

SENATE BILL REPORT

SB 5892

As of January 15, 2024

Title: An act relating to diseased elk.

Brief Description: Concerning diseased elk.

Sponsors: Senators Wagoner, Fortunato, Warnick and Wilson, L..

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/15/24.

Brief Summary of Bill

- Directs the Washington Department of Fish and Wildlife to implement a three-year pilot program authorizing private individuals to humanely euthanize diseased elk.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: The Washington Department of Fish and Wildlife (WDFW) serves as manager of the state's fish and wildlife resources. Among other duties, the agency must classify wildlife and establish the basic rules and regulations governing the time, place, manner, and methods used to harvest or enjoy fish and wildlife. WDFW may authorize removing or killing wildlife that is destroying or injuring property, or when it is necessary for wildlife management or research.

Hoof disease, known scientifically as treponeme-associated hoof disease, is an emerging disease of elk in the Pacific West. The disease has now been identified in elk herds across much of Western Washington, as well as certain locations east of the Cascades. In 2017, the Legislature directed the Washington State University College of Veterinary Medicine

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(College) to develop a program to monitor and assess causes of and potential solutions for elk hoof disease.

Summary of Bill: WDFW must implement a three-year pilot program to evaluate the effectiveness of authorizing private individuals to address elk hoof disease. An authorized person may humanely euthanize an elk that the person reasonably believes is exhibiting a severe limp and is located in an area where hoof disease is present. An authorized person may humanely euthanize an affected elk the person encounters without regard to hunting season dates and areas and no tag is required. Individuals taking elk are presumed to have acted in good faith whether or not a diagnosis of treponeme-associated hoof disease is confirmed.

An authorized person must notify WDFW within 24 hours of humanely taking a diseased elk by the most expeditious and reasonable means available. An authorized person must include photographic or video evidence of the carcass, as well as pictures of the diseased or injured hooves. Hooves must be retained and submitted for testing by the College. An authorized person who may humanely euthanize an elk include:

- a landowner humanely euthanizing an elk on their land;
- a person with a valid hunting license; and
- a person with a tribal identification card from a federally recognized tribe.

An authorized person may retain a diseased elk that is humanely euthanized. Reasonable measures must be taken to preserve the elk meat to prevent waste. A diseased elk that is harvested within a tribe's usual and accustomed hunting areas must first be offered to the tribe. If the tribe chooses not to accept the elk, the meat may be provided to the local food bank.

WDFW must report back to the appropriate committees of the Legislature by December 1, 2027, regarding the three-year pilot program.

Appropriation: None.

Fiscal Note: Requested on January 12, 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 elk herd in Skagit County are in the agricultural areas, and many have elk hoof disease and can't walk. While you can report sightings to WDFW, it takes too long for WDFW to respond. To improve elk herd health and prevent undue pain and suffering, authorizing private individuals to take diseased elk is an important safeguard. There are approximately 3000 elk in the local herd in Skagit County, and 300 elk are infected with elk hoof disease. This is a Washington State

problem, and private landowners should not be responsible for getting rid of carcasses.

CON: While elk hoof disease is a significant issue, there are concerns regarding the enforceability of the approach. WDFW works with the tribe and landowners to remove diseased elk. This approach could cause issues with populations management.

Persons Testifying: PRO: Senator Keith Wagoner, Prime Sponsor; Ron Wesen, Skagit County (Mount Vernon, WA); Randy Good, Friends of Skagit County and Skagit County Cattlemens; John Mower, Grasslake Farm; Val Mullen; PETER BROWNING, Skagit County Commissioner.

CON: Mick Cope, WDFW.

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