

Director's report to the Fish and Wildlife Commission
presented by Jeffrey Koenings, Ph.D., WDFW Director
June 4, 2004

A Sound Stewardship of Fish and Wildlife

We serve Washington's citizens by protecting, restoring, and enhancing fish and wildlife and their habitats, while providing sustainable fish and wildlife-related recreational and commercial opportunities.

GOAL I: HEALTHY AND DIVERSE FISH AND WILDLIFE POPULATIONS DEVELOP, INTEGRATE AND DISSEMINATE SOUND FISH, WILDLIFE AND HABITAT SCIENCE.

Upper Columbia White Sturgeon Recovery Project: Staff captured 13 adult sturgeons on Lake Roosevelt between Chalk Grade (Barnaby Creek) and Bradbury Beach. The majority of the fish collected were females, including one that will likely spawn this year. Sonic tags were implanted in four of the fish that were in later stages of maturity. Additionally, staff coordinated with the Colville Confederated Tribes and the Spokane Tribe of Indians to develop a news release announcing a pending release of approximately 2,000 juvenile hatchery sturgeon scheduled for May 12, in the upper Columbia River area near Kettle Falls. Invitation letters for the event were sent out to area legislative representatives and interested stakeholders.

Additionally, the WDFW successfully released approximately 2,000 juvenile white sturgeon in three locations in the upper extent of Lake Roosevelt on May 12. The general release locations included Kettle Falls, North Gorge, and North Port area near the Canadian border. These releases were coordinated with several Upper Columbia River White Sturgeon Recovery Initiative partners, including the Colville Confederated Tribes and the Spokane Tribe of Indians. Local print media provided coverage of the event, with additional coverage by KREM 2 television, Spokane, and National Public Radio. The event was well attended by invited guests and provided a very good opportunity to showcase ongoing efforts to recover sturgeon in this portion of the Columbia River. Former Fish and Wildlife Commissioner Kelly White participated in the event, along with other local dignitaries.

The Dalles Oil and PCB Spill: On April 21 and 22, 2004, Oil Spill Team biologists Brian MacDonald and Dan Doty participated in an interagency sampling effort to assess potential PCB contamination along the Columbia River from The Dalles Dam to Stevenson, WA. Biologists and environmental specialists from WDNR, WDOE, and WDFW collected sediment and clam tissue samples from beaches and state bedlands oiled by the January 15th transformer oil spill from the Dalles Dam. Sampling was conducted to determine if these areas were contaminated by PCBs present in the transformer oil. Samples are in storage pending the outcome of discussions between Ecology and the Corp regarding quality control issues and appropriateness of taking and analyzing tissue samples. (Major Projects - Doty, MacDonald)

Oil Spill Team Biologist Co-Authors Scientific Paper: Oil Spill Team Biologist Brian MacDonald has co-authored a paper with Pacific Shellfish Institute biologists on the tolerance and response of Manila

Clams to low salinity. The paper, published in the latest issue of the Journal of Shellfish Research, outlines the conditions under which winter mortalities of Manila Clams might be a result of excessive exposure to low salinities. The results outlined in this paper shed light on the effects of salinity on periodic mortality events on Manila Clam beds the Department manages. The study also suggests that the physiological effects found on Manilas may be a useful marker for similar investigations with native species as well. (Major Projects - MacDonald)

Aquatic Habitat Guidelines (AHG) Training: Several AHG training sessions were conducted statewide in the past two months. The AHG trainings include Integrated Streambank Protection Guidelines (ISPG) 2003 and Design of Road Culverts for Fish Passage 2003. This training has been well received and was attended by WDFW Area Habitat Biologists, Technical Assistance Biologists, Watershed Stewards, WSDOT and DOE staff, private consultants and citizens. The training is being held in each of the six WDFW regions and will continue through June. (TAPPS - Corwin)

Fish Passage Barrier and Diversion Screening Training: TAPPS technical assistance staff have conducted nine separate fish passage barrier assessment and water diversion screening training sessions involving 67 participants, with several more training sessions scheduled in the coming months. Training sessions have been conducted throughout the state, including Ellensburg, Newport, Colville, Longview, Shelton, Chehalis, Forks, and Sedro-Woolley. Many of the participants have been DNR employees working with small forest landowners and the Family Forest Fish Passage Program. Participants have also attended from Adopt-A-Stream, WDFW, and local Tribes. The interest and participation in this WDFW-provided training is an indication of broad adoption of the WDFW-developed assessment protocols in the Fish Passage Barrier and Surface Water Diversion Screening Assessment and Prioritization Manual (WDFW 2000). Data collected from assessments of fish passage barriers and water diversion screens, using the WDFW protocols, is eventually entered into the Fish Passage and Diversion Screening Inventory database managed by WDFW. (TAPPS - Caudill)

Clallam MRC/WDFW Elwha Nearshore Restoration Workshop: including authoring a technically reviewed Elwha nearshore overview paper. The workshop focuses on bringing local citizens and regional technical experts together to define nearshore restoration response to the Elwha and Glines Canyon dam removal, slated to begin in 2007 and contribute 18 million cubic yards of sediment to the nearshore within five years of dam removal. The project has strong local, tribal, state and federal partnership and strong long-term nearshore management implications. The workshop attendance consisted of approximately 45 local citizens and 60 scientists from across the nation as well as local and regional scientists and managers. The final report will be available mid-August 2004. (Region 6 - Shaffer)

Wildlife Program Has Completed a Draft Report on Fish Population Genetics: Completed draft Agency report on fisher population genetics. The purpose of the report was to summarize population genetic data of fishers, as they relate to the proposed re-introduction of the species to Washington State. Based on historical (museum skin) samples from Washington, prior to their extirpation from Washington, fishers were most closely related to British Columbia fishers, followed by fishers from California and

western Alberta. Because samples from Washington are limited, these results should be viewed with caution.

Spotted Owl Management: Forest wildlife leader, Joe Buchanan participated in two stakeholder meetings relative to issues addressed in the Forest Practices Board's (FPB) Wildlife Workplan. The first meeting, held on May 24th, included a presentation of the spotted owl draft-briefing document originally submitted to the FPB in February 2004. The meeting was designed as an opportunity for stakeholders to ask questions about the report and identify issues that require further discussion. Another meeting will be held to continue discussion on issues of concern or disagreement. The second stakeholder meeting, held on May 27th, addressed the development of a landscape-level, wildlife assessment of current forest practices rules. This meeting resulted in development of project objectives and identification of desirable project output.

Staff attended a meeting of the Canadian Spotted Owl Recovery Team (CSORT). The focus of this meeting was to review parameters that will be used in a spatially explicit habitat and population model for spotted owls in British Columbia. Joe Buchanan is a member of CSORT.

Director's Comments on the U.S. Ocean Policy Commission Report: Intergovernmental Resource Management staff assisted the Director in providing comments to Governor Gary Locke regarding the U.S. Ocean Policy Commission's Preliminary Report. The Commission was created with the enactment of the Oceans Act of 2000 and was tasked with providing a report to Congress that included an assessment of the nation's ocean governance system and an analysis of the most pressing present and future scientific and technical issues.

Each Governor of all fifty states is being given an opportunity to provide their comments to the Commission regarding the preliminary report by June 4, 2004. Director Koenig's comments focused on the need to provide state, tribal, and federal agencies the resources to improve the science base relative to ocean bottom habitats and marine fish resources and their productivity. In addition, the Director recommended that any new governance system have a regional focus and avoid conflicting with the existing regional fishery management council system. (Phil Anderson)

PROTECT, RESTORE, AND ENHANCE FISH AND WILDLIFE POPULATIONS AND THEIR HABITATS.

Puget Sound Shellfish Enhancement: Artificial shellfish bed markers and signs were refreshed and planting buoys set at North Bay Oyster Reserve, Penrose Point State Park, and Kopachuck State Park. A total of 970 bags of Pacific oyster seed were planted at Sequim Bay State Park, Birch Bay State Park, North Penn Cove and Mystery Bay State Park. Production from this plant is expected to produce 48,500 sport limit equivalents in two to three years. An additional 279,000 Manila clam seed was planted at Point Whitney with an expected production of 1,744 sport limit equivalents in two to three years.

Zebra Mussels: Tuesday afternoon commercial vehicle inspectors at the Spokane Port of Entry found two live adult (about 1") zebra mussels under the trim tabs of a 38-foot boat being hauled into the state

from Tennessee. Enforcement officers investigated and took digital photos for identification. Staff spoke to the boatyard the boat was consigned to, as well as the owner, and provided written instructions for cleaning the boat prior to it being released from quarantine. An Officer was on site at the boat yard as internal system filters were removed and cleaned. No additional mussels were found. We were fortunate the mussels were found. Since 9-11 national security duties have made it difficult for Washington State Patrol to inspect all the boats that come into the state. It is important that we find the means to implement the law allowing us to stop and inspect privately hauled boats. Zebra mussels are now in the river at two sites in South Dakota. They are also present in a popular reservoir in Kansas that is frequented by boaters who travel to other reservoirs including Lake Roosevelt. With the advent of the Lewis and Clark celebration, the Snake and Columbia rivers are at extreme risk of invasion. Public information and education are important. We have hired an individual to visit high volume boat launches across the state to provide educational materials and information to recreational boaters and fishers. He also inspects their boats and trailers for the presence of aquatic plants, and makes them aware that it is illegal to have such plants on their boat or trailer on state roads. Our enforcement officers have been giving verbal warnings for the past year. Enforcement has informed us they will begin giving written warnings this year.

Abnormal Reproductive Status of English Sole in Elliott Bay: Marine Fish staff attended a meeting sponsored by the National Oceanic Atmospheric Administration (NOAA) Fisheries and the Puget Sound Action Team regarding abnormal reproductive status of English sole in Elliott Bay. Female English sole in the Bay are showing protracted periods of sexual maturity, carrying eggs far beyond the normal spawning season. Female sole are becoming sexually mature at a size much less than expected. Male sole are developing both sperm and eggs simultaneously during the spawning season. The cause of these changes is not known with certainty but appears to be related to exposure of the fish to human hormones (or hormone-like substances), probably through the discharge of treated sewage. These findings are just now being distributed to the public, scientific groups and managers. Our agency contributed much of the fieldwork to these studies, which may be very significant for management of sewage treatment plants and other water discharge facilities.

Guidelines and Considerations for the Assessment of Instream Flow Proposals: In response to numerous internal and external inquiries regarding factors to consider when reviewing Water Acquisition Projects or instream flow restoration proposals, staff developed a document titled "Guidelines and Considerations for the Assessment of Instream Flow Proposals," considerations which could be used by resource agencies involved in instream flow restoration. The guidelines were further refined and presented at the National Fish and Wildlife Foundation's "Due Diligence" session in Walla Walla on April 6. (Science Division - Harvester)

Delta Lateral Gas Pipeline: Habitat staff spent much time on coordinating the HPA for 18 stream crossings between Machias and Everett with the fact that the pipeline also crosses a corner of WDFW's "Corson" wildlife refuge. This project has been very controversial locally, and delays in permitting caused mainly by local landowners resulted in Northwest Pipeline invoking the Natural Gas Act to waive all local and state permitting. Staff worked with Attorney General Sonia Wolfman to basically transfer all of the

HPA provisions to a stipulation that the pipeline company is expected to agree to. Construction will begin around June 1 with stream crossings occurring in July-August. The 16" ID gas line will also be horizontally drilled under the entire lower Snohomish River and its sloughs. This project will require considerable monitoring this summer, but is basically a repeat of a similar project by the same company in 2003. That work went very well, and no problems are expected from this work in 2004. (Region 4 - Costello)

Nichols Brothers Boat Builders, Inc. (NBBBI): WDFW and NBBBI have been unable to reach a Settlement Agreement to NBBBI informal appeal of HPA EX-F7077-02 concerning mitigation requirements for the launch of the Empress of the North. Rather than pursue the informal appeal process, NBBBI has decided instead to accept the language in the HPA asking for 2:1 mitigation, and has contracted with Battelle Northwest to carry out the restoration of the damaged eelgrass bed. NBBBI has withdrawn its appeal. (Region 4 - Thompson)

Mt. St. Helens Wildlife Area, Winter Elk Mortality Survey: On May 5, 2004, Region 5 Wildlife staff conducted an additional winter elk mortality survey on the St. Helens Wildlife Area. This survey is a follow-up to the previous mid-winter survey conducted in February. These surveys are conducted as one component of WDFW's ongoing efforts to evaluate and manage the St. Helens Wildlife Area specifically, and the Mt. St. Helens Elk Herd in general. Approximately 200 elk regularly use the Wildlife Area with as many as 700 gathering there during severe winters. This year's winter mortalities total 22 animals, with members of both sexes and all age classes represented. As expected, this places the winter of 2003-04 midrange in terms of severity. In previous years, the range of mortalities has been wide, 6-80 depending on winter severity. The hard work of many volunteers makes this effort possible. Participants in the May mortality survey included members of the Rocky Mountain Elk Foundation, the Mt. St. Helens Preservation Society, and the Northwest Indian Fisheries Council, along with WDFW Staff members from Regions 4 and 5.

Schlee Ranch Dedication: A dedication ceremony was held on the 8,500 acre Schlee Ranch Friday, May 14 and was well attended by public and private entities (94 in attendance) including county commissioners. This acquisition has been in the works for many years and the land is now protected for the public and fish and wildlife in perpetuity. Many thanks to all who contributed to the acquisition effort, especially Brian Trickle, Paul Ashley, Dan Budd and John Andrews.

Illegal Fishing in Westport: Sergeant Rhoden received a call from Captain Cenci regarding several Oregon fishermen launching boats out of Westport, fishing outside of our territorial sea, and then coming back to Westport with fish in possession. The fishers intended to illegally keep the fish onboard the vessels and simply load the whole works onto trailers and then transit back to Oregon without making a "landing" of fish. The intent was to circumvent Washington Limited Entry Commercial Salmon Troll License regulations. Once the fishermen brought their fish back into Westport and began to trailer their boats, they were contacted. With assistance from Officers Chadwick and Wickersham, Sergeant Rhoden seized 435 Chinook, numerous chum, and some bottom fish from six fishermen. All admitted to coming into Westport at night, pulling out their boats at night, staying in a local hotel, and fishing the next day.

Five of the six fishermen were cited on the spot. One fisherman fled to Oregon when he heard about the arrests. Unfortunately, he had to leave his truck, trailer and a tote of fish in Westport. He talked two friends into driving back up and getting his truck. They were contacted at 1:30 am and the fish were seized. The following day Captain Cenci and Officer Klump contacted the outstanding suspect in Tillamook, Oregon and obtained a written confession. The next day Officer Chadwick and Officer Ross were able to sell the fish to a local buyer. (Statewide Marine Division)

Sport Shrimp Fishery: During the Wednesday sport shrimp fishery alone in Hood Canal, totaling just the over limits detected by the marine division patrols, over one thousand shrimp were seized in several different cases. The number of arrests for the South Sound / Straits Marine Detachment boat patrols conducted on the canal last week totaled over 70. These citations included over limits of shrimp, oysters and clams, possessing oysters in the shell, shrimping with illegal gear, fishing without licenses, refusing to submit catch for inspection, operating another's gear, and closed season crabbing. (Statewide Marine Division)

Operation Orange Crush: Marine Division Officers embarked on Operation Orange Crush, a four-day emphasis patrol along the North Coast. The primary goal was to enforce yellow-eye and canary rockfish closures during the halibut season opener and to monitor by-catch of these species. Four teams of officers participated. Officers Crown and Karnitz traveled over from the east side in order to staff patrol vessel #6, operated by Sergeant Mullins and Officer Beauchene. This crew contacted 209 fishers and issued 20 citations, including three for closed-season Canary Rockfish and three for overlimit halibut. Sergeant Holden and Officer James from land detachments joined Lieutenant O'Hagan and Officer Klump on the E/V Corliss. Together, this team contacted 86 vessels and 285 fishermen. Of the 285 contacts, the team issued 24 citations for fail to submit catch for inspection (2), exceeding limits and possession of fish in an unlawful condition (11), vessel registration (1), no license (5) and retention of canary rockfish (5). This crew was not without compassion as they issued 6 written warnings and numerous verbal warnings for other offenses. Officers Chadwick and Ross along with Captain Cenci made up the third team. Together they issued nine citations for possession of yellow eye (1) possess fish in an unlawful condition (2), over limit of halibut (3), over limit of rockfish (2), over limit of lingcod (1). In addition to the citations they issued warnings for fail to submit and barbed hooks (commercial troll). The Guffler was the fourth team and was staffed by Officer Anderson, Officer Miller and Sergeant Ward from Wenatchee. They issued citations for 2 cases of overlimit Rockfish, 2 cases of Halibut fishing closed season, 1 case of possession in excess of a daily limit of halibut, and 1 case of undersize lingcod. Detectives Volz, Pudwill, and Officer Baker made up the undercover component and directed patrol activity. Detective Peterson flew the patrol area in agency aircraft, with special emphasis on patrolling the c-shape yellow-eye rockfish closed area. No incursions were detected. However, officers did note in excess of 40 yellow-eye and canary discards while checking anglers. This included observations made while checking the commercial troll fleet on the Prairie. One troller released five canary rockfish out of seven hooks inspected by our officers. Other trollers were checked as they were releasing canary rockfish. (Statewide Marine Division)

Sauk River Hydraulic Violation: The Sauk River hydraulic violation investigation is continuing. The Snohomish County Prosecutor recently agreed to proceed with the Inquiry Judge process. The next interagency task force meeting to occur at the Prosecutor's office on June 22. (Region 4)

Shrimp Emphasis Patrol: Sergeants Chandler and Mullins designed "Operation JUMBO SHRIMP 2004" to meet the enforcement demands of wildly popular recreational shrimp opening in the marine waters between Elliot Bay and the San Juan Islands. This two-day emphasis was a cooperative effort involving all North Sound Marine Officers and four Region 4 Land Officers. Officers contacted as many shrimpers as possible, both on the water and at local marinas and boat launches. Overt and covert presence was emphasized where there has been a history of non-compliance, such as Edmonds and S. Lopez Island. Approximately 350 contacts were made and 15 citations were issued for various shrimp violations. While success appeared to be fair to good, and compliance relatively high, major overlimit violations were found. Sergeant Chandler contacted three individuals at the private moorage at Edmonds Marina with about 1,800 shrimp stuffed in just about every void of their vessel. Another individual eventually confessed to dumping his illegal catch when he saw WDFW Officers approach. The illegal shrimp were recovered and the violator will be cited. (Statewide Marine Division)

2004 Fraser Sockeye Fishery Planning: The U.S. and Canada completed the Fraser Panel's first pre-season planning meeting on April 20-22. According to the 1999 Annex to the Pacific Salmon Treaty, the U.S. share of the Total Allowable Catch (TAC) will be 16.5% in 2004 with the non-treaty share of the U.S. TAC being 32.3%. These U.S. and non-treaty share proportions will remain in effect through 2010. Since 2001, both countries' ability to fully harvest their respective sockeye harvest shares has been impacted by conservation concerns for late run sockeye. This stock group has been entering the Fraser six to eight weeks earlier than normal and suffering high migration and pre-spawning mortalities. Because late run timing overlaps with abundant summer runs in the marine area, limited impacts on late runs can constrain the number of harvestable summer runs that can be harvested. The 2004 season will present a continuation of these challenges. The 2004 pre-season forecast of Fraser River sockeye is 4,920,000 fish, somewhat lower than last year's pre-season numbers. After considerable negotiation, the Panel agreed on a 15% allowable exploitation rate (ER) for late run sockeye, with a 2% late run ER being available to prosecute U.S. fisheries. This understanding was premised on an equitable sharing of the conservation burden and required some modification to standard procedures for allocating the First Nations aboriginal exemption to the various stock groups. While the pre-season plan won't likely be completed until early June, it is probable that 2004 U.S. non-treaty fisher sockeye harvest will be less than 2003 (~83,000), compared to a non-treaty TAC of ~120,000+. (Rich Lincoln)

INFLUENCE THE DECISIONS OF OTHERS THAT AFFECT FISH, WILDLIFE AND THEIR HABITATS.

Bull Trout: Idaho Governor Kempthorne and the Idaho Congressional Delegation have requested the Department of Interior to conduct the five-year review for the Columbia River bull trout Distinct Population Segment (DPS) under section 4 of ESA. The review is conducted to ensure the listing classification of the DPS is still valid. The U.S. Fish and Wildlife Service (USFWS) has agreed to move forward with the review and will suspend further work on the recovery plans for the Columbia River,

Klamath River, and St. Mary-Belly River DPS's. While they haven't yet, the USFWS will announce this review and solicit the public and agencies for new information regarding bull trout to assist with the review. To that end, Idaho has extended an offer to help coordinate a DPS wide response similar to that developed for the Westslope cutthroat. Nearly all matters included in the original listing are up for review including the appropriate application of the DPS and presumably the fisheries exceptions granted under Section 4d of the Act.

Buckhorn Mountain Mine (Okanagon/Ferry Counties): The Crown Jewel Mine Project is back and is now called the Buckhorn Mountain Mine. Habitat staff participated in a Department of Ecology tour of the Buckhorn Mountain Mine site and proposed haul route alternatives, as well as the Kettle River (K2) mine site and mill operations. Discussion included the improvements of this proposal over the previous Crown Jewel open pit proposal. There is no question that the Kinross proposal has less impact. It appears the most significant impacts to the resource involve the road system required for transport of ore from the Buckhorn site to the mill near Republic. Most impacts are in Okanogan County. There will be the added traffic on Ferry County roads for about 10 additional miles over the current haul route and the operation life may be extended by seven to ten years. This proposal saves the impacts associated with the open pit proposal and the impacts of constructing a mill and tailings facility near Chesaw. Habitat staff will continue to work with Ecology and the USFS regarding impacts to fish and wildlife habitat. (Region 1 ? Robinette)

New Columbia River Oil Spill Restoration Funding: Penalties from illegal offshore oil dumping will be used to fund restoration projects in the lower Columbia River. Federal attorneys for the EPA and Department of Interior have approved an agreement that will put a portion of penalty money from at least two illegal offshore oil discharges into a restoration fund to be administered by the National Fish and Wildlife Foundation (NFWF). An MOA between USFWS and NFWF establishes the "Columbia River Estuarine Coastal Fund" which will be used to finance habitat conservation, restoration, and management projects in and along the Columbia River below Bonneville Dam and the adjacent coasts of Oregon (to Tillamook Bay) and Washington (to the mouth of Willapa Bay). The money will be spent to benefit fish and wildlife resources and their habitats. USFWS is the lead agency and has been charged with creating an advisory council to review proposals and provide funding recommendations to USFWS and NFWF. Dan Doty of the Oil Spill Team will be representing WDFW on this advisory council. Presently, about \$500,000 may be available for projects. Additional penalty money may be added to the fund as other oil pollution cases get settled. Details on the types of projects that will be considered for funding and the process and timeline for soliciting project proposals will be developed this summer. (Major Projects - Doty)

Snoqualmie Falls Hydroelectric Project 401 Water Quality Certification Appeal: The Snoqualmie Tribe recently appealed the Water Quality Certification issued by Department of Ecology (DOE) for the Puget Sound Energy (PSE) Snoqualmie Falls Project. Grounds for the appeal were impacts to tribal cultural values and fisheries resources. This certification contained important resource protection measures to eliminate project-caused fluctuations in downstream river flows significantly stemming from toggling river flow between the two powerhouses and Snoqualmie Falls. These measures were negotiated over a

period of several months among DOE, PSE, City of Snoqualmie, and WDFW. The Snoqualmie Tribe was kept informed but did not participate. The Pollution Control Hearings Board (PCHB) heard the appeal in March and staff assisted in DOE's defense of the certification through depositions and sworn testimony. On April 7, the PCHB upheld the certification and actually strengthened resource protection by increasing interim protection measures pending the conduct of follow-up evaluations. (Major Projects - Engman)

Subbasin Planning in Eastern Washington: Subbasin planning efforts in Eastern Washington are winding down. Various parties and contractors will submit final subbasin plans to the Northwest Power and Conservation Council (NPCC) on May 28. Watershed Stewardship Team Biologists in Regions 1, 2, and 3 along with many other WDFW staff have worked tirelessly over the past 13 months to bring these plans to completion. The next phase for plan adoption is a three-pronged review by the public, the NPCC staff, and also by the Independent Scientific Review Panel. WDFW staff will likely continue to be involved through presentations to the ISRP and any rewrite/revision phase that might follow the review. (Region 1 - Robinette)

Lowland Watercourse Working Agreement Between WDFW and Skagit County Agriculture Community: The agriculture community in Skagit County and WDFW (the parties) disagree to which lowland watercourses in Skagit County are natural watercourses, altered watercourses, or artificial watercourses. Representatives of WDFW's Habitat and Enforcement programs met with representatives of the agriculture community on April 27, 2004, to establish a process to identify these three types of watercourses.

WDFW staff and members of the agricultural community in Skagit County will be working together over the next several months on an understanding and agreement that:

Identifies the lowland watercourses for which an HPA is not required and for which voluntary compliance with fish protection strategies is not required.

Identifies the lowland watercourses for which an HPA is required.

Identifies the lowland watercourses for which an HPA is not required but where the farming community agrees to voluntarily comply with WDFW recommended strategies (timing and techniques) for conducting in-water work in a manner that provides fish protection. WDFW will provide in writing the recommended strategies (timing and techniques) for conducting in-water work in a manner that provides fish protection.

Both parties agree to initiate a cooperative effort to develop a working agreement between the parties in Skagit County by October 1, 2004. (Admin - Hueckel)

Bull Trout Passage: Limited snow pack in the Cascades and limited storage in Yakima Basin reservoirs has again raised concerns about passage conditions for the late summer-early fall migration of bull trout into

reservoir tributaries. Temporary artificial channels were constructed in two locations (Indian Creek and Box Canyon Creek) during 2001 and again in Box Canyon Creek during 2003. Bureau of Reclamation biologists anticipate severe reservoir drafting and poor passage conditions again this summer. The Bureau plans to renew and expand their contract with WDFW, and to begin stockpiling equipment and supplies to construct up to three temporary channels this year. (Region 3 - Clausing)

Status of Section 7 consultation regarding 2004-05 Puget Sound tribal and non-tribal salmon fisheries: Federal and state processes for approval of 2004-05 Puget Sound salmon fisheries seem to be on track as of June 1. NOAA will have completed its internal review of a draft Biological Opinion and Incidental Take Statement on June 2, and, depending on the comments generated internally, it is hoped that NOAA will issue approval prior to our planned June 16 recreational fishery openings in Puget Sound.

Clearly, decision to open those fisheries is contingent on federal ESA approval. In addition, it appears likely that the review period on NOAA's draft Environmental Impact Statement regarding the 2004-09 Puget Sound Comprehensive Chinook Harvest Management Plan will be extended through July 1, 2004. Completion of NOAA's decision process on the longer-term Puget Sound harvest plan is not anticipated before mid-October 2004. That decision, assuming a favorable outcome, conveys ESA compliance for Puget Sound salmon fisheries through the end of the 2009 fishing season (on April 30, 2010). (Teresa Scott)

MINIMIZE ADVERSE INTERACTIONS BETWEEN HUMANS AND WILDLIFE

Pilot Cougar Season with Dogs: Department staff met Friday, May 28, with County Commissioners from Chelan, Okanogan, Ferry, Stevens, and Pend O'reille counties to discuss the development of new hound hunting seasons for cougar in the five county area. Some of the issues discussed included selection of county resident hunters for the cougar season, pursuit seasons, harvest quotas, and reducing the general cougar season to make way for the new hound hunt. Department and County staff will be working together over the next month to develop a draft WAC for the new season, which will be presented to the Fish and Wildlife Commission for rule adoption during the August 6-7 meeting.

Bear Release Program used in Region 4: Officers assisted Biologist Spencer in a bear release program that involved the use of the Wind River Bear Institute and their Karelian Bear Dogs. This was the first attempt of its kind in Washington to release problem bears using several types of aversion techniques at the time of release. The media was invited to one of the releases and did several evening news spots on the program. Two bears were released using the aversion techniques and were also fitted with radio transmitters for tracking. The problem bear season is upon us and all Region 4 detachments spent a great deal of time responding to nuisance complaints. (Region 4)

GOAL II: SUSTAINABLE FISH AND WILDLIFE-RELATED OPPORTUNITIES

PROVIDE SUSTAINABLE FISH AND WILDLIFE-RELATED RECREATIONAL AND COMMERCIAL OPPORTUNITIES COMPATIBLE WITH MAINTAINING HEALTHY FISH AND WILDLIFE POPULATIONS AND HABITATS.

WildWatchCams: Watchable Wildlife staff met with elementary school teachers and other staff at the Horizon Elementary School in Kent, Washington to preview a draft of the new EAGLES: The Lions of the Sky, kids activities for the WildWatch EagleCam. Educational activities were developed specifically for youngsters in grades K-5, but were also developed specifically with the Horizon Elementary School in mind, given the school's location only a few feet from the Kent eagle nest. Horizon School also has been identified as having a substantial "at risk language skill" student body. The interactive activities and questions in the new web activities encourage the use of a wide range of communication skills. Initial reactions by the teachers and others present were very favorable. The character, Professor Talon developed by the WDFW web design staffer, Peggy Ushakoff was a favorite element. Watchable Wildlife and Web staff are integrating the new material with work being conducted by Margaret Tudor. Professor Talon and The Lions of the Sky, kids activities should be publicly accessible by early June.

Hunter Access to Private Lands: An initiative to improve WDFW's programs for recreational access to private lands has been progressing quickly since early this year. A stakeholders group has been formed to review proposals and advise the agency on program improvements. They have met once so far with additional dialog occurring through an email list server.

This group represents the second phase of a comprehensive review and update of access programs. A previous group was formed to develop recommendations for the pilot "Private Lands Wildlife Management Area" program. Their recommendations were used by the department to evaluate and update the PLWMA program; however, final action has been delayed due to concerns from treaty tribes about the definition of open and unclaimed lands and how the PLWMA program impacts that definition. Further discussions are planned with the tribes prior to final agency decisions on the PLWMA program.

Several members from the PLWMA stakeholders group have continued on with the new review group along with members from the Lands Mgmt Advisory Council and one member from the Waterfowl Advisory Group. This second phase of the hunter access task group review includes an update of existing agency access programs, which was recently completed, along with development of any new programs necessary and a way to fund an expanded program.

A tour was conducted with members of the Senate Natural Resources Committee to look at Weyerhaeuser lands, and their access policy and hunter management needs as well as Campbell Group's management of a PLWMA on Rainier timberlands. The Committee members gained a better understanding of ways the department interacts with timber companies to encourage recreational access and an understanding of the timber companies needs and challenges with managing hunter access.

The next step is to meet in mid-June with the Hunter Access Task Group to develop new options or expanded programs and a way to fund them. The plan is to complete the review and take recommendations public in August for comment. A final legislative package would be completed in December.

Elk Cam: Watchable Wildlife staff assisted with the development and submission of a Rocky Mountain Elk Foundation proposal requesting assistance and participation in an elk cam located at the Oak Creek Wildlife Area. The popularity of an elk cam has been demonstrated at the Wildlife Area by an existing elk cam used to send images of lounging bulls to the visitor center TV. Communication towers planned for location on the Oak Creek Wildlife Area are a critical component of this project and will provide enhanced communication services to the area. The new elk cam if funded is expected to provide live images day and night and involves numerous private and public partners.

Lake Washington Sockeye Fishery Public Meeting: For the purpose of providing the public with information about how we'll be managing the 2004 Lake Washington sockeye salmon run, and potential fishing opportunities should the forecast run be realized, a public meeting will be held the evening of Tuesday, June 8 at the WDFW Mill Creek office, from 7:00 p.m. to 9:00 p.m. WDFW staff will present information about Lake Washington sockeye production based on studies of juvenile and adult migrations, including how the agency and tribes will use lock counts to project this year's return. We'll provide the public with information on when they can expect to be informed on the possible fishing opportunities and how to access updates. Also, we'll seek opinion on preferences for regulations such as bag limit and days per week under circumstances of low allowable harvest. (Pat Pattillo)

Vehicle Use Permits: Licensing has worked with Steve Sherlock of the Wildlife Program to propose a cooperative agreement with Department of Licensing. Our goal was to persuade Department of Licensing to offer vehicle use permits to all boat owners as they register their boats annually. Department of Licensing was not comfortable with collecting money for WDFW, but did agree to include a link to our vehicle use permit sales site, and to include an informative write-up on our vehicle use permits in the courtesy registration reminder that they send to boat owners. We hope these outreach efforts will make more boaters aware of the WDFW access sites, and the importance of participating in their maintenance and upkeep.

WORK WITH TRIBAL GOVERNMENTS TO ENSURE FISH AND WILDLIFE MANAGEMENT OBJECTIVES ARE ACHIEVED.

Skokomish Tribal Council Meeting: The Directors office met with the Skokomish tribal council on May 27th. The meeting was very beneficial to both parties. Topics discussed were: Skokomish River Chinook Recovery Plan, Chinook Recovery Plan for Hood Canal, Hood Canal dissolved oxygen Issues, Hood Canal Habitat Restoration and Wildlife management issues.

The Department of Fish and Wildlife is looking forward to an improved working relationship with the Skokomish tribal council in the future.

State-Tribal North of Falcon Work Planning: As a follow-up to the commitments made during our 2004 North of Falcon pre-season planning sessions, Puget Sound tribal representatives met with Natural Resource Policy representatives to prioritize essential tasks associated with implementation of our 2004

fishing plans. Key tasks include: joint state-tribal fishery sampling, fishery modeling and activities related to improving catch accounting. The annual Puget Sound cooperative management meeting is tentatively planned for June 8 (details to be provided soon). The tribes requested a policy discussion regarding WDFW's steelhead management plan initiative to occur on June 2. (Pat Pattillo)

Co-Manager Workgroup: A co-manager workgroup formed last summer and fall has reviewed production at the WDFW hatcheries in Hood Canal and has verbally agreed to implement fish production reductions. WDFW has had a difficult time carrying this fish production since funding was cut approximately three years ago. These discussions focused on established rearing criteria, aged and deteriorated WDFW facilities, and HSRG recommendations. Each program (species) at each hatchery facility was reviewed in detail, considering the available water flows, water volumes, and condition of rearing ponds. Scientifically determined standards for fish loading, along with experience of the hatchery personnel, were considered by the work group in reviewing and recommending appropriate loading levels. Also, tribal and state concerns about program cutbacks affecting fishing opportunity were taken into account.

Agreement was reached this week on the reduction recommendations, made by the workgroup, by WDFW and tribal managers. It was also agreed to implement several recommendations of the Hatchery Scientific Review Group.

IMPROVE THE ECONOMIC WELL-BEING OF WASHINGTON BY PROVIDING DIVERSE, HIGH QUALITY RECREATIONAL AND COMMERCIAL OPPORTUNITIES.

Red Sea Urchin Aquaculture: A constituent of Senator Maria Cantwell has contacted her staff to help seek an opportunity to rear red sea urchins for out planting in the San Juan Islands and the eastern Strait of Juan de Fuca. The constituent has hired a consultant and Representative Adam Smith's office has also become involved. The idea is to rear and release juvenile urchins, out plant, and then harvest in the Tribal and commercial urchin fishery. The purpose is to promote exports to the Asian market. Preliminary discussions appear to be workable with regards to disease and genetics issues and the Director's office is in support of a pilot project. Serious federal budget strategies are in the works to develop a funding source for a hatchery and other management needs.

GOAL III: OPERATIONAL EXCELLENCE AND PROFESSIONAL SERVICE

IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF WDFW'S OPERATIONAL AND SUPPORT ACTIVITIES.

Regional Performance Evaluations: Chief Bjork and Deputy Chief Jarmon traveled to the Regions in April and May to conduct Regional Performance Evaluations of the Captains and their Sergeants. Reviews focused on operations, communications/coordination with other programs, accountability, and productivity. (Headquarters)

Internal Budget Reporting Process: The Comptroller's Office utilized the work of a consultant to develop and implement a new monthly budget status reporting process. This will allow for immediate access to

AFRS data through a download process. This replaces the need to run time-consuming Fastrack reports through the OFM system. It also provides multiple reporting features that can be used to report and analyze the agency budget.

2004 Supplemental Budget: The Budget Office completed the 2004 Supplemental Budget process within the OFM timeline. Both external and internal allotments have been entered, and are awaiting OFM review and approval. Control numbers have been updated to reflect effects of the 2004 Supplemental.

Cost Accounting: The cost accounting project continues to move forward with a focus on building program-specific activities. Focus remains on being able to answer questions regarding species and location.

Contracts and Project System (CAPS): The CAPS project continues to move forward with the small group for reporting and other enhancements almost complete. This group tackled various reporting needs by designing, testing, and implementing reports to meet specific needs identified by CAPS users.

WILD System: The agency has begun a project to review the WILD system, which issues and manages recreational licenses. The contract with MCI to operate the system expires in June 2006. The agency needs to begin planning the issuance of recreational hunting and fishing licenses after June 30, 2006. The review will cover agency policy, customer and dealer service needs, and system technology choices. The options range from renewing MCI's contract, to contracting with another vendor, to operating and maintaining the system using WDFW staff. The current activities on the project include reaching out to the agency's official recreation policy advisory groups for review and comment.

RECRUIT, DEVELOP AND RETAIN A DIVERSE WORKFORCE WITH HIGH PROFESSIONAL STANDARDS.

New Hatchery Complex Managers: The Region 5 restructuring of the former Lower Columbia Complex into two complexes (Lower Columbia and Lewis River) is complete. The two new complex managers (CM) are Aaron Roberts and Eric Kinne. Aaron is the new CM for the Lower Columbia Complex, which includes Kalama Falls, Fallert Creek, Elochoman, and Grays River Hatcheries. Eric is the new CM for the Lewis River Complex, which includes Lewis River, Merwin, and Speelyai Hatcheries. Eric and Aaron bring a good deal of experience and knowledge to these new positions, and will help the Fish Program team solve many of the challenges in the near future in Region 5. Aaron can be reached at his new office at the Fallert Creek Hatchery at 360-673-6482 and Eric can be reached at his office at the Merwin Hatchery at 360-225-2120.

New Staff in Science Conservation Biology Unit: Brad Thompson has joined the staff of the Conservation Biology Unit as a research scientist specializing in salmonid habitat-productivity relationships. Brad will work with recovery groups on the west side of the state, assisting with Ecosystem Diagnosis and Treatment (EDT) and other habitat analyses. He joins Casey Baldwin, who is performing the same function on the east side of the state, to create statewide coverage for this type of recovery effort support. He will also assist in the Ecoregional Conservation Assessment effort and develop research

projects in habitat productivity and habitat productivity tools. Denise Hawkins has joined the staff of the Conservation Biology Unit as a biologist in the Genetics Lab. Her research specialty is interspecies hybridization, and she has previously worked with Deoxyribo Nucleic Acid (DNA) micro-satellites, mitochondrial DNA, and allozymes. She will be working on a variety of internally and externally funded projects statewide.

Hydraulic Project Approval (HPA) Basics Training: HPA Basics training was provided on May 20 to ten WDFW biologists and four Enforcement Officers. This one-day training addressed basic information on the Hydraulic Code and writing an HPA (from application to appeal). Written reference materials, including the HPA Procedures Manual, applicable statutes, aids and quick reference guides, forms likely to encounter or use, examples and take-home exercises, were developed and provided to participants. This training will be given each quarter with the two-day New Employee Orientation. (Environmental Services - Kreitman, Jenks; Region 6 - Kalinowski)

Enforcement Deputy Chief Chosen: After serving as Acting Deputy Chief in the Enforcement Program for the last four months, Bill Jarmon has been selected to be the next Deputy Chief of the Enforcement Program.

Bill started his career in law enforcement with the former Department of Fisheries in 1975, as a Fisheries Patrol Officer. He continued his twenty-nine year career in Fish and Wildlife Law Enforcement in the Departments of Game, Wildlife, and Fish and Wildlife. During his career in the Department of Wildlife, Bill was the Acting Assistant Chief of Enforcement and supervised the Department's Special Investigations Unit (SIU) for over a year. For the last thirteen years Bill has served as a Detective in SIU. He has been responsible for investigating and prosecuting many large-scale illegal Fish and Wildlife resource trafficking and commercialization cases.

Recently, Bill was the lead Detective in a case of notoriety, involving the illegal theft and trafficking of millions of dollars of geoduck and crab from southern Puget Sound. Twenty-nine suspects were charged in this investigation in Pierce County.

Bill has received numerous awards for his outstanding investigations involving fish and wildlife. He has received the prestigious "Shikar Safari International Officer of the Year" award in 2002. In this same year he was recognized by the Washington Game Wardens Association as "Officer of the Year."

Detective Jarmon represented Fish and Wildlife Officers for over twenty years as a Union Officer. During his tenure he was involved in negotiating three contracts between the Department and the Fish and Wildlife Officers. He has also been the Fish and Wildlife delegate to the Washington Council of Police and Sheriffs.

Bill is known and recognized by state, federal, county, and city law enforcement agencies for his strong work ethic and professionalism.

Along with his wife, four children, eight grand children, and his co-workers, we congratulate Bill and offer him our support and encouragement. (Bruce Bjork, Headquarters)

DEVELOP INFORMATION SYSTEMS INFRASTRUCTURE AND COORDINATE DATA SYSTEMS TO PROVIDE ACCESS TO SERVICES AND INFORMATION.

Water Acquisition and Monitoring: In cooperation with the WA Department of Ecology and the United States Geological Survey, location and status information were procured and processed in a GIS to allow for their inclusion in SalmonScape. This will allow SalmonScape users to directly query and access flow records and statistics for more than 3,000 current and historic gauge stations in WA. (Science Division - Kruger)

Payment In-Lieu of Property Taxes (PILT): Lands staff completed processing the PILT and Assessments paid to counties for 2004. This year's PILT totaled \$429,045.84 with an additional \$212,013.79 being paid for assessments. There are now 14 counties participating in PILT, as Lincoln County elected this year to receive PILT.

Fish and Wildlife Officer Candidate Update: We have three new officers in training at the academy. Two new Police Corp candidates are involved in our hiring process and are at the Phase 2 level. Eleven new applicants passed the written Fish and Wildlife Officer 1 examination. These eleven will move forward to Phase 2, which includes an oral interview and background investigation. (Headquarters)

MAINTAIN A SAFE WORK ENVIRONMENT.

Death Threat Against Officer: A long-standing case that Officer Hood made this last year on a poached trophy elk was adjudicated in Stevens County District Court this past week. The subject was found guilty in a jury trial. Officer Hood made arrangements to pick up the trophy antlers from the subject per the court's direction since they were contraband. As Officer Hood approached the convicted person's residence, he was stopped by the father and informed that his son was extremely upset and intended to kill Officer Hood when he arrived at the house. Due to the apparent credibility of the death threat, Officer Weatherman, Sergeant Charron, and Captain Whorton met with the Stevens County Sheriff, Undersheriff, and prosecutor to ensure the delayed jail sentence on the subject was imposed immediately. An arrest warrant was served on the subject the next day and he was taken into custody. After the subject was booked into jail, Sergeant Charron and Stevens County Deputy Gilmore were given permission to go to the residence to retrieve the elk antlers. Sergeant Charron found a small Budweiser beer box with several cut up pieces of elk antlers inside. On the box it stated, "For you, Tim Hood." This subject will be spending some time in the Stevens County Jail. Readers' information: Officer Tim Hood retired on April 30th with 31 years of service. (Region 1)

RECONNECT WITH THOSE INTERESTED IN WASHINGTON'S FISH AND WILDLIFE.

Kids Fishing Events: Saturday, April 17 kicks off a series of fishing derbies aimed at introducing young children to the joys of fishing. Kid fishing derbies will occur from mid-April through mid-June with the first kid fishing derby at Klineline Pond in Vancouver on April 17. The Klineline derby is one the most popular in the state, with the expected attendance reaching 1,200 children ranging between the ages of 5-14. Children participating in the Klineline derby will receive a free fishing pole and Fishing Kids T-shirt.

The Kids Classic was also held on Saturday, May 8 at Clear Lake in Spokane County and was a success. This is the fourth year this event has been held. Approximately 1,000 children participated. This effort is done in cooperation with the Air Force and includes the involvement from the local sportsmen's groups, and members of 4-H and Big Brothers. Several officers from Enforcement participated by assisting children and providing information to the public.

Officers Jeschke, Foster, Thomas and Captain Schlenker worked the Lake Sacejawea Kid's Fishing Derby. Approximately 300 kids participated. One written warning was issued to a 16-year-old volunteer who decided to fish after his shift at the derby was over. Unfortunately he had not purchased a fishing license. Officers are assisting with youth fishing events statewide. (Region 5)

Spot Shrimp: The 2004 spot shrimp season for spot shrimp in Hood Canal recently concluded after two Saturdays and two Wednesdays of recreational fishing. The non-Tribal spot shrimp quota for 2004 was 75,000 pounds, up 1,000 pounds from 2003. After four days of very successful recreational fishing, the non-Tribal quota was within plus or minus 1,000 pounds of the quota. Final numbers are not yet available

Razor Clams: The recently concluded spring razor clam season was very successful this year, producing many limits of razor clams and a much-appreciated economic boost to coastal communities. Based on the economic information from the 2001-2002 razor clam season, the fishery produced \$4.6 million to the coastal community in about six days of recreational digging. The 2003 season produced nine days of digging (\$6.9 million), and to date, in 2004 the fishery has furnished 16 days of recreational harvest for an economic value of \$12.2 million, with the potential of additional opportunities this fall.

Chief for the Day: Chief Bjork commissioned William Holston, 8 years old, as Chief for the Day on April 22, 2004. Medical staff from the greater Wenatchee area select children who are ill, and have a wish to enter the field of law enforcement, to be commissioned and recognized as Chief for the Day. Law enforcement agencies who had children commissioned were: the Washington Department of Fish and Wildlife, Washington State Patrol, Wenatchee Police Department, East Wenatchee Police Department, Chelan County Sheriff's Office, and the Douglas County Sheriff's Office. (Headquarters)

Lead Entity Program: The Legislature enacted the Salmon Recovery Act, lead entities were required to establish a citizen committee that consists of representative interests of regional fish enhancement groups, as well as citizens, landowners, counties, cities, conservation districts, environmental groups, volunteer groups, business interests, and other habitat interests.

On April 16 the Lead Entity Advisory Group (LEAG) held a retreat to focus on the question - "What would you like to see LEAG doing to carry out its purpose?" Facilitator John Kliem helped the group work through the focus question. The eight representatives from Lead Entities each contributed ideas that were then organized by topic. The next step is to develop a work plan that identifies specific, measurable tasks that LEAG will implement over the next 12 months to achieve the vision. Some of the key questions that emerged were:

What should be the form of LEAG?

Should LEAG make decisions?

How does LEAG fit into the current SRFB policy development framework?

(Brian Walsh)

Web Site News: Recent additions to the Web Site include "The Washington Comprehensive Wildlife Conservation Strategy" document, publishing the Special Permit Hunt quotas, publishing the 2003 Game Harvest Report, the Science Magazine reports from the Hatchery Scientific Review Group and the Final Killer Whale Status Report, and a wide variety of other reports, news, and updates.

Lifetime License Application: The first drawing will be held on June 1, 2004. Two applications will be chosen at that time. Once Licensing has verified the applicants' eligibility, the applicants will be notified by certified mail and, if a valid number has been provided, by phone. Since this is a new process for the agency, up to one week is expected to complete the verification. We hope to announce the winners publicly at the June Commission meeting.

Economic Impact Report: This report, developed by Mike Cheney in conjunction with the Licensing Division, was shared with Corey Freeman of Evergreen Government Relations. The compiled information will be used to support Department projects and goals, and to publicize the economic impact of recreational activities in Washington State.