



RE: SB bill 5613

Date: January 18, 2022

To: Agriculture and Natural Resources Committee

Dear Senate Committee Members,

These comments are from the Yakima County Farm Bureau (YCFB). YCFB is a grass roots organization with 2700 members consisting of farmers and ranchers with operations both large and small as well as other folks with interest in agriculture affairs in Yakima and Klickitat Counties.

Our Farm Bureau is most opposed to SB 5613. We believe that it is imperative that Counties continue to be empowered to address safety issues as State and Federal Agencies and Departments are with regards to predators.

Our Farm Bureau has met with Sheriff Songer a number of times and discussed his Predator program he initiated on some of those occasions as well as reviewing his written process. The YCFB believes that he has been most thorough and open in dealing with WDFW and has attempted to accommodate the Department in allowing them to accompany his people prior to, during and post hunt.

It seems that the only point left unaddressed by WDFW is that the Sheriff does not attempt to convince the complainants on how "to live with Cougars". Speaking as a commercial livestock operator, there is absolutely no possible way to train our cattle to be "cougar compatible". Furthermore, it is categorically impossible to round up significant numbers of stock and shelter them. Plus in the strictest sense, cougars are not just nocturnal, they often attack cattle in full daylight as well.

The YCFB believes that the local Sheriffs and County Commissioners are the authorities most responsive to the citizens of any particular County and that are tasked with addressing public safety. When the Federal or State governments fail in their duty, the County must be there to address any short comings.

The Yakima County Farm Bureau urges the committee to reject SB 5613 and continue to allow County governments that find their State response to a dangerous predator problem lacking, the ability to address their safety concern legally.

Sincerely,

Mark Herke

President, Yakima County Farm Bureau

Herke Ranch

19201 Ahtanum Rd.

Yakima, Wa. 98903

To: Senate Agriculture and Natural Resources Committee

From: Mark Herke

Date: 01-18-22

Dear Committee Members,

I am a lifelong rancher and farmer in the Ahtanum Valley (about 15 miles west of Yakima). Our primary enterprise is Cattle and Hay.

We have had a storied experience with Cougar interactions with our cattle but more importantly our experience with how WDFW handled our problem has been inexplicable and very poor. Due to the following experience we had with WDFW we believe that Counties that are underserved by the Department need to have the ability to address public safety issues with regards predators. Therefore, I strenuously oppose SB 5613.

Our ranch is partly within the Yakama Nation Boundary and mostly out of it. Our experience with the Yakama Nation Wildlife during the same time period was exemplary. I cannot commend the Nation staff enough.

Our first loss to cougars that we are aware of began with a 275 pound calf in May of 2005. It occurred on Nation lands and Nation Wildlife were very responsive and began hunting the cat immediately and repeatedly over the next several years.

Our next loss was quite perplexing. It occurred off the Reservation on July 8, 2005 and once we realized that a wild animal was responsible we called in WDFW. This attack involved a horse, mature 1100 pound cow and mature 1300

pound bull. All the animals involved were within 150 yards of each other and within 125 yards of the main residence on our ranch.

Our local Game officer, Skip Catton responded immediately and took pictures of the horse and its scratches. Other than the scratches and the horse's raw nerves, it was unscathed and most lucky. The cow and bull were killed in the attack. Officer Catton concentrated on the horse and its scratches and took pictures on his first visit. He was very certain that a cougar had tried to kill the horse but said he had to bring his Sargent the next morning to confirm his findings and look over the bull and cow then.

The following morning, Officer Catton, Sargent Morgan Grant and another Officer arrived. Prior to witnessing the horse and its claw markings, Sargent Grant was extolling to me how his Department had to be "very careful" in assessing an attack.

The Sargent took some time with the horse, using that time to attempt to convince us that it really did not fit a wild animal scenario. He finally used his assessment of a similar attack the preceding year to literally suggest that our horse "just scratched itself in the bushes" as he said he had determined the year before in the prior case.

When asked about the bull and cow, he suggested "coyotes". It is important to note that the bull's tongue and muscle group that controls swallowing vs. breathing air was missing. The trachea was partially crushed when the bulls attacker forcefully severed the tongue and muscle out of its head!

The bull died from lack of air because the broken portion of its trachea acted like a reverse check valve and prevented the bull from breathing.

My family has farmed and ranched on this same property since May of 1871 and though we have seen some pretty amazing things during that time in regards to coyotes, there is little doubt that no coyote or any pack could ever extract the tongue and associated muscle out of a live mature bovine bull and also kill a mature healthy bovine female.

As Sargent Grant was departing our ranch he encouraged us to watch for any cougar approaching our cattle and to shoot it if I felt it was a threat and that they would then investigate my actions.

I did not need to be instructed to sit out long nights to watch for a cougar. What I needed was a real solution: A hounds man and his trained dogs to effectively end our problem.

A month later we had tracks and scat indicating that “our” cat was returning. I immediately called Sargent Grant (WDFW) and he refused to address the problem. I became very expressive about the matter and he informed me that in *his opinion we had not had an incident yet*. I asked him to define what constituted an incident if a “bull, cow and horse” was not one? He then informed me that he “was not going to issue a hound permit so a bunch of good ole’ boys could chase a cat up a tree”!

I called State Representative Jim Clements and a work around was arrived at but that expired when Captain Chuck Kols (WDFW) retired a short time later.

From that time forward I worked with the Nation Wildlife Department exclusively because I knew dealing with Sargent Morgan Grant was a total waste of time.

But I ask, what of a rancher who is not adjacent to or on the Reservation. They would be completely at the mercy of another similar minded overzealous WDFW agent?

Our cougar incidents hardly ended with the season of 2005 and a summary follows of those subsequent attacks follows this the body of this letter.

I urge the Committee to not pass SB 5613. The WDFW cannot have sole discretion in such politically charged matters. Counties need to have their rightful authority to ensure its citizens and their property (Livestock) to have a modicum of protection even when individuals within the Department would rather bow to political pressures.

Respectively submitted, Mark Herke

Summary of Cougar Attacks On Herke Cattle, Yakima Washington

- May 2005** 275 pound calf killed, confirmed cougar by Yakima Nation
- July 2005** 2 year old Horse, 1100 pound mature cow and 1300 pound bull attacked
- Horse was quick enough to only sustain scratches, cow and bull dead with bulls tongue forcibly removed, thus causing it to suffocate
- July 2007** 2 yearlings (700#) killed two weeks apart with drag marks consistent with a cougar strangling them
- Aug 2010** 1 yearling dead (cause unknown)
- Sept 2010** Cougar and employee interaction at location of dead yearling. Cat was totally unafraid of worker and content to rest and observe him from a distance of just 20 feet
- Sept 2017** Yearling Bull (700#) dead, cougar scat immediate to the dead animal confirmed by experienced Hounds man. Just two weeks later a very large cougar is scared off from stalking cattle in total daylight by some friends just 30 yards from the recently killed bull.
- Feb 2019** 3 newborn calves are killed and 2 completely eaten, one partially eaten all in the same night! Confirmed cougar eating habits by Yakima Nation staff. (Meat is licked off bones, not chewed as in canine/coyote method)

Respectfully submitted

January 18, 2022

Mark Herke