**2097-S AMH KRET H2326.2 - NOT FOR FLOOR USE**

**SHB 2097** - H AMD **241**

By Representatives Kretz, Vick

**ADOPTED 03/11/2019**

Strike everything after the enacting clause and insert the following:

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

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

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

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

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

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

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

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

(1) The department shall implement conflict mitigation guidelines that distinguish between wolf recovery regions, identified in the 2011 wolf conservation and management plan, that are at or above the regional recovery objective and wolf recovery regions that are below the regional recovery objective. In developing conflict management guidelines, the department shall consider the provisions of its 2011 wolf recovery and management plan. This section only applies when the commission has designated wolves as either an endangered or protected species under RCW 77.12.020.

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

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

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

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

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

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

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

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

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

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

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

(c) Board members may not:

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

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

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

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

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.