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ENGROSSED SUBSTITUTE HOUSE BILL 2097

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State of Washington

66th Legislature

2019 Regular Session

By House Appropriations (originally sponsored by Representatives Kretz, Chapman, Springer, Blake, Pettigrew, Dent, Schmick, Dye, Maycumber, Wilcox, and Corry)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to addressing statewide wolf recovery; amending  
2 RCW 16.76.020; adding a new section to chapter 77.12 RCW; adding a  
3 new section to chapter 77.36 RCW; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

20 (3) Furthermore, the legislature recognizes that management of  
21 wolf-livestock conflict is key to both wolf recovery and public

1 acceptance of wolves in rural areas and that as the wolf population  
2 grows, and even after it achieves recovery, stable and adequate  
3 funding for nonlethal wolf deterrence will be needed to support  
4 livestock producers and the livestock industry and minimize the need  
5 for lethal removal of wolves. As such, it is the intent of the  
6 legislature, regardless of the listing status of gray wolves, to  
7 continue to sufficiently fund nonlethal deterrents for minimizing  
8 depredation of livestock by wolves. Proactive deterrence and  
9 community collaboration, as set forth in RCW 16.76.020, are necessary  
10 to reduce conflict between wolves and livestock and will be important  
11 for maintaining the economic viability of the livestock industry, the  
12 state's wolf populations, and public acceptance of wolves in  
13 northeast Washington after wolves have recovered and have been  
14 delisted.

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

20 NEW SECTION. **Sec. 2.** (1) The state department of fish and  
21 wildlife shall immediately review the listing status of the gray  
22 wolf, *Canis lupus*. The review must determine if Washington's wolf  
23 population is no longer in danger of failing, declining, or no longer  
24 vulnerable to limited numbers, disease, predation, habitat loss or  
25 change, or exploitation, and must examine the relationship between  
26 wolf population levels in the eastern Washington recovery region and  
27 their role in wolf colonization in the remaining recovery regions.  
28 The review required in this section must be based solely on the  
29 numerical biological status and preponderance of scientific data  
30 available. The department must complete the review by February 29,  
31 2020.

32 (2) If the review required under subsection (1) of this section  
33 finds that the gray wolf is no longer in danger of failing,  
34 declining, or no longer vulnerable to limited numbers, disease,  
35 predation, habitat loss or change, or exploitation, the state fish  
36 and wildlife commission shall consider whether a change in listing  
37 status is warranted.

1 (3) The state fish and wildlife commission's consideration of the  
2 listing status of gray wolves as required by this section must be  
3 completed by August 31, 2020.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.12  
5 RCW to read as follows:

6 (1) The department shall implement conflict mitigation guidelines  
7 that distinguish between wolf recovery regions, identified in the  
8 2011 wolf conservation and management plan, that are at or above the  
9 regional recovery objective and wolf recovery regions that are below  
10 the regional recovery objective. In developing conflict management  
11 guidelines, the department shall consider the provisions of its 2011  
12 wolf recovery and management plan. This section only applies when the  
13 commission has designated wolves as either an endangered or protected  
14 species under RCW 77.12.020.

15 (2) For the purposes of this section, "protected species" means  
16 species classified as either threatened or endangered by the  
17 commission.

18 NEW SECTION. **Sec. 4.** 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. 5.** 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 NEW SECTION. **Sec. 6.** If specific funding for the purposes of  
35 this act, referencing this act by bill or chapter number, is not  
36 provided by June 30, 2019, in the omnibus appropriations act, this  
37 act is null and void.

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