

ESHB 2097 - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

ADOPTED AS AMENDED 04/17/2019

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

1 northeast Washington after wolves have recovered and have been
2 delisted.

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

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12
9 RCW to read as follows:

10 The department shall implement conflict mitigation guidelines
11 that distinguish between wolf recovery regions, identified in the
12 2011 wolf conservation and management plan, that are at or above the
13 regional recovery objective and wolf recovery regions that are below
14 the regional recovery objective. In developing conflict management
15 guidelines, the department shall consider the provisions of its 2011
16 wolf recovery and management plan, and all regional plans must
17 include proactive nonlethal deterrents regardless of listing status.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.36
19 RCW to read as follows:

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

24 **Sec. 4.** RCW 16.76.020 and 2017 c 257 s 3 are each amended to
25 read as follows:

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

32 (2)(a) A four-member advisory board is established to advise the
33 department on the expenditure of the northeast Washington wolf-
34 livestock management grant funds. Advisory board members must be
35 knowledgeable about wolf depredation issues, and have a special
36 interest in the use of nonlethal wolf management techniques. Board
37 members are unpaid, are not state employees, and are not eligible for

1 reimbursement for subsistence, lodging, or travel expenses incurred
2 in the performance of their duties as board members. The director
3 must appoint each member to the board for a term of two years. Board
4 members may be reappointed for subsequent two-year terms. The
5 following board members must be appointed by the director in
6 consultation with each applicable conservation district and the
7 legislators in the legislative district encompassing each county:

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

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

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

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

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

19 (c) Board members may not:

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

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

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

34 (4) To ensure accountability and efficient use of funds between
35 agencies involved in wolf-livestock management, the department must
36 maintain a list of grants awarded under this section and at least
37 annually share the list with the department of fish and wildlife.

38 NEW SECTION. **Sec. 5.** If specific funding for the purposes of
39 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2019, in the omnibus appropriations act, this
2 act is null and void."

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3 On page 1, line 1 of the title, after "recovery;" strike the
4 remainder of the title and insert "amending RCW 16.76.020; adding a
5 new section to chapter 77.12 RCW; adding a new section to chapter
6 77.36 RCW; and creating new sections."

EFFECT: Removes the requirement for the Department of Fish and Wildlife to review the listing status of the gray wolf by February 29, 2020.

Removes the requirement for the Fish and Wildlife Commission to consider a change in listing status of the gray wolf by August 31, 2020.

Removes a requirement that the Department of Fish and Wildlife only implement conflict mitigation guidelines by wolf recovery region if the Commission has designated wolves as either endangered, protected, or threatened.

Requires conflict management guidelines must include proactive nonlethal deterrents regardless of listing status.

Restores the ability for an individual to receive funding from the Northeast Washington wolf-livestock management account.

Adds that the Department of Agriculture must maintain a list of Northeast Washington wolf-livestock management grants awarded and provide that information to the Department of Fish and Wildlife.

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