

SENATE BILL REPORT

SB 5784

As of January 11, 2024

Title: An act relating to deer and elk damage to commercial crops.

Brief Description: Concerning deer and elk damage to commercial crops.

Sponsors: Senators Van De Wege, Muzzall, Mullet, Nobles, Wagoner and Warnick; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/11/24.

Brief Summary of Bill

- Increases the annual compensation limit for commercial crop damage claims caused by deer or elk paid from the State General Fund from \$30,000 to \$300,000.
- Establishes a limit of \$30,000 for an appeal of a decision of the Washington Department of Fish and Wildlife addressing deer or elk damage to commercial crops.
- Increases the limit for an individual damage claim from \$10,000 to \$30,000.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: The Washington Department of Fish and Wildlife (WDFW) works with landowners and tenants suffering game damage in order to control the damage without killing the animals when practical and to increase the harvest of damage-causing animals in hunting seasons. The Fish and Wildlife Commission may authorize special hunts to reduce

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

damage from wildlife if there are recurring complaints.

The WDFW may compensate eligible farmers for damage to their commercial crops from deer or elk. The WDFW is restricted to pay no more than \$120,000 per fiscal year from the wildlife fund and no more than \$30,000 per fiscal year from the general fund. The Legislature may declare an emergency under certain circumstances and may appropriate additional monies to the WDFW for damage claims. The maximum payment amount for a claim is \$10,000, except in a case where the outcome of an appeal filed by a claimant determines a higher payment.

Summary of Bill: The annual compensation limit for commercial crop damage claims caused by deer or elk paid from the State General Fund is increased from \$30,000 to \$300,000. The maximum payment amount for a claim is increased from \$10,000 to \$30,000. An appeal of a decision of WDFW for deer or elk damage to commercial crops is limited to \$30,000. A claim awarded, but is unpaid due to being in excess of funds available in the current fiscal year, is eligible for payment in the next fiscal year. If additional funds are not provided by the Legislature in the next fiscal year, then no further payment may be made on the claim.

The WDFW must review crop and livestock wildlife damage programs in other states and submit recommendations to the Legislature for any changes to Washington statutes by December 1, 2024.

Appropriation: None.

Fiscal Note: Requested on January 6, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The bill will only impact claims prospectively, and provides an incentive for landowners to work with the WDFW to conduct mitigation to get crop damage payments. While the increase in available funds is helpful, the bill still needs more work. Elk can cause significant damage, and more needs to be done to find solutions to mitigate the problem. Focusing on mitigating damage is a better solution than increasing funds for crop damage.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor; Tom McBride, WDFW; Mark Charlton, Charlton Farms, Washington Farm Bureau.

Persons Signed In To Testify But Not Testifying: No one.