

MINUTES
WASHINGTON FISH AND WILDLIFE
COMMISSION MEETING
April 13-14, 2012

Natural Resources Building - First Floor, Room 172 - 1111 Washington St

ATTENDANCE

COMMISSION:

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Larry Carpenter
David Jennings
Jay Kehne
Chuck Perry
Rolland Schmitten
Bradley Smith

COMMISSION STAFF:

Tami Lininger
Erin Gariépy

DEPARTMENT STAFF:

Phil Anderson, Director
Joe Stohr, Deputy Director
Joe Shorin, AG
William Frymire, AG
Chief Bruce Bjork
Nate Pamplin
Dave Ware
Donny Martorello
Dan Budd
Steve Pozzanghera
Jerry Nelson

Don Kraege
Bill Phillips
David Giglio
Michael DeAngelo
Joanna Eide
Captain Mike Cenci
Lt. Rich Mann
Captain Chris Anderson
Julie Henning
and other department
staff

Public:

Al Schmauder
Carl Burke
Scott Sigmon
Diane Gallegos
Linda Saunders

Chantel Thurman
Axel Thurman Saunders
Jack Field
Kaye Adkins
David Brubaker

Kent Martin
Greg Johnson
B.J. Thorniley

Friday, April 13, 2012

Chair Wecker called the meeting to order at 8:31 a.m.

1. Call to Order:

a. Commissioners' Discussion:

- University of Washington presentation of collaboration with NOAA
- Colville hatchery
- Kudos to staff for quick response to issues with hunting reporting system
- Private Lands program
- North of Falcon meeting – improved process
- Skagit, Snohomish, Stillaguamish river systems

b. Director's Report:

- Legislative report
 - Carl Burke
 - Scott Sigmon
- North of Falcon
- Priests Rapids hatchery marking
- Wolf Conservation and Management Plan implementation
- Federal budget status

- c. **Budget & Operations Update** (Occurred prior to item #2):
Joe Stohr updated the Commission on the outcome of the Operating and Capital Budget and the quarterly report on revenue.
2. **Open Public Input:**
The Commission is a direct link between citizens of Washington and the Department of Fish and Wildlife. Comments on Department programs and topics of concern are welcome during this portion of the meeting. The following individuals provided testimony during this portion of the meeting:

Al Schmauder: restoring fish ladder at Chambers Dam	Chantel Thurman – wolf delisting
Linda Saunders: wolves	Kaye Adkins – wolf delisting
Jack Field: Wolf Conservation and Management Plan	David Brubaker – Wolf Conservation and Management Plan
3. **Capital and Asset Management Program (CAMP) – Briefing:**
Bill Phillips, Assistant Director, Capital & Asset Management program provided the Commission with an overview that included the program's organizational structure, personnel makeup, external authorizing environment, budget breakdown, and geographical distribution of staff.
4. **Technology and Financial Management Overview – Briefing:**
David Giglio, Assistant Director, Technology and Financial Management and Michael DeAngelo, Chief Information Officer provided the Commission with an overview that included the program's organizational structure, personnel makeup, external authorizing environment, budget breakdown, and geographical distribution of staff. The briefing included the Human Resource and Public Affairs programs as well.
5. **Enforcement WAC Expedited Rule Changes – Decision:**
Joanna Eide, Administrative Regulations Analyst, Enforcement Program briefed the Commission on the current WAC overhaul and requested approval of technical amendments for the following WACs.

Amend:

- WAC 220-12-010 Food Fish - Classification
- WAC 220-12-020 Shellfish - Classification
- WAC 220-16-211 Geographical definitions – Puget Sound Tributaries
- WAC 220-20-015 Lawful and unlawful acts - Salmon
- WAC 220-20-051 Vessel designation requirements
- WAC 220-20-065 Commercial licensing – Business organizations – Operator designation
- WAC 220-88-020 Experimental fishery permits
- WAC 220-88-040 Trial commercial fishery permits

Repeal:

- WAC 232-14-010 Hydraulic code guidelines

Commissioner Carpenter motioned, seconded by Commissioner Schmitt to amend WAC 220-12-010 Food Fish – Classification, WAC 220-12-020 Shellfish – Classification, WAC 220-16-211 Geographical definitions – Puget Sound

Tributaries, WAC 220-20-015 Lawful and unlawful acts – Salmon, WAC 220-20-051 Vessel designation requirements, WAC 220-20-065 Commercial licensing – Business organizations – Operator designation, WAC 220-88-020 Experimental fishery permits, WAC 220-88-040 Trial commercial fishery permits and Repeal WAC 232-14-010 Hydraulic code guidelines as proposed. Motion carried unanimously.

6. Proposed Land Transactions – Decision:

The Commission considered approval of various land transactions presented by Dan Budd, Real Estate Section Manager, Wildlife Program for the protection of critical fish and wildlife habitat, enhancement of public recreation opportunities and responsible property management:

The following people provided public testimony on this item only:
Jack Field - crossing permit for grazing

Commissioner Jennings motioned, seconded by Commissioner Perry to approve the proposed acquisition of 1,144.65 acres in Asotin County and 49.14 acres in Okanogan County as presented. Motion carried unanimously.

7. Marijuana Eradication on Agency Lands – Briefing:

Captains Rich Mann and Chris Anderson, Enforcement Program briefed the Commission on the rise in illegal marijuana cultivation on WDFW and other public lands and the negative impacts to the environment and public safety and what tactics they are using to address the issue.

8. Fish Passage Program – Overview:

Julie Henning, Fish Passage Section Manager, Restoration Division, Habitat Program, provided an overview of the fish passage efforts in the Habitat Program.

9. Regional Listing/Delisting of Wolves – Commission Blue Sheet Request – Briefing:

Department staff provided an analysis on what would be needed to make changes to the threatened and endangered WAC in order for the Commission to consider regional delisting of wolves.

10. Commission's Position Statement "Wolves in Washington" – Decision:

The Commission discussed a draft wolf position statement.

Commissioner Perry motioned, seconded by Commissioner Jennings to accept the April 2, 2012 Wolves in Washington Commission Position Statement, including edits as discussed. Motion carried unanimously.

11. Executive Session:

Pursuant to RCW 42.30.110(1)(i), the Commission will meet in executive session to discuss with legal counsel representing the agency litigation or potential litigation to which the agency is, or is likely to become, a party.

No action will be taken in executive session, and the public is not permitted to attend the executive session.

Chair Wecker recessed the meeting at 5:43 pm.

Saturday, April 14, 2012

Chair Wecker called the meeting back to order at 8:32 am.

12. Open Public Input:

The Commission is a direct link between citizens of Washington and the Department of Fish and Wildlife. Comments on Department programs and topics of concern are welcome during this portion of the meeting. **NOTE:** During this portion of the meeting, the public is encouraged to comment on issues that are not on the agenda for decision action.

No one signed up to provide testimony for this item.

13. Hunting Practices – Rule Action:

The Commission considered adoption of permanent rule amendments regarding hunting practices presented by Dave Ware, Game Division Manager and Don Kraege, Waterfowl Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Amendments:

- WAC 232-12-047 Unlawful methods for hunting
- WAC 232-12-054 Archery requirements –archery special use permits
- WAC 232-12-257 Use of decoys and calls
- WAC 232-12-264 Baiting of game birds –unlawful

Commissioner Jennings motioned, seconded by Commissioner Smith to approve WAC 232-12-047 Unlawful methods for hunting and WAC 232-12-264 Baiting of game birds –unlawful as presented. Motion carried unanimously.

Commissioner Jennings motioned, seconded by Commissioner Perry to amend WAC 232-12-054 Archery requirements –archery special use permits, except section 1, subsection b, striking the last 4 words “except for illuminated nocks”. Motion Failed. 3 yes, 4 no.

Commissioner Douvia motioned, seconded by Commissioner Kehne to reconsider the motion as it was presented by Commissioner Jennings for WAC 232-12-054 Archery requirements –archery special use permits, except section 1, subsection b, striking the last 4 words. Motion carried unanimously.

Commissioner Jennings motioned, seconded by Commissioner Perry to amend WAC 232-12-054 Archery requirements –archery special use permits, except

**section 1, subsection b, striking the last 4 words "except for illuminated nocks".
Motion carried unanimously.**

Commissioner Jennings motioned, seconded by Commissioner Perry to reject amendment to WAC 232-12-257 Use of decoys and calls, as presented. Motion carried. 5 yes, 2 no.

14. 2012-13, 2013-14, and 2014-15 Small Game Seasons – Rule Action:

The Commission considered adoption of permanent rule amendments regarding small game seasons presented by Dave Ware, Game Division Manager and Don Kraege, Waterfowl Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Amend:

WAC 232-28-342 2012-13, 2013-14, and 2014-15 Small game seasons

Commissioner Douvia motioned, seconded by Commissioner Carpenter to amend WAC 232-28-342 2012-13, 2013-14, and 2014-15 Small game seasons as presented. Motion carried unanimously.

15. Landowner Hunting Permits – Rule Action:

The Commission considered adoption of permanent rule amendments regarding landowner hunting permits presented by Dave Ware, Game Division Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Adopt:

WAC 232-28-296 – Landowner hunting permits

Repeal:

WAC 232-28-295 – Landowner hunting permits

Commissioner Douvia motioned, seconded by Commissioner Perry to adopt WAC 232-28-296 – Landowner hunting permits and repeal WAC 232-28-295 – Landowner hunting permits as presented. Motion carried unanimously.

16. 2012-2014 Moose, Bighorn Sheep, and Mountain Goat Seasons and Permit Quotas – Rule Action:

The Commission considered adoption of permanent rule amendments regarding moose, bighorn sheep, and mountain goat seasons and permit quotas, presented by Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Amend:

WAC 232-28-273 Moose, bighorn sheep, and mountain goat seasons and permit quotas

Commissioner Douvia motioned, seconded by Commissioner Carpenter to amend WAC 232-28-273 Moose, bighorn sheep, and mountain goat seasons and permit quotas as presented. Motion carried unanimously.

17. 2012-2015 Cougar Seasons and Regulations and Public Safety Cougar Removals – Rule Action:

The Commission considered adoption of permanent rule amendments regarding cougar seasons and regulations and public safety cougar removals presented by Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Amend: WAC 232-12-243 Public safety cougar removal

Adopt: WAC 232-28-297 2012-2013, 2013-2014, and 2014-2015 Cougar hunting seasons and regulations

Repeal: WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations

WAC 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 Cougar hunting seasons and regulations.

Commissioner Douvia motioned, seconded by Commissioner Smith to amend WAC 232-12-243 Public safety cougar removal, adopt WAC 232-28-297 2012-2013, 2013-2014, and 2014-2015 Cougar hunting seasons and regulations and repeal: WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations WAC 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 Cougar hunting seasons and regulations. Motion carried unanimously.

18. 2012-2015 Black Bear Seasons and Regulations – Rule Action:

The Commission considered adoption of permanent rule amendments regarding black bear seasons and regulations presented by Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Amend:

WAC 232-28-286 2012-2014 Fall black bear hunting seasons and regulations

WAC 232-28-288 2013, 2014, 2015 Spring black bear seasons and regulations

Commissioner Douvia motioned, seconded by Commissioner Perry to amend WAC 232-28-286 2012-2014 Fall black bear hunting seasons and regulations, WAC 232-28-288 2013, 2014, 2015 Spring black bear seasons and regulations as proposed, to be effective 06/16/2012. Motion carried unanimously.

19. Deer and Elk Boundaries – Rule Action:

The Commission considered adoption of permanent rule amendments regarding deer and elk boundaries presented by Jerry Nelson, Ph.D., Deer and Elk Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Amend:

WAC 232-28-337 Deer and elk area descriptions

Commissioner Douvia motioned, seconded by Commissioner Jennings to amend WAC 232-28-337 Deer and elk area descriptions as presented. Motion carried unanimously.

20. 2012-2014 Deer General and Special Permit Seasons – Rule Action:

The Commission considered adoption of permanent rule amendments regarding deer general and special permit seasons presented by Jerry Nelson, Ph.D., Deer and Elk Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Adopt:

WAC 232-28-357 2012-2014 Deer general seasons and definitions

WAC 232-28-359 2012 Deer special permits

Repeal:

WAC 232-28-351 2009-2011 Deer general seasons and definitions

WAC 232-28-353 Deer special permits

Commissioner Douvia motioned, seconded by Commissioner Smith to adopt WAC 232-28-357 2012-2014 Deer general seasons and definitions, WAC 232-28-359 2012 Deer special permits and repeal: WAC 232-28-351 2009-2011 Deer general seasons and definitions WAC 232-28-353 Deer special permits as presented. Motion carried unanimously.

21. 2012-2014 Elk General and Special Permit Seasons – Rule Action:

The Commission considered adoption of permanent rule amendments regarding elk general and special permit seasons presented by Jerry Nelson, Ph.D., Deer and Elk Section Manager. The Commission held a public hearing on the proposals at its March 9-10, 2012, meeting in Moses Lake.

Adopt:

WAC 232-28-358 2012-2014 Elk general seasons and definitions

WAC 232-28-360 Elk special permits

Repeal:

WAC 232-28-352 2009-2011 Elk general seasons and definitions

WAC 232-28-356 Elk special permits

Commissioner Douvia motioned, seconded by Commissioner Jennings to adopt WAC 232-28-358 2012-2014 Elk general seasons and definitions, WAC 232-28-360 Elk special permits and repeal WAC 232-28-352 2009-2011 Elk general seasons and definitions, WAC 232-28-356 Elk special permits, as proposed. Motion carried unanimously.

22. Miscellaneous and Meeting Debrief:

The Commission discussed items that arose immediately before or during the meeting and after the preliminary agenda was published.

- April 20, 2012 Conference Call – Cancelled
- May 31, 2012 Columbia River Briefing – Education Session

Chair Wecker adjourned the meeting at 11:38 pm.

EKG

These minutes plus the audio recordings constitute the full minutes.

Erin Gariépy, Administrative Assistant