

By Senator Van De Wege
[J]

SHB 2424 - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the
4 Washington state department of fish and wildlife has entered into
5 cooperative agreements with various tribal governments in the state,
6 including the confederated tribes of the Colville reservation, to
7 work on a government-to-government basis to collaboratively manage
8 the state's fish and wildlife. The legislature further finds that the
9 cooperative agreement between the confederated tribes of the Colville
10 reservation and the Washington state department of fish and wildlife,
11 as ratified by the fish and wildlife commission representing the
12 state in the government-to-government cooperative process, addresses
13 cooperative wildlife management on a portion of land ceded to the
14 United States by the Colville tribes, often referred to as "the north
15 half." The cooperative agreement recognizes that resource protection,
16 tribal rights, and recreational opportunities of the general public
17 are maximized through cooperative management of wildlife and habitats
18 on the north half. The cooperative agreement provides that the
19 department and the tribe will work together to protect, preserve, and
20 enhance wildlife populations on the reservation and the north half
21 through: Joint and cooperative surveying of wildlife populations,
22 sharing population and harvest statistics, and development of a joint
23 wildlife habitat protection and enhancement strategy. The agreement
24 further provides that the department and tribe will work together to
25 develop protocols and provide solutions for managing dangerous
26 wildlife and/or wildlife depredation and will work cooperatively to
27 reduce violations of state and tribal fish and game laws including
28 procedures for joint patrols and investigations. The legislature
29 finds that the department of fish and wildlife has broad authority
30 under the cooperative agreement to work cooperatively with the
31 Colville tribes. The cooperative agreement established the policy

1 committee, which is composed of representatives of the tribe and the
2 department, to facilitate cooperative action and resolve disputes
3 that may arise under the agreement. The agreement stipulates that the
4 policy committee review the agreement annually and recommend
5 modifications as to which the parties may mutually agree pursuant to
6 approval by the confederated tribes and ratification by the
7 commission in the government-to-government process.

8 (2) It is the intent of the legislature to affirm the goals and
9 provisions established in the 1998 cooperative agreement between the
10 department and the confederated tribes of the Colville Indian
11 Reservation, and to direct the department to review and recommend
12 modifications as necessary to the policies and practices implemented
13 under the cooperative agreement, including management of the gray
14 wolf in the "north half."

15 NEW SECTION. **Sec. 2.** (1) The department shall, upon approval of
16 a plan of engagement by the commission that includes elements in
17 subsection (2) of this section to be considered in the engagement,
18 engage on a government-to-government basis with the confederated
19 tribes of the Colville reservation for the purpose of identifying
20 potential updates to management practices under, and recommended
21 modifications to the 1998 cooperative fish and wildlife management
22 agreement.

23 (2) The department must submit the agreed upon recommendations
24 for updates or modifications to the agreement to the commission for
25 their approval that identifies:

26 (a) Recommended updates or modifications to existing management
27 strategies;

28 (b) Recommended updates or modifications to the "Wildlife
29 Protection and Preservation" section of the cooperative agreement;

30 (c) Challenges to implementing the "Problem Wildlife" section of
31 the cooperative agreement and recommended protocols to provide
32 solutions for landowners with problems involving either dangerous
33 wildlife or wildlife depredation, or both; and

34 (d) Recommendations for management of gray wolf and other species
35 listed under the state endangered species act since adoption of the
36 1998 agreement as practiced by the tribe and the department.

37 (3) Subsequent to approval by the confederated tribes of the
38 Colville and ratification by the commission, the department must
39 report to the legislature, in accordance with RCW 43.01.036, on

1 updates to or modifications to the 1998 cooperative fish and wildlife
2 management agreement.

3 (4) The definitions in this subsection apply throughout this
4 section unless the context clearly requires otherwise.

5 (a) "Commission" means the Washington state fish and wildlife
6 commission.

7 (b) "Department" means the Washington state department of fish
8 and wildlife.

9 (c) "The north half" means the portion of land that was
10 originally part of the Colville Indian reservation that the tribes
11 ceded to the federal government in 1892."

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12 On page 1, line 3 of the title, after "resources;" strike the
13 remainder of the title and insert "and creating new sections."

EFFECT: Modifies legislative intent by amending language regarding the management of wolves and ungulate populations to include review of other species listed since the adoption of the cooperative agreement between the confederated tribes of the Colville reservation and the state on lands adjacent to the Colville reservation referred to as the "north half," and ensures the government-to-government adoption process is adhered to according to the adoption process of the original agreement.

Adds legislative findings to restate the policies and provisions in the cooperative agreement related to the Washington department of fish and wildlife working cooperatively with the Colville tribes to improve the protection of fish and wildlife on the reservation and the north half.

Requires the fish and wildlife commission to approve an engagement plan that includes appropriate provisions of the agreement for the department to work cooperatively with the Colville tribes to review and recommend for updates and/or modifications to the agreement. Requires the final recommendations for updates and/or modifications to the 1998 cooperative fish and wildlife management agreement to be submitted to the appropriate governing bodies of the confederated tribes of the Colville and the state for government-to-government approval.

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