

Director's Report to the Fish and Wildlife Commission

March 7-8, 2008

“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.

Fish and Wildlife Goal:

Achieve healthy, diverse and sustainable fish and wildlife populations and their supporting habitats.

Title: Microsoft Migration Project - This project will convert Washington Department of Fish and Wildlife (WDFW) to state standard computer identity and account management, and the shared state Exchange/Outlook email system. WDFW will also upgrade all agency computers to the Microsoft Vista operating system and Microsoft Office 2007 productivity tools. We expect deployment of the new systems to begin in June and be completed by November 2008. News on the project status is being communicated to all employees on a regular basis on the Intranet and with newsletters and emails.

Title: Yakima County Appeal Authorized - The Governor authorized WDFW to jointly appeal, in partnership with the Department of Community, Trade and Economic Development (CTED), Yakima County's recently adopted critical areas ordinance. A petition for review has been filed with the Eastern Washington Growth Management Hearings Board. The Governor is emphasizing the need for the agencies to work with the county on a settlement. WDFW and CTED will be contacting the County to begin negotiations. The issues of the appeal are lack of protection in the ordinance for locally important upland species and habitat, including endangered, threatened, and sensitive species, and no protection for Type 5 streams.

Title: Permit Streamlining - WDFW issued a new five-year statewide general HPA to WSDOT for Bridge and Ferry Terminal Maintenance. This HPA covers nine categories of work and is predicted to cover more than 5,000 projects. The new general HPA updates and expands WSDOT's ability to implement "state-of-science" best management practices and avoid impacts to fish life.

Title: Regional Biologists Continue to Assist Landowners - Regional Biologists continue to assist landowners, government agencies, and companies by working with individuals to stabilize and restore stream habitats damaged as a result of the December flooding. Biologists have processed well over 100 requests for assistance and HPAs for emergency work.

Title: Mobile Oiled Wildlife Rehabilitation Facilities - Significant progress has been made towards the development of a statewide trailer-based system for the collection and rehabilitation of birds impacted by oil spills. WDFW Spill Team staff have worked with the petroleum industry, response contractors, the Department of Ecology, and other state and federal agencies to upgrade the state's oiled wildlife rescue and rehabilitation capabilities. The result is a strategy built around mobile rehabilitation facilities. The Department of

Ecology has endorsed the trailer-based concept as satisfying the initial response needs outlined in the state contingency planning standards for oiled wildlife. WDFW's 53-foot wildlife rescue trailer will be one of four mobile units that will be available to support rescue and rehabilitation of oiled wildlife. Private response contractors own the other units. A mutual aid agreement is being drafted to coordinate the deployment of the mobile units.

Title: Oil Spill Ephemeral Data Collection Plans for U.S. Navy - Oil Spill team staff have recently completed plans for collecting time-sensitive oil spill data from the areas near the Navy facilities at Whidbey Island and Indian Island. Staff developed these plans cooperatively with the Navy, Ecology, and other resource trustees as a part of spill pre-planning efforts. These plans are designed to initiate damage assessment activities in the early stages of a spill response and to maintain cooperative relationships between trustee agencies and the U.S. Navy.

Title: Marine Algae for use as Biofuel - The Habitat Program's Major Projects staff participated in a multi-agency meeting to discuss this unusual proposal from a company called Blue Marble Energy. Blue Marble Energy is proposing a refinery process to create biofuel from green algae. Currently, it is working with Seattle Public University and conducting engineering and economic feasibility studies. To support that research, it is proposing to submit a short 3-4 page proposal that outlines the request for a research permit to harvest 200 tons of nuisance *Ulva* from Puget Sound. The plan is to collect the algae either floating within the nearshore region using a modified seining method, or accumulating it in the high intertidal area using a modified hauling skiff. Collected algae will be transported to a larger vessel where additional processing and sorting will take place enroute to a shore-based "refinery" where the algae goes through an extraction process: oils for biodiesel, sugars for ethanol, and excess mass for biogas generation.

Title: Changes in Early Winter Steelhead Management - Direction relative to Puget Sound early-winter segregated steelhead programs were finalized and communicated to effected staff recently, including changes to: egg-take procedures, trapping operations, and recycling.

After several discussions concerning the operation of our hatchery programs that use early-winter steelhead broodstock, final decisions were made and communicated. Actions will be implemented in the 2007-2008 cycle to reduce risks to wild stocks and improve the performance of these hatchery programs.

The cumulative effects of these actions are broad reaching and will be monitored and further changes made if warranted. These efforts provide the opportunity to implement mark-selective fisheries, identify hatchery-origin adults for use in hatchery broodstock, evaluate the incidence of hatchery-origin adults in natural spawning areas, maintain the difference in spawn-timing between returning adults of hatchery and wild-origin, and reduce the number of adults from early-winter segregated programs that return to natural spawning areas.

Title: Cowlitz Fish Passage Public Workshop - Efforts are underway to reestablish natural production of salmon and steelhead to the upper Cowlitz Basin and achieve healthy and harvestable abundance levels. The critical limiting factor to the success of this effort is the failure in achieving the necessary trapping efficiency rates and thus survival of naturally outmigrating fish past the three dams operated by Tacoma Public Utilities (TPU). These three dams separate the upper and lower Cowlitz basins. Current survival rates are very low

(generally less than 25%), in contrast to the goal of 95% set forth in the FERC ordered Cowlitz River Fisheries and Hatchery Management Plan (FHMP). Fish passage survival rates of 95% would allow the goal of rebuilding salmon and steelhead to healthy and harvestable levels to be achieved for several stocks.

The primary hurdle to achieving the 95% passage survival rate is the failed collection rate for outmigrating juvenile salmonids at the upper most dam, Cowlitz Falls Dam. A fish collection facility is located at Cowlitz Falls Dam and is operated by TPU. Collection rates of smolts at the facility has been extremely low, with less than 1/3 of the smolts approaching the facility being collected for transportation to below the lowest dam in the system. Recent efforts by TPU to improve this collections rate have proven unsuccessful; therefore, additional input is being solicited to provide solutions to this problem.

Fish passage experts from throughout the Northwest are being invited to a workshop concerning the issue of improving juvenile fish passage through the upper Cowlitz River. The two-day workshop is expected to focus primarily on providing Tacoma Public Utilities (TPU) with workable solutions and direction to improve juvenile fish collection efficiency at Cowlitz Falls Dam.

A subgroup of the FTC that includes TPU, WDFW, and NMFS has developed an agenda for this workshop that will take advantage of the considerable fish passage expertise being invited to the workshop. The workshop agenda is being developed with intent of allowing a free flowing dialogue among these experts. The intended result is the development of several alternatives, which will enable TPU to achieve the 95% fish passage survival goal. While WDFW had expected the public to be allowed to attend this workshop as observers only, TPU, along with other FTC members objected to public observers at this meeting; as a result, the meeting, originally scheduled to be held at the Olympia WDFW NRB building as a public meeting, has been moved to a yet to be identified TPU facility. However, a public meeting will be held following the workshop to provide information to the broader public, respond to questions from the public and provide an opportunity for thorough discussion of the results of the workshop and to facilitate public input; therefore, public participation at this follow-up meeting is strongly encouraged. The public meeting will be held following the workshop, the actual date, time, and location of this follow-up meeting will be broadly advertised to assure public involvement.

Title: Cooperative Project to Enhance the Lingcod Resource in Puget Sound - During the month of January, WDFW embarked on a three-year project with NOAA, NWIFC, and the Washington Scuba Alliance (WSA) to explore the efficacy of augmenting lingcod (*Ophiodon elongates*) populations in south Puget Sound. Divers from WDFW and WSA collected lingcod eggs at six sites in Puget Sound. The eggs were transported to the Manchester Research Station where NOAA scientists will rear them until they are ready for release back into Puget Sound. Additional collection of eggs is scheduled for February and March. This research project is intended to increase our knowledge about the biology, habitat requirements and ecological role of this species.

Title: Cedar River Steelhead Workshop - On January 24, a one-day workshop on Cedar River Steelhead Trout was held at the Mill Creek, Region 4 office. This workshop was a constituent initiative supported by WDFW, the Muckleshoot Indian Tribe, the Suquamish Indian Tribe, Seattle Public Utilities, NOAA and the US Fish and Wildlife Service and was based on constituent concerns of declines in the Cedar River steelhead population. The

agenda addressed the current status of the steelhead population and potential recovery actions.

After much discussion, the constituents asked WDFW for what actions would be taken to rescue the Cedar River steelhead population this year based on the information provided in the workshop. When asked, the constituent expressed that the basis for their concern was the low number of steelhead redds observed over the past few years and that the resident rainbow trout was not an acceptable buffer against extinction. WDFW staff are currently working with program managers to identify potential steps that might be taken to address the constituents concerns, to identify the priority of those actions given the other actions WDFW is assessing given the recent listing of Puget Sound steelhead, and to relay that.

Title: Killer Whale Recovery Plan - National Oceanic and Atmospheric Administration (NOAA) Fisheries released the final version of the federal Southern Resident Killer Whale Recovery Plan. The plan gives extensive reviews of the biology, population status, and threats to the whales along with recovery actions. The main authors were Lynne Barre (NOAA Fisheries) and Gary Wiles (WDFW Diversity Program in Olympia). The plan can be found at: <http://www.nwr.noaa.gov/Marine-Mammals/Whales-Dolphins-Porpoise/Killer-Whales/ESA-Status/upload/SRKW-Recov-Plan.pdf>

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.

Title: Landowner Incentive Program (LIP) - The LIP Science Panel met to evaluate and prioritize habitat projects to benefit at-risk species. The result is an excellent slate of 35 projects for implementation in 2008/2009. As usual, there were more project applications than dollars, so LIP staff will be looking for additional project funds. Projects are now subject to agency and USFWS review.

Title: Rocky Mountain Elk Foundation Convention – Staff attended the Annual Rocky Mountain Elk Foundation convention in Reno, Nevada. The eastern Washington auction elk tag sold for \$65,000, a new record.

Public Goal:

Ensure sustainable fish and wildlife opportunities for social and economic benefit.

Title: Bob Oke Game Farm - The December 2007 flood event rendered the Bob Oke Game Farm as one of the more severely damaged sites managed by the WDFW. Crews were hoping to salvage what materials they could from 24 destroyed game pens to reduce the cost and time for repairs. Unfortunately, after floodwaters had receded, crews found that the materials were generally not salvageable. Volunteers and site staff have cleared destroyed materials and WDFW construction crews are building flight pens to accommodate this year's juvenile pheasants to ensure pheasant releases for western Washington this coming fall.

Title: Grower-Funded Shellfish Enhancement - Staff met with Intergovernmental Resource Management, tribes, Department of Natural Resources, State Parks, and commercial shellfish growers to begin implementation of Section 13 of the recent Grower Settlement Agreement in district federal court. Section 13 stipulates that commercial

growers involved in the settlement will provide our agency with \$50,000 worth of clam/oyster “seed” annually for the next ten years. The hatchery-reared seed will be used to increase recreational shellfish opportunity on public tidelands, augmenting our agency’s existing enhancement program. We presented a draft list of 15 public beaches where the potential exists for additional or new enhancement using the grower contribution. Tribes had no objections to any of the planned enhancement, and will continue to exercise their treaty right to their share of enhanced shellfish on public tidelands. State Parks will review our proposals with park rangers and their Commission. The seed from growers will be available in spring 2009, and will be placed on public beaches by citizen volunteers with guidance by our staff. Clams and oysters from the 2009 seeding can be expected to reach legal size in 2-3 years.

Title: Clam “Winter Kills” Reported - A commercial shellfish grower in Hood Canal reported signs of a clam “winter kill” on his private tidelands. Winter kills involve mass mortalities of Manila clams following freezing temperatures during nighttime low tides, typically compounded by flooding with fresh water. Conditions this winter have been very similar to those experienced during the last major winter kill in 2001, when some beaches lost up to a third of the standing stock of legal-sized Manila clams. Only Manila clams are afflicted, since native clams have evolved to withstand Pacific Northwest winter conditions. We contacted a second grower, with tidelands abutting Dosewallips State Park, and he confirmed evidence of winter kill on his ground as well. Our staff will be looking for winter kills on public tidelands, particularly those beaches with eastern and northern exposures to overnight freezing winds during extreme low tides (e.g., Sequim Bay, Dosewallips, Twanoh, Eagle Creek, Triton Cove, Point Whitney and Quilcene). Unfortunately, mortalities from winter kill are often delayed until the onset of warmer spring temperatures.

Title: Commercial Razor Clam Fishery - Last year marked another good year for the commercial razor clam fishery. During the eight-week season that ran early May through June 2007, approximately 141,000 pounds of razor clams were harvested. The total ex-vessel value was \$211,000. These values represent the second highest on record for this fishery, behind 2004 when 183,000 pounds were landed with an ex-vessel value of \$269,000. Demand for clams was strong in both the bait and fresh markets. Participation was up slightly with 119 diggers; of whom 91% resided in Pacific and Grays Harbor counties.

Competence Goal

Implement processes that produce sound and professional decisions, cultivate public involvement and build public confidence and agency credibility.

Title: Central WA Sportsmen Show (Yakima) - Region 3 Fish Program employees from the Yakima HQ helped staff the Central WA Sportsmen Show at the Yakima SunDome the weekend of February 15-17. Fish Program staff worked in WDFW's booth along with regional staff from Wildlife and Enforcement programs.

Title: Grays Harbor Marine Resources Committee - A meeting was held on February 8, 2007, to gauge community interest in the formation of a Grays Harbor County Marine Resources Committee, similar to other efforts in Clallam, San Juan, Skagit, Whatcom, Snohomish and Island Counties. A diverse group of citizens, commercial and sport fishers, shellfish growers, and others concluded that such an effort would benefit the variety of

marine related activities found in Grays Harbor. County staff will be working to begin the process of selecting committee members and moving forward.

Title: Tri-cities Sportsmen Show - Region 3 Fish Program employees from Pasco, Yakima and Priest Rapids Hatchery staffed the Tri-cities Sportsmen Show in Pasco the weekend of January 18-20. All six shifts during the three-day show were staffed with a Fish Program employee to help distribute educational materials to the crowds and answer questions regard fish and fishing in Region 3 and specifically in District 4 (Benton and Franklin counties).

Title: Living with Coyotes Presentation - Staff presented a PowerPoint presentation titled "Living with Coyotes," that provided answers to many frequently asked questions to a gathering of 250 members of the Bainbridge Island Land Trust, and again to a group of about 150 people that included citizens from neighborhoods around Discovery Park and staff and volunteers from Seattle Parks, Progressive Animal Welfare Society (PAWS), and the Woodland Park Zoo. This open-house style meeting was the result of agencies debating on how to deal with the coyote that has been foraging in Discovery Park.

Science Goal:

Promote development and responsible use of sound and objective science to inform decision-making.

Title: Stehekin River Corridor Planning Underway – The Superintendent of the North Cascades National Park Service Complex announced that the National Park Service is beginning a three-year planning effort that focuses on solutions to the effects of repeated flooding in the Stehekin River corridor within Lake Chelan National Recreation Area. The goal of the planning effort will be to help the National Park Service determine what changes should be made to public roads, recreational and administrative facilities that are being effected by flooding and erosion, and to help determine what bank erosion and flood protection measures are appropriate along the Stehekin River to protect public and private property from flooding as well as the protection of important ecological processes important to fish and wildlife. WDFW is partnering with the Park Service in this effort by participating on the Planning Team.

Title: Region 4 Program Managers and Staff Meet with Canadian Counterparts - British Columbia Ministry of the Environment staff crossed the border to spend a day meeting with Region 4 WDFW staff. This led to a better understanding of the different approaches and management directives for managing the natural resources. It was a productive exchange of mutual responsibilities and concerns. WDFW Watershed Stewards for the borderland presented a summary of various stream and habitat restoration projects on the border streams.

Title: WDFW Successful at Securing Funds from PSC Southern Boundary Fund - Word was received this week that of the eight proposals that WDFW submitted to the Southern Boundary Fund of the PSC for 2008-2009 funding, six were funded, all at full levels. The total amount of new funding for the agency (direct + indirect) is \$650,000.

Title: Avian Influenza - The majority of sampling efforts for avian influenza in 2007-08 are being completed by regional and project staff. This is the second year of the sampling program in Washington. WDFW will meet sampling targets for live and hunter-killed birds

as prescribed under U.S. Department of Agriculture (USDA) and U.S. Fish and Wildlife Service contracts. Over 1,500 birds were sampled this year and no highly pathogenic avian influenza viruses were detected.

Title: Lynx Project - An adult male lynx was captured on the Middle Fork drainage of Toats Coulee near the border of British Columbia. The lynx, weighed 18 pounds and appeared to be in fair condition. It was released after complete recovery from immobilization within two hours of induction. There were two males captured and marked a year ago, both weighing 20 and 21 pounds.

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.

Title: Memorandum of Agreements with Irrigation Districts - Staff is forging ahead with early drafts of Memorandum of Agreements between WDFW, the Sunnyside Valley Irrigation District, and the Kennewick Irrigation District regarding management and permitting within watercourses that are also used for irrigation delivery and return flows. Early drafts are focused on breaking the watercourses into multiple management reaches with differing objectives. Some reaches will be managed as similar to natural streams and fish habitat, while others will be managed for irrigation delivery and return flow and incidental fish benefit.

Title: Olmstead State Park Demonstration Partnership - Staff is collaborating with Washington State Parks and the lessee of the agricultural lands at the Olmstead State Park to design a demonstration project that can be used to educate farmers and ranchers how best available science can be applied such that agricultural lands can co-exist with salmon and steelhead recovery. The project will include: flood protection of historic buildings and structures; a riparian buffer that provides improved water quality, habitat, and floodplain function, while providing conservation of farm soils, and protecting crops from flood damage; correction of a fish-passage barrier and a fish screen; vegetation and restoration of degraded areas; and an investigation of water conservation opportunities.

Title: Bridge Replacement Advisory Committee (BRAC) - There have been several recent instances throughout Region 3 and the state where the Habitat Program has been in the untenable position of having received Joint Aquatic Resource Permits Applications (JARPAs) for bridge replacement projects for which there are completed design and engineering packages, with little or no opportunity for prior review with respect to protection of fish life, fish passage, or habitat considerations. Habitat Program staff have received these applications only after the bridge designs and funding allocations have been finalized. Thus, in instances where staff has determined the designs to not be in compliance with WDFW criteria for backwater calculations, passage, or habitat considerations, there has been significant resistance by the project proponents (cities and counties) to alter the project to accommodate our concerns because a substantial investment of funding for engineering and design had already occurred.

The Washington State Department of Transportation (WSDOT), Highways & Local Programs (H&LP) Division sponsors the BRAC; however, WSDOT is not the project proponent or lead for county and city bridge replacement projects. The BRAC exists to advise the staff and director of H&LP on the selection of appropriate bridge projects for funding under the federal Highway Bridge Replacement and Rehabilitation Program (HBRRP). The HBRRP provides funding for the replacement and rehabilitation of deficient bridges and for large preventative maintenance projects.

H&LP and the BRAC recognize that the highest priority of this program is to address those bridges most in danger of failure. HBRRP funds are solely for bridge-related costs and are not meant for roadway improvements. In addition, structures eligible for replacement or rehabilitation funding must be either structurally or functionally deficient. Funds are also available for large preventative maintenance projects such as seismic retrofits, scour mitigation, bridge painting, deck repair, structure strengthening, and electrical mechanical rehabilitation.

WDFW Habitat Program staff have contacted their counterparts at WSDOT to discuss the venue and manner in which Habitat Program will have opportunity to participate in the early scoping of bridge projects scheduled to be replaced under the federal Highway Bridge Replacement and Rehabilitation Program. Hopefully, these discussions will ultimately lead to a change in the current process that fosters timely permitting and better projects.