
**State Government & Tribal Relations
Committee**

SB 5972

Brief Description: Concerning extending the expiration date of a statute dealing with wildlife conflict resolution.

Sponsors: Senators Warnick and Van De Wege.

Brief Summary of Bill

- Extends the expiration date for Public Records Act exemptions for certain personal identifying information of persons involved in preventative measures involving wolf interactions, as well as persons involved in reports of and responses to wolf depredations, from June 30, 2022, to June 30, 2027.

Hearing Date: 2/21/22

Staff: Jason Zolle (786-7124).

Background:

Wolves in Washington.

The gray wolf is native to Washington state. The species was, however, eradicated from the state by the 1930s. Isolated reports of wolves in Washington began to trickle in starting in the 1990s, and in 2008 the state documented its first pack in many years, as wolves naturally migrated in from Canada. Gray wolves have been listed under the state Endangered Species Act since 1973 and are protected statewide. Federal protection for wolves in the eastern third of Washington was terminated in 2011.

The Washington Department of Fish and Wildlife (WDFW) is responsible for protecting

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endangered species. Accordingly, the WDFW has adopted a gray wolf conservation and management plan to promote wolf recovery and minimize conflict with livestock. The plan includes preventative measures to control wolf depredation, including both nonlethal and lethal actions. The WDFW monitors wolf activity in the state and must publish on its website all reported interactions with wolves, including depredations on pets and livestock.

The Public Records Act and Exemptions Related to Wolves.

The Public Records Act (PRA) generally requires state and local governmental entities to make many government records available to the public upon request. There are, however, over 500 statutory exemptions for certain records or information contained in records.

The state enacted legislation in 2017 to add exemptions to public disclosure for certain information related to wolves in Washington. These exemptions are for the personal identifying information of:

- a person who has a damage prevention cooperative agreement with the WDFW or has deployed nonlethal, preventative measures to avoid conflicts with wolves;
- a person who reports a wolf depredation of a pet or livestock, and a person whose pet or livestock was the subject of the depredation; and
- a WDFW employee or contractor who responds to a depredation or assists in the lethal removal of a wolf.

The legal description or location of the property of any of the people above is also exempt from disclosure. These categories of wolf-related information are exempted from the WDFW's mandate to post online the details of all reported interactions with wolves.

These wolf-related exemptions expire June 30, 2022.

The Sunshine Committee.

The Public Records Exemption Accountability Committee, known as the Sunshine Committee, periodically reviews these exemptions and provides recommendations as to whether specific exemptions should be continued, modified, or terminated. The Sunshine Committee meets in public and considers input from interested parties. By November 15 of each year, the Sunshine Committee provides a report to the Governor, the Attorney General, and the Legislature with its annual recommendations.

In a December 2021 special report to the Legislature, the Sunshine Committee made recommendations as to whether the wolf-related PRA exemptions should be extended. The Sunshine Committee recommended continuing the exemptions for people who enter into damage prevention agreements with the WDFW and for people who report wolf a depredation. The Sunshine Committee recommended expiring the exemptions for the WDFW employees or contractors who respond to a depredation or assist in the lethal removal of a wolf. The Sunshine Committee further recommended that if any of the exemptions are extended, they should be reviewed again in four years.

Summary of Bill:

The expiration date for all of the wolf-related PRA exemptions enacted in 2017 is extended from June 30, 2022, to June 30, 2027.

Appropriation: None.

Fiscal Note: Not requested.

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