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# Opinion

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## Our View

# Inslee tries end run around legislature

**Y**ou have to hand it to Washington Gov. Jay Inslee.

When the legislators rejected plans to cap and tax carbon in his state he decided to do an end run around them and told his Department of Ecology to make up its own plan to save the planet.

The only problem: A judge ruled Ecology has no legal authority under the state's Clean Air Act to regulate businesses that distribute fossil fuels. The department has now appealed that ruling to the much friendlier state Supreme Court, which has demonstrated its own creativity when it comes to promoting environmental causes. We recall that a majority of justices ruled that the words "will" and "may" are synonyms in Washington and the state



Don Jenkins/Capital Press

**Washington Gov. Jay Inslee has eyes on the White House.**

Department of Fish and Wildlife can now oversee any construction or maintenance projects near a river, lake or stream. Call it WOTUS, Washington style.

With the Supreme Court on his

side, Inslee doesn't really need the Legislature.

The irony of Inslee's cap on carbon is it won't save the planet. Or at least he cannot say how it would. Nor can he say exactly how much it will cost Washingtonians.

Those are two important questions. Even proponents of a carbon cap would want to know the answers to those and other questions, including why the governor doesn't trust the Legislature, which is dominated by his own party, to do this instead of making an end run.

It's easy to see that Inslee has little interest in Washington state. If he did, he'd explain the reasoning behind the carbon cap and how much it would cost. He'd also order Ecology to study the plan and provide all of the pertinent information to Wash-

ingtonians for a free and open debate.

Then he'd turn the issue over to the Legislature, where it would be addressed as though Washington were a representative democracy.

But the word on the street is Inslee's exploring a run for the presidency. In preparation for the run, he and his attorney general have made a hobby of suing the federal government over a variety of issues, including the administration's order tightening the border.

His tenure as Washington's governor shows he has at least one similarity to the current president. He doesn't believe in — or understand — the legislative process. His willingness to go around even members of his own party shows he has the same shortcomings as the current occupant of the White House.

## Our View



# It's not the farmers' job to feed the state's elk

**F**armers and ranchers in Washington's Skagit County have for years had a problem with elk eating their crops and pastures, and destroying fence and other infrastructure.

The county assessor's office is conducting a yearlong assessment of elk damage to agriculture. The assessor estimates farmers could claim \$1.5 million a year in damages from the ever-increasing herd. The actual number is higher.

That's a lot of money farmers are paying to feed the state's elk, particularly when they aren't able to do much to stop the onslaught.

Efforts to increase the number of elk in northwest Washington go back more than a century. In 1912, Skagit County brought in 46 elk from Yellowstone National Park to increase the herd.

Poachers took the elk, according to state Department of Fish and Wildlife records.

In the late 1940s, the state released 22 elk from King and Yakima counties. They became the foundation of today's herd.

The most recent importation of elk came between 2003 and 2005, when 98 elk from the Mount St. Helens area in southern Washington were rounded up by the Department of Fish and Wildlife and Indian tribes. The animals were herded by helicopter through livestock chutes, loaded on horse trailers and driven north to Skagit County.

The elk have thrived and have made their way to private property.

Wildlife managers have only a rough estimate of how many elk are in the area. They say it's 1,593, plus or minus 716. In other words, the population could be far higher than the state's population goal of

1,950 elk. They just don't really know.

And the \$1.5 million in damages is just an estimate, too. The assessor made the estimate based on the losses reported by 77 farmers.

The state offers compensation, but the process is so onerous that most people who suffer damage don't bother filing the exhaustive paperwork necessary to be reimbursed. In fact, the last claim was filed in 2016. Those who do face a \$10,000 limit.

That doesn't always cover it.

This spring the managers of a large blueberry farm in northwest Washington say elk ate between 90,000 and 100,000 pounds of blueberries. At 98 cents a pound, that loss blows through the cap by at least \$78,000.

Just about everyone says the situation has gotten out of hand. That's how the farmers and ranchers feel. So do the wildlife managers at Fish and Wildlife and the tribes.

Fish and Wildlife issues "kill permits" allowing landowners to shoot one elk to curb damage. But only 16 were shot by landowners with the

permits in 2018, according to a Fish and Wildlife report.

Farmers aren't keen about letting hunters they don't know on their land. But they are open to allowing known hunters on their land, or to culling more of the elk herd themselves.

Wildlife managers, though supporting wider hunting, haven't endorsed letting property owners take a more active role. That's a shame. Farmers and ranchers should be able to do more than just feed the king's deer.

## Ungulate population must be increased in wolf country

**T**o quote one of the goals of the Washington Wolf Plan: "Maintain healthy and robust ungulate populations in the state that provide abundant prey for wolves and other predators as well as ample harvest opportunities for hunters."

To quote from the objectives of the Wolf Plan: "Maintaining robust prey populations will result in three key benefits for wolf conservation in Washington: providing wolves with an adequate prey base, supplying hunters and recreational viewers of wildlife with continued opportunities to hunt and observe game and reducing the potential for livestock depredations by providing an alternative to domestic animals. Ungulate populations in areas occupied or likely to be occupied by wolves should be managed consistent with game management plans devised for those populations."

I will use as an example a defined area, the Kettle Mountain Range North of Sherman Pass to the Canadian border, which is part of Game Management Unit 101. All of the GMUs in District 1 and many GMUs statewide that wolves have not colonized are following the same downward trend in the prey base. In the last several years the Sherman, Profanity, OPT and Togo packs have depredated on livestock and met the lethal removal and pack removal criteria of the Wolf-Livestock Interaction Protocol.

What is causing this area to have an abundance of depredations and wolf removals? Some of the Wolf Advisory Group members have blamed the ranchers for not conforming to their perceived standards on preventive tools contained in the protocol, others have wanted to add to the preventive tools and/or micro manage the protocol. The range riders have found the cattle unmanageable due to constant harassment and fear of wolves and everybody has been arguing about tools and their application.

The defined area in the recent past contained one of the finest mule deer populations in the state along with a vibrant and expanding moose population and an increasing population of white tail deer. Around the turn of the 21st century the Washington Department of Fish and Wildlife applied and marketed a new predator management model, which is management of predators at a full carrying capacity based on all the available land-based habitat with no consideration for the needed prey base on that habitat.

I would define it as predator/prey management based on natural fluctuations. Less than a decade ago along came the wolf into these prey depleted areas with added protein needs. The department's new model of predator/prey management, or non management, was how mother nature managed prehuman, both predator and prey species were destined to crash when they reached the apex of their oppos-

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ing sigmoid curves or carrying capacity and given considerable time most species recovered but some went extinct.

Present day, this management model is successful only for the predator species when there are other sufficient protein sources on the landscape like livestock, and pets in people's backyard.

The anecdotal information provided by folks that spend a lot of time in the area say the mule deer population is greatly reduced in the mountain range and the moose are basically gone. Today, data from a collared wolf in the area shows extreme daily movement in search of prey. Applying the Optimum Foraging Theory (the choice of what prey to eat is dependent on abundance of that prey) with the lack of natural prey, livestock becomes the most abundant.

That is the primary cause of the four wolf packs to prey depredate on livestock. Under this scenario no legal preventive action by the livestock producer will reduce this conflict between wolves and his livestock. We are continually attacking the symptom at ever increasing cost without thought for the cause. I believe that the next pack to move into this area will follow the same livestock depredation pattern.

The real solution is the application of holistic predator/prey management statewide and the overriding management tool should be monitoring the recruitment of neonates and to conserve the retention of the females necessary to achieve the goals and objectives.

Seven years have passed since the Wolf Plan was ratified by the Wildlife Commission. It is quite clear that the goal and the overriding objective of the Wolf Plan as stated upfront have been ignored by the department. This needs to change along with revisiting the predator/prey model and it needs to happen quickly if we are going to recover our prey base to its habitat carrying capacity statewide or its past abundance.

It is the department's mandate to preserve, protect, and perpetuate and manage the wildlife ... in a manner that does not impair the resource.

*Dave Duncan lives on the High Valley Ranch in Ellensburg Wash. He is a rancher, hunter and represents Washingtonians for Wildlife Conservation, a consortium of hunter organizations, on the state Wolf Advisory Group. He is also the chair of the Wildlife, Rancher, Sportsmen, ESA committee for Washington Cattlemen's Association and has been closely involved in wolf conservation and management for over a decade.*

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TOP PHOTO: Elk gather in a field in eastern Skagit County, Wash.