H-1553.2

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**HOUSE BILL 2055**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Dent, Lekanoff, Eslick, Blake, Pettigrew, Dye, Lovick, Sutherland, and Appleton

AN ACT Relating to expanding the elk management pilot project; amending RCW 77.36.190; providing an expiration date; and declaring an emergency.

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

**Sec.**  RCW 77.36.190 and 2017 c 244 s 2 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department ((~~must~~)) shall work with tribal comanagers to conduct an elk management pilot project to explore the viability of various wildlife management actions to reduce ((~~elk highway~~)) elk-vehicle collisions on highways and elk damage to private crop lands. The pilot project must initially focus on achieving a reduction in ((~~highway~~)) collisions on ((~~interstate~~)) highways, and crop damage on properties, within the range of the Colockum and north Cascades elk herds. The department and the comanagers must invite the Yakama Nation, the Point Elliott treaty tribes, the department of natural resources, the department of transportation, local agricultural producers, hunting groups, and the department of defense, to participate in all aspects of the project.

(2) The department must work with the department of transportation to explore the viability of various wildlife management actions to reduce ((~~elk highway~~)) elk-vehicle collisions on highways, initially focusing on reducing traffic collisions along ((~~interstate~~)) highways within the range of the herds. The two departments shall trial various ways of keeping animals off of roadways, including new fencing techniques, lights, and signage. In addition, the departments shall scope wildlife corridors and safe crossing locations.

(3) Direct wildlife management efforts must be employed in the pilot project implemented under this section, including:

(a) Increased use of special depredation hunts ((~~and~~)), general hunting opportunity ((~~within the Colockum herd~~)), tribal hunting opportunities, and hunting opportunities for youth and persons with disabilities. Total hunting depredations under the pilot project must be limited to ((~~three~~)) four hundred elk per calendar year and these efforts must be designed and implemented in a manner that does not conflict with the primary goals of the current elk herd management plan for the Colockum and north Cascades elk herds;

(b) The department must work to reduce artificial feeding of elk within the pilot project area by persons other than the department ((~~is prohibited, although~~)). In no event may this ((~~prohibition~~)) effort affect a person who sets out feed with the intent to feed domestic animals or livestock, even though such feed may be inadvertently consumed by elk or other wildlife; ((~~and~~))

(c) The ((~~use of managed livestock grazing to attract elk away from roads and private property~~)) department shall, in conjunction with increased collaboration with local landowners, increase pressure on elk in agricultural areas through year-round hazing, and shall monitor the effectiveness of the hazing pressure;

(d) The department shall establish a pilot compensation program for impacts to managed pasture and fencing in partnership with either the department of agriculture or the Washington State University cooperative extension service. The pilot program must develop a tool that quantifies the impacts to managed pastures. The pilot must also explore the concept of a local hay and fertilizer bank. For the purposes of this subsection (3)(d), "managed pasture" means pasture grown using common agricultural methods including one or more of the following: Seeding; planting; fertilizing; or irrigating;

(e) The department shall explore increasing forage for elk on public lands and private lands away from agricultural areas, as well as the use of managed livestock grazing to attract elk away from roads, populated areas, and agricultural lands. The department must work with forestland owners to identify incentives for improved elk habitat;

(f) The department shall scope translocation of elk to more suitable habitat within the range of the herd, provided the department first determines that such a translocation does not pose a risk of disease transmission;

(g) The department shall employ a combined approach of all reasonable tools to move elk off of agricultural lands, including fencing, noise deterrents, hay and fertilizer bank, and lethal methods; and

(h) The department shall undertake a study with the Point Elliott treaty tribes to determine locations for upland feeding, best access routes to uplands, and expected movement of elk, in order to minimize damage to agricultural land. All raw and final data must be shared in a reasonable and timely fashion with all comanagers and stakeholders identified in subsection (1) of this section.

(4) Consistent with RCW 43.01.036, the department and the department of transportation must report the results of the pilot project to the appropriate committees of the legislature by October 31, 2020. Along with results, the departments must report on how the information gleaned from the pilot project will be used to ((~~manage the Colockum elk herd and other similarly situated~~)) inform management of other elk herds in the state.

(5) This section expires July 1, ((~~2021~~)) 2023.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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