

**DIRECTOR'S REPORT TO THE  
FISH AND WILDLIFE COMMISSION**

March 6-7, 2009

**FISH AND WILDLIFE GOAL:**

*ACHIEVE HEALTHY, DIVERSE AND SUSTAINABLE FISH AND WILDLIFE POPULATIONS AND THEIR SUPPORTING HABITATS*

**Mayr Brothers Hatchery Project:** The Grays Harbor Poggie Club has shown interest in working with the Department in assisting in the operation of Mayr Brothers Hatchery. The Poggie Club has a long history of partnering with the Department. It sponsors both the Aberdeen net pen and Buzzard Creek projects. Mayr Brothers Hatchery has trouble rearing fish through the summer due to botulism outbreaks. The one acre pond is hard to manage due to its size and depth. One option is to renovate pond number three, which has not been used for many years. The pond is overgrown with brush and trees, and there is large woody debris throughout the pond. The Poggie Club volunteered to renovate this pond, which will be used to rear the fish destined for the Aberdeen net pens. The Club is applying for grants to assist it financially. If the grants are approved, the plan is to move the intake piping, add manifolds, a vinyl liner, and ecology blocks on the outlet end to eliminate stagnant water, and dig out the outlet channel. The Poggie Club is very interested in cooperating with the Department and we look forward to working with them and assisting as we can.

**Ferry County (County) Critical Areas Ordinance (CAO) Found Out of Compliance:**

Habitat staff has been working with the Department of Community, Trade and Economic Development (CTED) and the Attorney General's Office on a response to a recently adopted County CAO. The CAO required the Department to "validate" all priority habitats and species data before the County would implement any protective standards. While the Department did not appeal the ordinance, it expressed serious concerns about this "validation" language to the County. Other parties did appeal the CAO, bringing up the validation issue and other deficiencies in the ordinance related to fish and wildlife habitat protection. Department comment letters to the County were cited in these appeals. While the appeals moved forward, Habitat staff began working with the County on a Memorandum of Agreement in an attempt to reach a mutual understanding of the Department's proper role in providing technical assistance and the County's responsibility for implementing the CAO.

The Eastern Washington Growth Management Hearings Board (Board) recently found the County's CAO to be out of compliance with the Growth Management Act due to several issues, including the "validation" process. The Board quoted Department letters to the County in its decision, and ordered the County to amend its ordinance to eliminate the validation step, and to improve designation and protection of endangered, threatened and sensitive species, and locally important habitats and species. This is yet another example of the importance of our work in providing science-based comment and review of local CAOs during local updates.

**Catherine Quigg Spill Response:** Spill Team and Ecology staff deployed to assess the environmental impacts of an oil spill reported in the early morning hours of February 4 by the tugboat *Catherine Quigg*. The tug reported that a diesel spill of 50-100 gallons had occurred near Eagle Harbor on Bainbridge Island during an internal fuel transfer. No shoreline stranding of the oil was noted and no impacted wildlife was observed. Water and sediment samples were collected to assist with the investigation of the incident. Spill Team staff will continue to be a part of the on going resource damage assessment.

**Hydrokinetic Energy Experiments Move Forward:** The Department and other state agencies entered a Memorandum of Understanding (MOU) with the Federal Energy Regulatory Commission (FERC) to make it easier for short-term experimental hydrokinetic (wave and tidal) energy generating projects to get started in Washington State. Hydrokinetic power generates electricity without impounding water. Current federal law makes no distinction between small experimental energy facilities and production-scale energy facilities, the latter is typically licensed for 50 years. Experimental projects are needed to study both the engineering design and the potential environmental impacts. This MOU allows experimental projects to be placed for a maximum of five years, without the state agencies demanding a full license and the protracted environmental review that goes with it. In turn, the Department is assured that fish and wildlife research will be conducted at these facilities.

In related news, Snohomish Public Utility District (PUD) plans to install and study three test turbines within Admiralty Inlet between Point Wilson and Admiralty Head in Puget Sound. The PUD intends to utilize information gathered in the project to evaluate the feasibility of tidal energy generation at four other sites of interest and in the Sound in general, including Spieden Channel, Guemes Channel, San Juan Channel, and Deception Pass. The PUD will submit a Pilot License Application to FERC in December 2009 and install the turbines in 2010. Department staff is cooperatively consulting with the PUD.

**Hanford Cleanup and Fish & Wildlife Restoration:** The Department, in collaboration with other natural resource agencies and tribes, are developing a Conceptual Site Model to help focus on Natural Resource Damage Assessment (NRDA) at Hanford. The NRDA will:

- a) Evaluate injuries that have occurred to fish and wildlife resources from years of contamination at the Hanford Military Facility.
- b) Develop restoration projects to return those injuries to baseline condition.
- c) Develop opportunities to conduct “restoration up front” and begin offsetting past injuries immediately, while the agencies are collaboratively developing the legal NRDA case.

Staff from the Department are attending working group meetings on terrestrial resources, aquatic resources, and restoration planning, as well as advising strategies for developing a successful NRDA case.

**Emergency Declarations:** As a result of emergency declarations, Capital, Planning, and Facilities Management (CPFM) crews will replace pipeline damaged by flooding at Tokul Creek and secure gravity pipeline at Samish Hatchery to ensure water flow to the hatchery.

**Okanogan Wolf Update:** For the past two weeks, the activity of the pack has been at the core of the area occupied last spring and early summer. The U.S. Forest Service contract crew continues to monitor almost daily, while compiling numerous location data points, and collecting potential DNA samples. The crew will be making an extra effort to get a visual this week, if possible.

**Natural Resources Conservation (NRCS) Plant Materials Center meeting:** Wildlife Program staff met with NRCS staff and Plant Materials Center staff to discuss collaborative efforts that could lead to increasing biological diversity through a Farm Bill program implementation. Examples would include making more species of grasses and forbs commercially available for habitat restoration, and establishing demonstration plots/field trials to show/develop methods for restoring more diverse habitats. The Swanson Lakes Wildlife Area has been proposed as a potential demonstration/test plot site in cooperation with the Wildlife Area and private lands staff.

**Bighorn Sheep Captures:** The Department successfully completed two bighorn sheep capture operations last week. In the first operation, there were 10 ewes and 2 rams captured from the Asotin Creek herd and sent to Washington State University to be used in captive herd research investigations. In the second operation, 30 sheep were captured from the Tieton herd and released the next day in Hellsgate on the Colville Confederated Tribes Reservation. These captures and transplants of bighorn sheep are used as a management tool in order to maintain bighorn herd population size objectives in Asotin and Tieton.

**Columbia River Sea Lion Update:** Boat-based crews from the Department, the Oregon Department of Fish and Wildlife (ODFW), and the Columbia River Inter-Tribal Fish Commission began hazing sea lions within the Bonneville Dam boat restricted zone and in downriver areas, and plan to continue through the end of May. The Army Corps of Engineers (ACOE) has contracted U.S. Department of Agriculture Wildlife Services to haze sea lions from March 1 through May 31, 2009, from dam structures and adjacent lands seven days per week, eight hours per day, during daylight hours.

The Department and ODFW deployed two sea lion traps that will be used to mark California sea lions that were not previously captured. This is also to remove animals that meet removal criteria, per removal authority granted to the states of Oregon, Washington, and Idaho by National Oceanic and Atmospheric Administration Fisheries under Section 120 of the Marine Mammal Protection Act.

Final plans are being developed by the states for the transfer of sea lions to captivity (potentially up to 20 animals) and for euthanizing animals that cannot go into captivity or do not use the traps. The Department and ODFW expect to operate the traps weekly (1-3 events per week) through the end of May.

**PUBLIC GOAL:**

*ENSURE SUSTAINABLE FISH AND WILDLIFE OPPORTUNITIES FOR SOCIAL AND ECONOMIC BENEFIT*

**Private Lands Access:** Department staff talked to members of the Farm Land Reserve Company out of Salt Lake City, Utah. The company owns almost 6,000 acres just outside of Clarkston. In the past, the Department had a Hunting Only by Written Permission (HOBWP) contract with the former operator. The new operator wants to enter into another access contract on the property. The company has concerns about opening this up to the public, mostly due to liability issues. Staff would like to get the property into Fee Free to Hunt, since the new operator does not want to fill out HOBWP slips.

**FUNDING GOAL:**

*ENSURE EFFECTIVE USE OF CURRENT AND FUTURE FINANCIAL RESOURCES IN ORDER TO MEET THE NEEDS OF WASHINGTON STATE'S FISH AND WILDLIFE RESOURCE FOR THE BENEFIT OF THE PUBLIC*

**Methow Valley Habitat Conservation:** Staff met with the Methow Conservancy to coordinate habitat protection efforts in the watershed. They identified partnership opportunities, and began looking into the ability to use Conservancy expenditures and conservation easement properties as a match for Department grant sources, such as federal Section 6 dollars. The possibility looks promising. If successful, this could enable the Department to match recent, expected, and future federal dollars in the absence of hoped for Recreation and Conservation Office funds.

**Governor's Executive Order Eliminates Land Management Advisory Council (LMAC):**

On February 9, 2009, the Governor signed an Executive Order, effective immediately, that eliminated many commissions/committees/councils across all agencies – the LMAC being one of them. All future LMAC meetings have been cancelled.

**Rocky Mountain Elk Foundation (RMEF) Grants:** Staff has received notice that the RMEF has funded two grants for elk forage enhancement work on the Mt. St. Helens Wildlife Area. Each grant is in the amount of \$5,000. The grant funds will be used to purchase materials needed to increase production of some of the existing forage producing areas and to rehabilitate one forage site that has declined in production. The work will begin this spring and continue through late fall.

**Shrub-steppe Partnership:** Region 3 staff discussed the possibility of developing an Intermountain West Joint Venture (IWJV) capacity grant proposal with the Washington State Steering Committee Coordinator. The capacity grant would be matched with a United States Fish and Wildlife Service (USFWS) grant to fund a full-time coordinator for the partnership. Our USFWS proposal has ranked number one in the region and is likely to be funded this spring/summer. The additional \$15k from the IWJV would provide needed operating funds.

**Razor Clam Economic Study:** Dr. Tom Huppert, an economist with the University of Washington, School of Marine Affairs, has released a study titled “*The regional economic impact of razor clam beach closures due to harmful algal blooms (HABS) in Washington State.*” This study was funded by a NOAA grant via the West Coast Center for Oceans and Human Health. The Department assisted with the planning of the study and our staff distributed surveys to razor clam harvesters during the 2007-08 recreational razor clam openers. The study concludes that the “overall income impact in Pacific and Grays Harbor counties of razor clam trip expenditures (during the 2007-08 season) is estimated to be \$13.5 million.” The Department estimates (independent of this study) there were a total of 242,318 digger trips made during this same period, leading to a calculation of the average overall economic impact per digger trip of \$55.72. This is the first well-researched update of the economic impact of the Washington recreational razor clam fishery since the figure of \$25 per digger trip generated in 1989 by the Grays Harbor Economic Development Council.

Dr. Huppert further concludes, “A full-year closure (because of harmful algal blooms) has an overall economic impact of \$11.36 million.” He goes on to explain, “This later estimate is less than the overall estimated impact of razor clam expenditures (\$13.5 million) simply because some clambers claim they would continue to visit the beach for recreation even if the clam fishery is closed.”

**COMPETENCE GOAL:**

***IMPLEMENT PROCESSES THAT PRODUCE SOUND AND PROFESSIONAL DECISIONS, CULTIVATE PUBLIC INVOLVEMENT AND BUILD PUBLIC CONFIDENCE AND AGENCY CREDIBILITY***

**Training on New Permitting System and New Mineral Prospecting Rules:** Regional and Headquarters Habitat Program staff that process or administer HPAs were trained on the updated Hydraulic Permit Management System (HPMS). The new system was developed to improve the accuracy of information related to the processing of HPAs and to free staff from clerical roles that were affecting their project review and permitting duties. The Habitat Program will work with the contractor to correct some minor errors in the system in the next few weeks and plans to roll out the new version of HPMS in early March. Habitat and Enforcement regional staff were also trained on the newly adopted mineral prospecting rules and methods for processing individual HPAs for mineral prospecting. The new rules go into effect on April 3, 2009, and a new Gold and Fish pamphlet will be available then.

**Guidance for Fish and Wildlife Data Updates:** Habitat Program staff worked to develop new guidance for field biologists on how to request updates to the Department’s various fish and wildlife databases. These databases are the source of PHS maps and data provided to our customers, and are used for other research and conservation purposes. The new procedures for handling public inquiries about potentially inaccurate data, and clarification on how field staff themselves can request changes based on updated information from the field, should help improve customer service and maintain the accuracy of the data sets over time.

**Puget Sound-Georgia Basin Ecosystem Conference - Oil Spill Session:** Spill Team staff participated in a panel discussion on Oil Spill Planning and Preparedness at the recent Puget Sound Georgia Basin Ecosystem Conference in Seattle. This session focused on the importance of being ready for major oil spills in the shared waters of the Georgia Strait and Puget Sound. Staff's presentation "*Slick Fixes for the Salish Sea – Restoring Natural Resources after Oil Spills*" summarized the planning and preparedness efforts that are underway to improve our natural resource damage assessments for oil spills in the Puget Sound Basin.

**Flood Response:** The permit load for Emergency and general HPAs issued in response to flood damage that occurred in January in the upper Yakima River remains high. Numerous permits, as well as technical assistance, was provided to the Washington State Department of Transportation (WSDOT) and private landowners. Permits were issued for various projects including bank protection, culvert and bridge repair, and road repairs throughout the upper Yakima River watershed after high flows receded and the extent of damage became apparent. One significant violation occurred when an overzealous WSDOT contractor used heavy equipment to fill wetlands, construct an unauthorized dike, and channel several hundred feet of a stream. However, after WSDOT was notified of the violation by Region 3 Habitat Program staff, it had the contractor correct the violation to the extent possible. This mishap resulted in approximately \$40,000 of additional restorative work conducted at WSDOT's expense.

**Rufus Woods Lake:** Department Officers were told by a Colville Tribal resources officer, and some public, that the Colville Tribe is still requiring the tribal fishing license to fish on the reservation boundary of Rufus Woods Lake. Our Officers are honoring our agreement in requiring either license. The Region 2 Captain contacted the Tribe and advised them of the situation. The Tribal enforcement program plans to meet to discuss the implementation of the new agreement.

**Operation Gang Busters:** Detachments 18 and 19 (Yakima and Benton counties) began Operation Gang Busters - a month long emphasis of access sites in the lower valley. Due to the high level of illegal activity including graffiti, dumping, property damage, and drug and alcohol use, the emphasis was planned to apprehend violators at these sites during the month of February. Arrests have already been made for drug possession, warrants, and fishing without a license.

**Unlawful Trapping:** Enforcement responded to a report from a citizen about his dogs being caught in wire snares. The officer investigated and recovered 37 body-gripping traps that were deployed, 7 leg-hold traps, and 30 neck-snares. The Officer obtained a search warrant and snowmobiles were used to search the area and recover numerous traps.

**Thurston County Park Closures:** Wildlife staff met with the Thurston County Parks Director regarding the closure of two sites managed under agreement with the Department. Due to budget cuts, Thurston County has closed the restrooms at Boston Harbor and closed public access to Chambers Lake. Discussions are ongoing regarding modification of the county's operating decisions.

## **SCIENCE GOAL:**

**PROMOTE DEVELOPMENT AND RESPONSIBLE USE OF SOUND AND OBJECTIVE SCIENCE TO INFORM DECISION-MAKING**

**Data Entry Error Manuscript Accepted for Peer-Review Publication:** A manuscript entitled, “An Evaluation of Data Entry Error and Proofing Methods for Fisheries Data,” has been accepted for publication in an upcoming issue of *Transactions of the American Fisheries Society*. The manuscript was co-authored by Department staff, along with Grant County PUD. The manuscript outlines the results of a two-year study to determine the level of data entry error in a typical fisheries dataset, and how different methods of data entry and proofing affect estimates of species abundance, size, and composition. The study suggests that for most common fisheries estimates, a single entry of data is sufficient, and that gross errors may be avoided through automated error checking.

**St. Helens Elk Study:** Region 5 staff assisted with the capture and radio collaring of elk in the western portion of the St. Helens herd. A total of 55 elk were outfitted with radio collars to help with a new population estimation technique that involves re-sighting the elk in spring surveys. Forty-four cows and 11 bull elk were captured and released alive.

In addition to the radio collar effort, body condition and pregnancy status were documented for females. Some very preliminary observations suggest that cows on the St. Helens mudflow that are not pregnant, but were lactating (from last year), have a very low body fat percentage. Cows that are not lactating, and are pregnant, have a very good body condition for this time of year. In the industrial forest areas nearby non-pregnant, lactating females had 1-2 % body fat, which is very poor. The non-lactating, pregnant females had an 8-9 % body fat, which is adequate. This pregnant versus non-pregnant variation may suggest an every other year breeding cycle, which is well documented in the Pacific Northwest.

Five GPS radio collars were installed in the effort. These collars will provide detailed habitat information by recording locations several times during the day and storing the data in the collar. The data will be retrieved next year by catching the elk again and downloading the information.

**Washington Wildlife Society Invasive Species Symposium:** Wildlife Program staff attended the Invasive Species Symposium in Stevenson and talked with several managers and researchers regarding the current status of projects and emerging issues. A presentation on *Butomus umbellatus* (Flowering rush) in Montana was especially relevant, since it was listed as a Class A species this year and is found in two locations (Silver Lake and Yakima River) in Washington. The emergent plant colonizes shorelines and can grow quite deep, impacting fish, wildlife, and recreation.

**EMPLOYEE GOAL:**

***CREATE AN AGENCY ENVIRONMENT THAT NURTURES PROFESSIONALISM, ACCOUNTABILITY, ENTHUSIASM, AND DEDICATION IN ORDER TO ATTRACT, DEVELOP, AND RETAIN A WORKFORCE THAT CAN SUCCESSFULLY CARRY OUT THE MANDATE OF THE AGENCY***

**Senate Honors WDFW Environmental Educator:** The Washington State Senate adopted a resolution honoring environmental educator Dr. Margaret Tudor for her leadership in developing statewide science standards and promoting outdoor education. As the education policy lead for the Department and co-director of the Pacific Education Institute, Dr. Tudor has been instrumental in changing the direction of scientific education in Washington’s public school system.

“Dr. Tudor is a state and national leader who has helped re-emphasize the importance of outdoor scientific study for K-12 students. Her work is influencing many school districts throughout the country and we’re proud to honor her with this resolution,” said Senator Ken Jacobsen, the resolution’s sponsor. Senate Resolution 8637 recognized Tudor’s efforts to shift science education from mainly a classroom activity to one that offers more time doing outdoor field work. Students not only benefit from participating directly in observational activities, they are getting outside and experiencing the environment first-hand. Dr. Tudor is now helping to lead a national effort to implement field-inquiry standards in others states.