

# SENATE BILL REPORT

## SHB 2107

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As Reported by Senate Committee On:  
Natural Resources & Parks, March 25, 2015  
Ways & Means, April 7, 2015

**Title:** An act relating to requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery.

**Brief Description:** Requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Kretz, Blake, Short, Dent and Schmick).

**Brief History:** Passed House: 3/10/15, 98-0.

**Committee Activity:** Natural Resources & Parks: 3/19/15, 3/25/15 [DP-WM].  
Ways & Means: 4/06/15, 4/07/15 [DP, w/oRec].

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Chase, Hewitt, McAuliffe and Warnick.

**Staff:** Curt Gavigan (786-7437)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey, Becker, Billig, Brown, Conway, Fraser, Hasegawa, Hatfield, Hewitt, Kohl-Welles, O'Ban, Padden, Parlette, Rolfes and Warnick.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Schoesler.

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

**Staff:** Sherry McNamara (786-7402)

**Background:** Role of the Department of Fish and Wildlife (DFW). DFW serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect, perpetuate, and establish the basic rules and regulations governing the harvest of fish and wildlife.

State Endangered Species Management Authority Generally. The Fish and Wildlife Commission (Commission) has the statutory authority to identify species that are seriously threatened with extinction and designate those species as endangered.

Under this statutory authority, the Commission adopted rules providing that it may only designate a species as endangered, threatened, or sensitive on the basis of the biological status of the species being considered. This decision must be based on the preponderance of available scientific data. DFW must write a recovery plan for endangered and threatened species, and a management plan for sensitive species. These plans must identify target population objectives, reclassification criteria, an implementation plan, public education, and a species monitoring plan.

The rules also provide that a species may be delisted from endangered, threatened, or sensitive status only when populations are no longer in danger of failing, declining, or vulnerable. The Commission must rely on the preponderance of available scientific data when making delisting or reclassification decisions.

Wolf Management in Washington State. Gray wolves are currently endangered under federal law in approximately the western two-thirds of the state, with the species having been federally delisted in the eastern one-third in 2011. Wolves are classified under state law as an endangered species throughout the state.

The wolf conservation and management plan (wolf plan) was adopted in December 2011. Its stated goals are to:

- restore the wolf population to a self-sustaining size and geographic distribution;
- manage wolf-livestock conflicts to minimize livestock losses while not negatively impacting recovery;
- maintain healthy ungulate populations; and
- develop public understanding of the conservation and management needs of wolves.

The wolf plan identifies three wolf recovery regions: the Eastern Washington region; the North Cascades region; and the Southern Cascades and Northwest Coast region. The recovery objectives to allow the wolf to be removed from the state's endangered species list are based on target numbers and species distribution. Specifically the gray wolf will be considered to be recovered if DFW documents the following:

- 15 successful breeding pairs for three consecutive years, distributed so that each recovery zone is host to at least four breeding pairs; or
- 18 successful breeding pairs, distributed so that each recovery zone is host to at least four breeding pairs.

The wolf plan provides that lethal control to manage wolf-livestock conflicts may be used, on a case-by-case basis, in the following circumstances:

- there is repeated depredation clearly caused by wolves;
- non-lethal methods have been tried but failed to resolve the conflict;
- depredations are likely to continue; and
- there is no evidence of intentional feeding or unnatural attraction by the livestock owner.

**Summary of Bill:** DFW must engage in a process to amend the existing wolf plan to address the wolf recovery rate and distribution of wolves.

In amending the wolf plan, DFW must use the most updated available science, coordinate with the existing wolf advisory group, and use a neutral third-party facilitator. DFW generally retains discretion to amend the wolf plan as it sees fit to manage the state's growing wolf population, but must consider at least the following:

- whether the most updated available science supports a change in the metric for identifying successful wolf recovery from breeding pairs to wolf packs;
- additional options for the number and distribution of wolves necessary to no longer consider the species in danger of extinction;
- whether the most updated available science supports altering, reducing, or consolidating wolf recovery zones;
- a determination of the reasonable prevention measures expected of a livestock producer prior to considering compensation or lethal removal, taking into consideration recognized best practices and the most updated available science;
- a review of the barriers to the use of cooperative agreements, and potential modifications to address any barriers;
- a review of the conditions for lethal management of individual wolves;
- development of clear criteria for the use of lethal management tools to address repeated depredations by wolf packs, taking into consideration recognized best management practices and the most updated available science;
- the incorporation of recent data on wolf-ungulate interactions; and
- whether current enforcement efforts and statutes are sufficient to deter wolf poaching, and recommendations for appropriate penalties.

Any wolf plan amendments must be put through a scientific peer-review process prior to being considered for adoption. The amendments must be complete by June 30, 2017.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony (Natural Resources & Parks):** PRO: This bill arose primarily out of issues in northeast Washington and a desire to keep livestock production viable. While this process will help in the long run, there is a need for immediate action as well. As with any plan, there is a need to periodically update the state's wolf plan to deal

with new circumstances such as the growing wolf population. This is a good bill based in compromise from those on all sides of the issue.

**Persons Testifying (Natural Resources & Parks):** PRO: Sheilah Kennedy, Okangoan County Commissioner District 1; Wes McCart, Stevens County Commissioner; Karen Skoog, Pend Oreille County Commissioner; Jim Potts, Cattle Producers of WA and Rural Counties; Paula Swedeen, Conservation NW, Wildlife Policy Lead; Dan Paul, The Humane Society of the United States, WA State Director; Dave Ware, DFW; Jack Field, WA Cattlemen's Assn.

**Persons Signed in to Testify But Not Testifying:** No one.

**Staff Summary of Public Testimony (Ways & Means):** PRO: DFW supports this important bill as it provides direction to address the wolf recovery rate and the process to amend the current wolf management plan. There is an extensive public involvement process where the stakeholders will help the agency move forward in adopting a new wolf plan. The timeline in the bill is aggressive, but necessary.

**Persons Testifying (Ways & Means):** PRO: Dave Ware, DFW.

**Persons Signed in to Testify But Not Testifying:** No one.