

---

ENGROSSED SUBSTITUTE HOUSE BILL 1465

---

State of Washington

65th Legislature

2017 Regular Session

By House State Government, Elections & Information Technology  
(originally sponsored by Representatives Short, Lytton, Kretz,  
Koster, Schmick, and Fitzgibbon)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to exempting from public disclosure certain  
2 information regarding reports on wolf depredations; amending RCW  
3 42.56.430 and 77.12.885; adding a new section to chapter 42.56 RCW;  
4 and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 42.56.430 and 2008 c 252 s 1 are each amended to  
7 read as follows:

8 The following information relating to fish and wildlife is exempt  
9 from disclosure under this chapter:

10 (1) Commercial fishing catch data from logbooks required to be  
11 provided to the department of fish and wildlife under RCW 77.12.047,  
12 when the data identifies specific catch location, timing, or  
13 methodology and the release of which would result in unfair  
14 competitive disadvantage to the commercial fisher providing the catch  
15 data, however, this information may be released to government  
16 agencies concerned with the management of fish and wildlife  
17 resources;

18 (2) Sensitive fish and wildlife data. Sensitive fish and wildlife  
19 data may be released to the following entities and their agents for  
20 fish, wildlife, land management purposes, or scientific research  
21 needs: Government agencies, public utilities, and accredited colleges

1 and universities. Sensitive fish and wildlife data may be released to  
2 tribal governments. Sensitive fish and wildlife data may also be  
3 released to the owner, lessee, or right-of-way or easement holder of  
4 the private land to which the data pertains. The release of sensitive  
5 fish and wildlife data may be subject to a confidentiality agreement,  
6 except upon release of sensitive fish and wildlife data to the owner,  
7 lessee, or right-of-way or easement holder of private land who  
8 initially provided the data. Sensitive fish and wildlife data does  
9 not include data related to reports of predatory wildlife as  
10 specified in RCW 77.12.885. Sensitive fish and wildlife data must  
11 meet at least one of the following criteria of this subsection as  
12 applied by the department of fish and wildlife:

13 (a) The nesting sites or specific locations of endangered species  
14 designated under RCW 77.12.020, or threatened or sensitive species  
15 classified by rule of the department of fish and wildlife;

16 (b) Radio frequencies used in, or locational data generated by,  
17 telemetry studies; or

18 (c) Other location data that could compromise the viability of a  
19 specific fish or wildlife population, and where at least one of the  
20 following criteria are met:

21 (i) The species has a known commercial or black market value;

22 (ii) There is a history of malicious take of that species and the  
23 species behavior or ecology renders it especially vulnerable;

24 (iii) There is a known demand to visit, take, or disturb the  
25 species; or

26 (iv) The species has an extremely limited distribution and  
27 concentration;

28 (3) The following information regarding any damage prevention  
29 cooperative agreement, or nonlethal preventative measures deployed to  
30 minimize wolf interactions with pets and livestock:

31 (a) The name, telephone number, residential address, and other  
32 personally identifying information, of any person, including a pet or  
33 livestock owner, and his or her employees or immediate family  
34 members, who agrees to deploy, or is responsible for the deployment  
35 of nonlethal, preventative measures; and

36 (b) The legal description or name of any residential property,  
37 ranch, or farm, that is owned, leased, or used by any person included  
38 in (a) of this subsection;

39 (4) The following information regarding a reported depredation by  
40 wolves on pets or livestock:

1       (a) The name, telephone number, residential address, and other  
2 personally identifying information, of:

3       (i) Any person who reported the depredation;

4       (ii) Any pet or livestock owner, and his or her employees or  
5 immediate family members, whose pet or livestock was the subject of a  
6 reported depredation; and

7       (iii) Any department of fish and wildlife employee, range rider  
8 contractor, or trapper contractor who directly:

9       (A) Responds to a depredation; or

10       (B) Assists in the lethal removal of a wolf;

11       (b) The legal description or name of any residential property,  
12 ranch, or farm, that is owned, leased, or used by any person included  
13 in (a) of this subsection; and

14       (c) Any information regarding the location of the depredation to  
15 the extent that such information contains personally identifying  
16 information or reasonably could be used to personally identify any  
17 person or the address or location of any private residential  
18 property;

19       (5) The personally identifying information of persons who acquire  
20 recreational licenses under RCW 77.32.010 or commercial licenses  
21 under chapter 77.65 or 77.70 RCW, except name, address of contact  
22 used by the department, and type of license, endorsement, or tag;  
23 however, the department of fish and wildlife may disclose personally  
24 identifying information to:

25       (a) Government agencies concerned with the management of fish and  
26 wildlife resources;

27       (b) The department of social and health services, child support  
28 division, and to the department of licensing in order to implement  
29 RCW 77.32.014 and 46.20.291; and

30       (c) Law enforcement agencies for the purpose of firearm  
31 possession enforcement under RCW 9.41.040; and

32       ~~((4))~~ (6) Information that the department of fish and wildlife  
33 has received or accessed but may not disclose due to confidentiality  
34 requirements in the Magnuson-Stevens fishery conservation and  
35 management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h)(3) and  
36 (i), and Sec. 1881a(b)).

37       **Sec. 2.** RCW 77.12.885 and 2007 c 293 s 2 are each amended to  
38 read as follows:

1       Except for the personal information on reported depredations by  
2 wolves that is exempted from disclosure as provided in RCW 42.56.430,  
3 the department shall post on its internet web site all reported  
4 predatory wildlife interactions, including reported human safety  
5 confrontations or sightings as well as the known details of reported  
6 depredations by predatory wildlife on humans, pets, or livestock,  
7 within ten days of receiving the report. The posted material must  
8 include, but is not limited to, the location and time, the known  
9 details, and a running summary of such reported interactions by  
10 identified specie and interaction type within each affected county.  
11 For the purposes of this section and RCW 42.56.430, "predatory  
12 wildlife" means grizzly bears, wolves, and cougars.

13       NEW SECTION. Sec. 3. A new section is added to chapter 42.56  
14 RCW to read as follows:

15       By December 1, 2021, the public records exemptions accountability  
16 committee, in addition to its duties in RCW 42.56.140, must prepare  
17 and submit a report to the legislature that includes recommendations  
18 on whether the exemptions created in section 1, chapter . . . , Laws  
19 of 2017 (section 1 of this act) should be continued or allowed to  
20 expire. The report should focus on whether the exemption continues to  
21 serve the intent of the legislature in section 1, chapter . . . , Laws  
22 of 2017 (section 1 of this act) to provide protections of personal  
23 information during the period the state establishes and implements  
24 new policies regarding wolf management. The committee must consider  
25 whether the development of wolf management policy, by the time of the  
26 report, has diminished risks of threats to personal safety so that  
27 the protection of personal information in section 1, chapter . . . ,  
28 Laws of 2017 (section 1 of this act) is no longer an ongoing  
29 necessity.

30       NEW SECTION. Sec. 4. This act expires June 30, 2022.

--- END ---