



## Minutes

### Washington Fish and Wildlife Commission

January 25-27, 2024 Hybrid Minutes

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#### Attendance

##### Commission

Barbara Baker, Chair  
Molly Linville, Vice chair  
Lorna Smith  
Tim Ragen  
John Lehmkuhl - remote  
Jim Anderson  
Melanie Rowland -remote  
Steve Parker  
Woody Myers - remote

##### Staff

Kelly Susewind, Director  
Amy Windrope, Deputy Director  
Joe Panesko, AGO  
Tami Lininger  
Nate Pamplin  
Margen Carlson  
Cynthia Wilkerson  
Karen Edwards  
Chris Donley  
Charlene Hurst  
Ryan Lothrop  
Richard Tventen  
Hannah Anderson  
Jenna Becar  
Kimmy Jarvela

##### Guests

Kelly Cunningham  
James Losee  
Kyle Adicks  
Eric Gardner  
Anis Aoude  
Aaron Dufault  
Katelyn Bosley  
Taylor Cotton  
Emilie Kohler  
Julie Combs  
Rob Geddis  
Mike Livingston  
Tim Quinn  
Donny Martorello  
Ken Warheit  
Cory Wright  
Dave Blodgett  
Peter Dykstra  
Urban Eberhart

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#### Friday, January 26, 2024

##### **1. Call to Order**

Chair Baker called the meeting to order at 8:00. She went over some logistics for the meeting. The Conservation Policy will not be discussed or decided on until after further consultation with the tribes. During that time on the agenda there will be discussion about the process of dealing with the wolf management and how to deal with the letter from the Governor. She also asked that the public reach out to Commissioners via their WDFW issued email and phone numbers. Commissioners Lehmkuhl, Myers and Rowland are joining the meeting virtually.

##### Commissioner's Discussion:

Commissioner Ragen thanked Marissa Young for her assistance with public records requests and encouraged other Commissioners to join the training.

Commissioner Baker shared that she went with Mark Elbroch from Panthera on a cougar collaring assignment.

##### Meeting Minute Approval:

Commissioner Rowland made a motion to approve the minutes of the December 14-16, 2023 webinar, Commissioner Ragen seconded the motion and the minutes were approved.

## **Committee Meeting Updates:**

### Big Tent Committee

The Committee members in attendance: Baker, Parker, Lehmkuhl, Smith. All five of the other Commissioners also attended.

Chair Baker shared that several letters from co-managers were received over the last week requesting Government to Government consultation on the draft Conservation Policy. It was decided to postpone the adoption of the policy at this time until further discussions could take place.

Commissioner Lehmkuhl asked committee members to take another look at the Best Available Science Policy and report back with any comments or concerns.

Chair Baker resigned as the Chair of the Big Tent Committee and members by consensus elected Commissioner Lehmkuhl as the new Chair.

### Wildlife Committee

Committee members in attendance: Smith, Anderson, Rowland, Myers. All five of the other Commissioners also attended.

Commissioner Smith shared the bear and cougar matrix that the committee worked on and the staff shared their response to the committees comments, as part of the effort to develop a draft rule in response to a previously-accepted rulemaking petition. There will be a special Wildlife Committee meeting to discuss the documents scheduled the week of the February 12<sup>th</sup>. The purpose of this will be to discuss the process to get the rules moving and timelines to accomplish this if we plan to have something in place for the 2024-25 seasons.

Commissioner Smith also noted that the Committee members are a little behind on their review of the Game Management Plan updates and mentioned that the draft sections of the GMP are on the WDFW intranet for Committee members to access. The Committee is reviewing the chapters in increments and will share with the full Commission as they review each section. The formal process for public comment will be in the fall.

Commissioner Smith also mentioned the letter from the Governor granting an appeal for a rulemaking petition on wolf rules, and that we are just starting the discussions on this.

### Fish Committee

Committee members in attendance: Anderson, Linville, Ragen, Parker.

Commissioner Anderson shared that there was an annual briefing on the Columbia River Management that will come before the full Commission for decision later in the day. There was also a briefing on the updated North of Falcon Policy that will also come before the full Commission for approval later in the day. They heard a briefing on the Coastal Steelhead Petition and a report out from staff on the meeting with tribes on shellfish management. The last briefing was on the Ilwaco fire that destroyed thousands of commercial crab pots and how the community has come together to help out.

## Habitat Committee

Committee members in attendance: Linville, Lehmkuhl, Ragen, Myers

There was a briefing on HPA rule updates regarding dock flotations and what can be used. Staff then provided a briefing on Washington Shrubsteppe Restoration and Resiliency Initiative (WSRRI), what the funds are spent on, future goals, what work is being done. There is lots of work being done and lots of collaboration. The last briefing was on the proposed purchase of Springwood Ranch. This complicated land transaction will be co-managed with the Kittitas County BOCC, Yakama Nation, Trust for Public Lands, Kittitas Reclamation District, and WDFW. Staff provided an overview, talked about challenges, and next steps.

### **2. Open Public Input**

Please see the attached list of commenters. To listen to the audio please visit our webpage.

The Chair shared her comments on public testimony, the commission is listening, and we hear you and we recognize there are differences. The Commission is stuck in the middle with folks on opposing sides. She asked constituents to keep to the issues, tell us what is needed but don't make it personal.

### **3. Director's Report**

The Director shared the tragic news of the loss of a staff member. He then provided an update on the fire in Ilwaco that destroyed 3400 commercial crab pots the week before the opening. The Director briefed the Commission on meetings he's participated in over the last month. He shared a brief update on legislative items. He reported that Chris Conklin was appointed as the Habitat Program Director, and we are currently looking to fill the vacant Region 6 Director position. He then mentioned that the National Hunting and Fishing Report is out and the Commissioners should have received it.

### **4. North of Falcon Policy (C-3608) Decision**

Staff briefed the Commission on the revised North of Falcon Policy C-3608 and requested approval.

Commissioner Anderson made a motion to approve the revised North of Falcon Policy as presented, Commissioner Parker seconded the motion. All were in favor and the motion passed.

### **5. Columbia River Salmon Fishery Management Policy (C-3630) – Briefing, Decision**

Staff briefed the Commission and requested that they delegate approval to the Director for non-concurrence commercial logbook rulemaking with Oregon.

Commissioner Anderson first moved "to approve Director Delegation for the Columbia River commercial logbook rule-making." Commissioner Parker seconded. The motion passed unanimously. Commissioner Anderson then moved "to approve Director Delegation for the WDFW Director to work with the ODFW Director to implement concurrent fishing regulations in jointly managed waters of the Columbia River for 2024." Commissioner Ragen then proposed an amendment that was seconded by Commissioner Smith, after much discussion Commissioner Smith and Ragen withdrew their motions and the original motion was on the table. Commissioner Linville seconded the motion. All were in favor and the motion passed.

Item 7 was heard next.

**7. Petition: Amend the Marine Area 13 Crab Fishery - Briefing, Decision**

Staff briefed the Commission on a petition to amend the Marine Area 13 crab fishery.

Commissioner Smith made a motion to deny the petition as presented, Commissioner Rowland seconded the motion. All were in favor and the motion passed.

**8. Rulemaking – Fishing Season for Deer Lake – Briefing, Public Hearing**

Staff briefed the Commission on rulemaking subsequent to a petition for the amendment of WAC 220-312-050 to open year-round fishing on Deer Lake.

There were no public comments.

**6. Petition: Amend and Repeal 2023-2024 Winter Steelhead Season on the Olympic Peninsula – Briefing, Decision**

Staff briefed the Commission on a petition to amend and repeal the 2023-24 winter steelhead season on the Olympic Peninsula.

Commissioner Anderson made a motion to deny the petition and directed staff to manage consistent with emergency rules and to continue to work with the petitioners, Commissioner Linville seconded the motion. All were in favor and the motion passed.

**9. Mardon Skipper Periodic Status Review – Briefing, Public Hearing, Decision**

Staff briefed the Commission and requested that they support the current status of the Mardon Skipper.

The following people provided comments: Judith Adkins

Commissioner Smith made a motion to approve the staff recommendation as presented, Commissioner Linville seconded the motion. All were in favor and the motion passed.

**10. Spotted Owl Periodic Status Review – Briefing, Public Hearing, Decision**

Staff briefed the Commission and requested that they maintain the current status of the Spotted Owl.

The following people provided comments: Rachel Haymon, Susan Kane-Ronning, Denis DeSilvis.

Commissioner Smith made a motion to approve the staff recommendation as presented, Commissioner Rowland seconded the motion. All were in favor and the motion passed.

**11. Petition: Limited Entry Spring Depredation/Management Black Bear Hunt - Briefing, Decision**

Staff briefed the Commission on a petition to begin rulemaking for a limited entry spring depredation/management black bear hunt based on the reliability and abundance estimates.

Commissioner Ragen made a motion to deny the petition, Commissioner Myers seconded the motion. The motion passed with a vote of 8 to 1.

**11. Draft Conservation Policy - Decision**

This item was not discussed at this time.

The Commission also discussed how to handle the process of the wolf rulemaking that was directed from the Governor's letter. There was discussion about whether to take the matter up in the Executive Committee or the Wildlife Committee. Some felt that the staff have already provided all the information and that we should look at what has already been provided. Others felt that this was a full Commission discussion and should be discussed as a group.

Chair Baker recessed the meeting at 5:16 p.m.

**Saturday, January 27, 2024**

Chair Baker called the meeting to order at 8:01 a.m.

**12. Open Public Input**

Please see the attached list of commenters. To listen to the audio please visit our webpage.

**13. Forest Heath Project Approval Request – Briefing, Decision**

Staff provided a briefing and requested approval on forest management projects that involve harvesting timber in volumes exceeding one million board feet.

Commissioner Parker made a motion to approve the recommendation as presented, Commissioner Smith seconded the motion, all were in favor and the motion passed.

**14. Meeting Debrief and Future Meeting Planning**

Deputy Director Windrope reviewed the tasks from the meeting. There was a reminder from the Chair that we are not here to mediate between the different interest groups.

There will be a Wildlife Committee meeting the week of February 12<sup>th</sup>.

Chair Baker will reach out to Lisa Wilson of the Lummi Tribe to coordinate a meeting between the Commission and Tribes as requested.

The Commission went into Executive Session at 11:28.

**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 matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

The Chair recessed the meeting at 2:04.



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Jamie Caldwell, Executive Assistant