

SENATE BILL REPORT

SB 5590

As of February 17, 2025

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

Brief Description: Protecting livestock from wolf predation.

Sponsors: Senator Wagoner.

Brief History:

Committee Activity: Agriculture & Natural Resources: 2/17/25.

Brief Summary of Bill

- Directs the Washington Department of Fish and Wildlife (WDFW) to 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.
- Directs WDFW to report back to the Legislature regarding the pilot program by December 1, 2028.

SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Staff: Elena Becker (786-7493)

Background: Gray Wolves and Federal Law. The Federal Endangered Species Act (ESA) establishes protections for fish, wildlife, and plants that are listed as threatened or endangered; provides for adding and removing species to the threatened and endangered lists, and for preparing and implementing plans for their recovery; and more. The same species may be listed as endangered in one geographic area and threatened in another.

Gray wolves are listed as an endangered species under the ESA in the western two-thirds of Washington State.

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.

Gray Wolves and State Law. The gray wolf has been listed as endangered under state law since 1980, and receives protection under state law from hunting, possession, malicious harassment, and killing. Unlawful taking of endangered fish and wildlife in the first degree is a gross misdemeanor, with penalties ranging up to \$5,000 and one year in jail. Unlawful taking of a endangered fish and wildlife in the second degree is a class C felony, with penalties ranging up to \$10,000 and five years in jail.

In areas where gray wolves are not federally listed as endangered or threatened, the Fish and Wildlife Commission (Commission) has adopted a rule allowing an owner of domestic animals, their immediate family member, agent, or documented employee to kill one gray wolf without a permit, if the wolf is attacking their domestic animals. Any wolf killed under this authority must be reported to the Washington Department of Fish and Wildlife (WDFW) within 24 hours, the carcass must be surrendered to WDFW, and the owner must grant WDFW access to the property where the wolf was killed for investigatory purposes.

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 this pilot program, an owner, or the owner's immediate family member, agent, or documented employee may monitor the site of a wolf predation of livestock and lawfully 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 Legislature regarding the pilot program by December 1, 2028.

Appropriation: None.

Fiscal Note: Requested on February 13, 2025.

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: Currently when WDFW determines a wolf needs to be killed there's a long delay between the predatory behavior and the killing. There's no guarantee the wolf that's killed is the right wolf, and this is too long a delay to change pack behavior. This bill was inspired by a trip to the Colville Reservation and is designed to reduce meaningless killings and save the lives of both wolves and cattle.

We already leave carcasses on the landscape when WDFW is not able to respond quickly and confirm the kill, as on weekends and holidays. Packs learn when they are trapped at the site of a kill; this bill will absolutely change behavior. Everyone who testified against this

bill lives in an area where there are no wolves.

CON: Leaving a dead animal on the landscape and lying in wait for predators is effectively baiting wolves for poaching. There's no research that shows that the first wolf that returns to a site is responsible for the kill, nor is there research that killing the first wolf back teaches the pack anything. Good sanitation is a key element of nonlethal deterrence; leaving carcasses out will only increase conflict.

Persons Testifying: PRO: Senator Keith Wagoner, Prime Sponsor; Brad Manke, Stevens County Sheriff's Office; Mark Streuli, Washington Cattlemen's Association; Kathleen McKay, K-Diamond-K Guest Ranch.

CON: David Linn; Francisco Santiago-Ávila, Washington Wildlife First; john rosapepe, Endangered Species Coalition; Dan Paul, Humane World for Animals.

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