

SENATE BILL REPORT

SB 5939

As of January 18, 2024

Title: An act relating to protecting livestock from wolf predation.

Brief Description: Protecting livestock from wolf predation.

Sponsors: Senators Wagoner, Van De Wege, Lovick and Schoesler.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/18/24.

Brief Summary of Bill

- Authorizes the Washington Department of Fish and Wildlife (WDFW) to establish a three-year pilot program that authorizes an owner of livestock to monitor the site of a wolf predation and take the first wolf that returns to the site.
- Directs the WDFW to evaluate the pilot program and report back to the Legislature by December 1, 2027.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: Federal law lists the gray wolf as an endangered species for approximately the western two-thirds of state. The Fish and Wildlife Commission (Commission) has listed the gray wolf as an endangered species and has adopted a wolf conservation and management plan to promote wolf recovery, as well as livestock and wildlife protection. The plan includes preventative measures to control wolf predation, including nonlethal and lethal actions.

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.

The Commission has adopted a rule authorizing an owner of domestic animals, the owner's immediate family member, the agent of an owner, or the owner's documented employee to kill one gray wolf without a permit issued by the Director of the Washington Department of Fish and Wildlife (WDFW), regardless of its state classification, if the wolf is attacking their domestic animals. This authority only applies to the area of the state where the gray wolf is not listed as endangered or threatened under the federal Endangered Species Act. A wolf kill must be reported to WDFW within 24 hours and the wolf carcass must be surrendered to WDFW. The owner of the domestic animal must grant or assist WDFW in gaining access to the property where the wolf was killed for the purposes of data collection or incident investigation.

If WDFW finds that a private citizen killed a gray wolf that was not attacking a domestic animal, or the killing was not consistent with this rule, then that person may be prosecuted for unlawful taking of endangered wildlife.

Summary of Bill: WDFW must establish a three-year pilot program to evaluate the effectiveness of authorizing the taking of the first wolf that returns to a livestock predation site. Under the pilot program, an owner, the owner's immediate family member, the agent of an owner, or the owner's documented employee may monitor the site of a wolf predation of livestock and take the first wolf that returns to the site of the predation. Any wolf killed under the authority of this section must be reported to WDFW within 24 hours and the wolf carcass must be surrendered to WDFW.

WDFW must report back to the appropriate committees of the Legislature by December 1, 2027, regarding the pilot program created in this section.

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: By taking the first wolf that return, it provides a useful deterrent and an opportunity to change wolf behavior and take the right wolf. The current process takes too long, may involve the use of helicopters, may not take the right wolf, and may lead to removing an entire pack. The current rules are stacked against the rancher, and this approach can lead to correcting the behavior of the pack. Nonlethal deterrents have been tried, there needs to be more tools to protect ranchers livelihood.

CON: The wolf livestock protocol was developed to address this issue, and requires working with ranchers to use deterrence. This change undermines the effect of nonlethal

efforts. The science does not support this approach and is not in the long term interest, and is not sustainable. There are no restrictions on how the killing would occur and if there is baiting. Public hunting does not reduce predation.

OTHER: WDFW supports increasing autonomy for livestock producers and their families. However, there is a thin line between a livestock producer protecting their livestock, and hunting wolves over bait. If wolf mortality from this program were additive to current levels of mortality, WDFW may need to consider limiting wolf removal to ensure we can still meet statewide recovery objectives.

Persons Testifying: PRO: Senator Keith Wagoner, Prime Sponsor; Jeff Dawson, Livestock Producer; Jeff Flood, Stevens County Sheriff Department; Samee Charriere; Kathy McKay, K Diamond K Guest Ranch / Washington Farm Bureau.

CON: David Linn, None; Amy Porter, Wolf Haven International; Dan Paul, Humane Society of the United States; Paula Swedeen, Conservation Northwest; Kathleen Callaghy, Defenders of Wildlife.

OTHER: Julia Smith, WDFW.

Persons Signed In To Testify But Not Testifying: CON: John Rosapepe, Endangered Species Coalition; Lloyd Lytle; Susan D Kane-Ronning, PHD, Washington Sierra Club Wildlife Committee; Brian Barcus; Adrian Treves, Carnivore Coexistence Lab; Claire Davis, Washington Wildlife First.