

# SENATE BILL REPORT

## SHB 2424

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As Reported by Senate Committee On:  
Agriculture, Water, Natural Resources & Parks, February 19, 2024

**Title:** An act relating to updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources.

**Brief Description:** Updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources.

**Sponsors:** House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Lekanoff, Springer, Schmick, Dent and Chapman).

**Brief History:** Passed House: 2/12/24, 94-3.

**Committee Activity:** Agriculture, Water, Natural Resources & Parks: 2/14/24, 2/19/24 [DPA].

### Brief Summary of Amended Bill

- Requires the Washington Department of Fish (WDFW) to engage with the Confederated Tribes of the Colville Reservation on a government-to-government basis to identify potential updates and recommend modifications to the 1998 cooperative fish and wildlife management agreement.
- Directs WDFW to report to the Legislature regarding updates and modifications to the agreement subsequent to approval and ratification by the Fish and Wildlife Commission and the Confederated Tribes of the Colville Reservation.

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## SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

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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 part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** Do pass as amended.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Muzzall, Ranking Member; Short, Stanford, Wagoner and Warnick.

**Staff:** Jeff Olsen (786-7428)

**Background:** Indian Tribes in the United States hold both the right and authority to manage fish and wildlife on lands which were retained by Tribes or were set aside for Tribal use by treaties, statutes, judicial decisions, executive orders, or agreements. These lands are managed by Tribes in accordance with Tribal goals and objectives within the framework of federal laws. The original Colville Indian Reservation was established by Presidential Executive Order on April 9, 1872. The reservation was subsequently divided into north and south halves and, in 1892, the Confederated Tribes of the Colville Reservation (Colville Tribes) ceded the north half of the reservation to the United States while reserving rights to hunt and fish on those lands.

The Washington Department of Fish and Wildlife (WDFW) is tasked with managing the state's fish and wildlife resources. Both the state and federal governments maintain designations for the gray wolf in Washington as endangered or protected. Federal law lists the gray wolf as an endangered species for the portion of the state located west of highways 97, 17, and 395 that run through Central Washington. The Fish and Wildlife Commission (Commission) has authority to classify endangered and threatened species in Washington by rule, and has classified the gray wolf as an endangered species statewide. The Commission adopted the Gray Wolf Conservation and Management Plan (Conservation and Management Plan) in December 2011, which identifies target population objectives, management tools, reclassification criteria, an implementation plan, and a species monitoring plan.

WDFW and the Colville Tribes entered into a cooperative fish and wildlife management agreement in 1998 that addresses a variety of fishery and wildlife management issues including wildlife protection and preservation on the current Colville Reservation and the north half through a variety of strategies including joint and cooperative surveying and information sharing.

**Summary of Amended Bill:** WDFW, upon approval of a plan of engagement by the Commission, shall engage with the Colville Tribes on a government-to-government basis to update the 1998 cooperative fish and wildlife management agreement and identify potential updates to management practices and recommended modifications. WDFW must submit agreed upon recommendations for approval to the Commission identifying updates or modifications to existing management strategies, wildlife protection and preservation activities, problem wildlife, and management of gray wolf and other endangered species.

Subsequent to approval by the Colville Tribes and the Commission, WDFW must report to the Legislature on updates and modifications to the 1998 cooperative fish and wildlife

agreement.

**EFFECT OF AGRICULTURE, WATER, NATURAL RESOURCES & PARKS COMMITTEE AMENDMENT(S):**

- Requires the Commission to approve a plan of engagement for WDFW to engage with the Colville Tribes to identify potential updates to the 1998 cooperative fish and wildlife agreement.
- Directs WDFW to submit recommendations to the Commission for updates or modifications regarding existing management strategies, wildlife protection and preservation, problem wildlife, and management of gray wolves and other species listed under the Endangered Species Act.
- Modifies the requirement that WDFW report to the Legislature by June 30, 2025 on a plan to coordinate its approach to wolf management with the Colville Tribe, and directs WDFW, subsequent to approval by the Colville Tribes and the Commission, to report to the Legislature on updates and modifications to the 1998 cooperative fish and wildlife agreement.
- Removes language specifying the purpose of updating the 1998 agreement is to coordinate WDFW's approach to wolf management on the North Half with the approach to wolf management take by the Colville Tribes.
- Makes modifications to the legislative findings and intent section.

**Appropriation:** None.

**Fiscal Note:** Available.

**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 on Substitute House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: The agreement between the WDFW and the Colville tribe has been underutilized. The Colville Reservation has been a success story with many different species, including a thriving wolf population and healthy ungulate populations. The Colville tribe and WDFW should work more cooperatively and share information. It is timely to update the information regarding wolf management due to the growth of the population since the management plan was first adopted. By coordinating with the Colville tribe, it is not a change in legal authority. The plans will be developed on a government-to-government basis. The Colville tribe does not allow year-round hunting for wolves. There are fewer conflicts with wolves on the reservation than on neighboring lands. There is better food availability for the wolves in the southern half due to better ungulate management. The Colville tribe has been successful due to managing with science.

CON: The bill subjectively asserts that wolf management policy has been more successful in the Colville Reservation, however, it does not describe the differences between the two halves. Section 1 of the bill should be struck.

**Persons Testifying:** PRO: Representative Joel Kretz, Prime Sponsor; Tom McBride, WDFW; Jarred-Michael Erickson, Confederated Tribes of the Colville Reservation; Michael Moran, Confederated Tribes of the Colville Reservation; Jeff Flood, Stevens County Sheriffs Dept. - Wildlife Specialist; Scott Nielsen, Cattle Producers of Washington; Kent Clark, Okanogan County Cattlemen's Association.

CON: David Linn, David Linn.

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