. If the work group does not reach agreement on the plan within six months, a minority report must be included.

At a minimum, the management plan must address:

- increased cooperation with input from county governments, cattlemen associations, and local organizations providing range riding and other conflict deterrence efforts with respect to the methods and approaches to minimizing impacts to livestock production;
- minimizing livestock loss and economically costly stress on livestock and minimizing the need for lethal control of wolves;
- improved responsiveness from the department on planning proactive deterrence for ranchers;
- faster response time from the department when lethal control is required;
- habitat improvement for ungulate populations;
- an improved livestock loss and damage compensation program; and
- maintaining recovery objectives and an overall stable wolf population in the region.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill specifies that the Department of Fish and Wildlife (WDFW) shall manage gray wolves as if they have been removed from state designation as endangered, rather than protected or endangered, in areas that meet the same criteria established in the original bill.

The substitute bill requires the WDFW to convene a work group and hire a third-party neutral facilitator to develop a management plan for the county or portion of a county where the criteria have been met. The work group must include specified representatives, and the WDFW must complete and implement the plan within six months. If the work group does not reach agreement on the plan within six months, a minority report must be included.

The substitute bill establishes minimum requirements that the management plan must address.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) Two of Washington's gray wolf recovery regions have enough wolves living in them to meet the current state delisting target. The Department of Fish and Wildlife (WDFW) estimates that about 67 percent of the state's wolf population lives in Northeast Washington. Recovery has not been easy, and the ranching community has suffered huge losses leading to a great deal of frustration. This bill would allow a county in Northeast Washington to locally manage wolves in areas where they are federally delisted. The goal of this bill is better coordination. Counties can help the WDFW manage wolves at no additional cost to the taxpayers. Conflict avoidance should be done up front. Currently, the WDFW has a wolf or two collared in each pack. However, there is a data lag, so range riders cannot see where wolves are in order to help prevent conflicts. Collars should have quicker repeaters to solve this problem. There are only three packs causing problems. The 30 packs not causing problems should be celebrated, and more should be done to prevent them from starting problems. The recovery regions established in the wolf management plan are arbitrary. Counties are willing to comanage wolves with tribes and already use law enforcement in some cases. The Colville Tribe manages for predators as well as for big game. While the Tribe never wants to see the wolf exterminated again, the wolves eat the same game animals that the Tribe relies on. Too much money is spent on helicopters and other resources to manage wolf populations. This bill is a good balancing act, but there could be some amendments to make it better.

(Opposed) This bill will lead to confusion and unintended consequences. This would strip authority from the WDFW to list animals as protected or endangered and take wildlife status review out of the public eye. Problem wildlife is not defined in the bill, which means any wildlife could be considered a problem. The WDFW would like to better understand the objectives of the bill. For example, the bill does not specify how wolves should be classified once protected or endangered status is removed. Without that specificity, it would result in wolves having unclassified status, leading to unregulated take. In 2019 the Legislature committed to supporting wolf recovery by way of Engrossed Substitute House Bill 2097. Please honor the commitment to the public by not moving this bill. Wildlife should be managed in the public trust. Local management has resulted in the listing of this species as endangered. County borders are not a biologically relevant scope for wildlife management. The management plan already contains caught-in-the-act provisions. State studies have shown that killing wolves does not decrease predation, while other nonlethal methods do. There is no need to manage wolves at the county level. The wolf population in Washington is still too small to be viable. The Fish and Wildlife Commission is in the middle of a periodic status review of the gray wolf. There is hope that research will still be able to go forward if this bill passes. Each time a wolf is killed in Northeast Washington,

there is one less wolf to relocate elsewhere in the state. Six wolves were poisoned last year in Stevens County. Initiative 655 prohibited hunting several carnivores with dogs, but did not mention wolves. Will hunting wolves with hounds be allowed under this bill?

(Other) There is a recognition that ranchers need both technical and financial support. Early attempts at range riding were met with skepticism, but is a strategy that has become more widely accepted. Success of recovery would not be possible without range riding. Conservation Northwest does not support the bill in its current form, and would not support a wolf hunt, but recognizes that a regional planning process could be necessary in order for wolf recovery to be successful and would be happy to work with the sponsors on amendment language.

**Persons Testifying:** (In support) Representative Joel Kretz, prime sponsor; Wes McCart and Jeff Flood, Stevens County; Brad Manke, Stevens County Sheriff's Office; Jarred-Michael Erickson, Confederated Tribes of the Colville Reservation; Jay Holzmiller, Washington Cattlemen's Association; and George Wishon.

(Opposed) David Linn; Lorna Smith; Ruth Musgrave, Office of the Governor; Eric Gardner, Department of Fish and Wildlife; Samantha Bruegger, Washington Wildlife First; Zoe Hanley, Defenders of Wildlife; Carter Niemeyer; and Adrian Treves.

(Other) Paula Swedeen, Conservation Northwest.

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