

Agenda Item 12

Wildlife Interaction Rules WAC Chapter 232-36 Rule Briefing and Public Hearing

Wildlife Interaction Rules Background

- Legislative Overhaul - 2009
- Commission Rule Development - 2010
- Wolf Plan Adoption - 2011
- Legislative Changes (ESSB 5193) – 2013
- Commission Hearing – August 2013
- Rule Adoption – October 2013

Wildlife Interaction Rules

New and Amended Rule Proposals

- Definitions
- Human interactions and Conflict resolution
- Killing wildlife causing property damage
- **Killing wolves attacking domestic animals**
- Payment for damage to livestock (domestic animals)
- Application Procedure
- Dispute resolution

Wildlife Interaction Rules

Need for Changes

- Wolf Management Plan
- 2013 Legislation - ESSB 5193
- Emergency Rule – Permanent
- Rule Clean-up

Wildlife Interaction Rules

Definitions

WAC 232-36-030

- Attack – defined because of concerns that killing a wolf attacking domestic animals left too much for interpretation

Wildlife Interaction Rules

Definitions - Attack

- “Attack” means that there is evidence to support the fact that animal to animal contact has occurred or is immediately imminent and the animal is in the attack posture or mode

Wildlife Interaction Rules

Definitions - Attack

- This differs from the Wolf Plan
 - Biting, wounding, or killing

Wildlife Interaction Rules

Definitions - Attack

- Rationale for difference:
 - It did not seem reasonable to ask a person to wait until a wolf was causing physical damage to their pet or livestock until they could protect it
 - Killing a wolf that is caught attacking a domestic animal seldom occurs
 - Because of that, it should not inhibit recovery

Wildlife Interaction Rules

Definitions – Domestic Animal

- Need:
 - Legislation was debated that would have allowed for killing a wolf caught attacking domestic animals
 - Letter from several key legislators encouraging the Commission to support an emergency rule
 - ESSB 5193 allows for compensation of losses if there is a non-state funding source

Wildlife Interaction Rules

Definitions – Domestic Animal

- Differs from the Wolf Plan:
 - Plan only allows compensation for or killing a wolf attacking “livestock”
 - Plan defines livestock as cattle, sheep, horses, pigs, mules, llamas, goats, and guarding or herding animals

Wildlife Interaction Rules

Definitions – Domestic Animal

- Rationale:
 - Compensation:
 - State funding limited to cattle, sheep, horses
 - Federal funding for additional livestock consistent with the Plan
 - Killing a wolf attacking domestic animals allows all citizens the ability to protect their pets and livestock

Wildlife Interaction Rules

Conflict Resolution

WAC 232-36-040

- Amended language to allow compensation for property (including domestic animals) based on constraints of the funding entity
- Rationale: ESSB 5193
- The Plan only prescribes a specific list of livestock and guarding or herding animals

Wildlife Interaction Rules

Killing Wildlife Causing Damage

WAC 232-36-051

- Amended language for clarification; eliminate the term commercial in reference to livestock; allow killing of game animals attacking domestic animals
- Rationale: consistent with ESSB 5193 regarding wolves
- The Plan only deals with wolves

Wildlife Interaction Rules

Killing Wolves Attacking Domestic Animals

WAC 232-36-052

- New Rule: makes emergency rule - permanent
- The Plan requires a *permit* for lethal removal by a livestock owner and limits lethal removal authority for *livestock*, not domestic animals

Wildlife Interaction Rules

Killing Wolves Attacking Domestic Animals

WAC 232-36-052

- Rationale:
 - doesn't seem reasonable to allow a person to protect their livestock during an attack, but not their pets or other domestic animals;
 - attacks are infrequent and it would be difficult to anticipate or get a permit prior to an attack

Wildlife Interaction Rules

WACs 232-36-060 & 232-36-110

- Rationale:
 - Clean-up of conflict regulations

Wildlife Interaction Rules

Payment for Domestic Animal Losses

WACs 232-36-200

- Amend the language to:
 - Delete commercial
 - Use market value
 - Incorporate conditions for claims of greater than normal losses and reduced weight gains

Wildlife Interaction Rules

Payment for Domestic Animal Losses

WACs 232-36-200

- Rationale:
 - Make the rule consistent with ESSB 5193

Wildlife Interaction Rules

Application for Compensation

WACs 232-36-210

- Amends the language to:
 - Drop the term commercial
 - Replace “livestock” with “domestic animal”
 - Establishes and clarifies livestock payment conditions
- Rationale: make the rule consistent with ESSB 5193

Wildlife Interaction Rules

Application for Compensation

WACs 232-36-400

- Amends the language for creating the review committee for dealing with appeals of a claim
- Rationale: the department plans to use the wolf advisory group as the review committee

Wildlife Interaction Rules

Floor Amendments

- WAC 232-36- 052; Page 14: re-instate the language regarding eastern Washington, subsection (1) (a) will read:

Wildlife Interaction Rules

Floor Amendments

- WAC 232-36- 052; page 15: add a subsection (4) to read: The Director may terminate the authority of this rule by emergency action if two or more wolves are killed in a year, while wolves are classified as endangered or protected.

Wildlife Interaction Rules

Floor Amendments

- WAC 232-36- 200; page 23: delete the words domestic animals and insert the word livestock; the sentence will now read:
- Rationale: there isn't any funding at this point for domestic animals besides livestock; and some concerns were expressed about the precedence and expectations

Wildlife Interaction Rules

- Recent comments
- Refining our recommendation
- October Commission meeting

Questions???