

MINUTES
FISH AND WILDLIFE COMMISSION
MEETING via CONFERENCE CALL*

January 9, 2009 – 8:30 a.m.
Olympia, Washington

ATTENDANCE:

Commission

Jerry Gutzwiler, Chair
Miranda Wecker, Vice Chair
Ken Chew
Gary Douvia
Conrad Mahnken
George Orr
Chuck Perry
Shirley Solomon

Commission Staff:
Susan Yeager

Department

Phil Anderson, Interim Director
Joe Stohr, Deputy Director
Guy Norman
Dave Brittell
Jo Wadsworth
Heather Bartlett
Bill Tweit
Pat Pattillo
Craig Burley
Craig Bartlett
Darren Friedel
Steve Pozzanghera
Joe Shorin, AGO
Bill Frymire, AGO
Frona Woods, AGO

Department (continued)

Ann Stephenson
Steve Vigg
Wil Morrison
Robin Ehlke
Other Department staff

Public

Olympia Office:

Carl Burke, NSIA and Fish Northwest
Marty Whitman, Coastal Conservation Assn.
Frank Betrozoff, Coastal Conservation Assn.
Ken Komasa, Anadromous Adv. Group
Andrew Marks, Coastal Conservation Assn.
Don Knudson

Vancouver Office:

Al Thomas, The Columbian
Harry Barber, Coastal Conservation Assn.
Tom Randy Woolsey, NSIA
Tom Ecclesten, Coastal Conservation Assn.
Joe Sorenson, Coastal Conservation Assn.
Dave Grogan
Winston Falls
John North, ODFW
Travis Chaquette
Ed Wickersham

NOTE: *Due to extreme weather conditions across the state, the Commission meeting scheduled for Friday and Saturday, January 9-10, was changed to a one-day meeting on January 9, taking place via telephone conference call. A speakerphone was set up in the meeting locations to enable the public to listen to the call, and to provide public input during the North of Falcon Fisheries agenda item.*

Chair Gutzwiler called the meeting to order at 8:30 a.m., and the Commission reviewed the revised agenda. The following items originally scheduled for January 9 will take place at future meetings:

- **TIMBER SALVAGE AND THINNING PROJECT UPDATE – BRIEFING**
- **PILOT GRAZING STATUS UPDATE AND WILD HORSE CRM PLAN – BRIEFING**
- **COMMISSION COMMITTEE REPORTS**
- **SUMMARY OF COMMISSION REQUESTS**
- **ELECTION OF COMMISSION CHAIR AND VICE CHAIR (to Jan. 16 conference call)**

COLUMBIA RIVER SPRING AND SUMMER CHINOOK ALLOCATION POLICIES – ACTION:

Interim Director Anderson and Guy Norman reviewed proposed policy updates to Commission Policies C-3618 Mainstem Columbia River Summer chinook Allocation for Non-Indian Fisheries Below Priest Rapids Dam, and C-3617 Mainstem Columbia River Spring chinook Management and Allocation for Non-Indian Fisheries, both of which expired December 31, 2008. The Commission held a public hearing on the proposed policy updates at its December 12-13, 2008, meeting in Olympia.

In order to allow more time for discussions at the Columbia River Compact hearing, **the Commission, by consensus, continued action on the policies to its January 16, 2009, Meeting via Conference Call.**

Chair Gutzwiler announced that, due to the severe weather situation, the deadline for public input is extended to January 13, 2009.

NORTH OF FALCON FISHERIES – POLICY BRIEFING AND PUBLIC HEARING:

Pat Pattillo briefed the Commission on the current status of the Commission's North of Falcon Policy (C-3609) and provided recommended updates for 2009-2010. The Commission will consider adoption of an updated policy at its February 6-7, 2009, meeting in Olympia.

One person testified on the proposed policy during this portion of the meeting:
Andrew Marks (Federal Way) read comments written by Dave Kundson.

Chair Gutzwiler announced that, due to the weather situation, the deadline for written public comments is extended to January 30, 2009.

GOVERNOR'S PROPOSED 2009-2011 BUDGET OVERVIEW – BRIEFING:

Dep. Director Joe Stohr briefed the Commission on the Governor's proposed 2009-2011 operating and capital budgets for the Department of Fish and Wildlife.

ECONOMIC ANALYSIS OF THE NON-TREATY COMMERCIAL AND RECREATIONAL FISHERIES IN WASHINGTON STATE – BRIEFING:

Craig Burley, along with Tom Wegge of TCW Economics (via speakerphone), briefed the Commission on a report titled, "Economic Analysis of the Non-Treaty Commercial and Recreational Fisheries in Washington State."

MISCELLANEOUS AND MEETING DEBRIEF/GENERAL DISCUSSION:

Commissioners and Department staff discussed recent activities and items of interest, including: developing a DRAFT Commission Policy for Department Budget-Driven Reorganization and potential agenda items for the Commission's Annual Meeting with Governor.

PROPOSED COMMISSION POLICY (C-4001), BUDGET REDUCTIONS FY2009-11:

Commissioner Solomon moved, seconded by Commissioner Perry, to adopt proposed Commission Policy C-4001 as presented by Chair Gutzwiler and discussed. The motion carried unanimously (Commissioner Orr was absent for the discussion and vote on this item).

Chair Gutzwiler adjourned the meeting at 1:50 p.m.

sdv

These minutes, plus the audio recording, constitute the full minutes.

Susan Yeager

MINUTES

FISH AND WILDLIFE COMMISSION MEETING via CONFERENCE CALL

January 16, 2009 – 8:30 a.m.
Olympia, Washington

ATTENDANCE:

Commission

Jerry Gutzwiler, Chair
Miranda Wecker, Vice Chair
Ken Chew
Gary Douvia
Conrad Mahnken
George Orr
Chuck Perry
Shirley Solomon

Commission Staff:

Susan Yeager
Nancy Burkhart

Department

Guy Norman
Jeff Olsen
Jo Wadsworth
Bill Frymire, AGO
Frona Woods, AGO
Bill Phillips

Department (continued)

Cindy LeFleur
Steve Vigg
Wil Morrison
Robin Ehlke
Kathy Cody

PUBLIC

Olympia Office:

Carl Burke, NSIA and Fish Northwest
Robert Sudar

Vancouver Office:

Tony Nigro, ODFW
Les Clark, NW Gillnetters Assn.
Frances Clark, NW Gillnetters Assn.
Dan Grogan
Larry Swanson, Vancouver Wildlife
Harry Barber, Coastal Cons. Assn.
Al Thomas, The Columbian

Chair Gutzwiler called the meeting to order at 8:37a.m.

COLUMBIA RIVER CHINOOK SALMON ALLOCATION POLICIES – DECISION:

Guy Norman provided an overview to the Commission on proposed updates to the following policies which expired December 31, 2008:

- Policy C-3617, Mainstem Columbia River Spring Chinook Management and Allocation for Non-Indian Fisheries; and
- Policy C-3618, Mainstem Columbia River Summer Chinook Allocation for Non-Indian Fisheries Below Priest Rapids Dam.

The Commission held a public hearing on the proposed policy updates at its December 12-13, 2008, meeting in Olympia. A decision on this item was continued from the January 9, 2009, Commission meeting to this meeting.

Commissioner Orr moved, seconded by Commissioner Chew, to adopt Policy C-3617, Mainstem Columbia River Spring Chinook Management and Allocation for Non-Indian Fisheries, as proposed and with amendments. The motion carried unanimously.

Commissioner Wecker moved, seconded by Commissioner Chew, to adopt Policy C-3618, Mainstem Columbia River Summer Chinook Allocation for Non-Indian fisheries as proposed and with one amendment. The motion carried unanimously.

ELECTION OF COMMISSION CHAIR AND VICE CHAIR:

This item was continued from the January 9, 2009, Commission meeting to this meeting.

Commissioner Solomon moved, seconded by Commissioner Chew, to elect Commissioner Miranda Wecker as Chair and Commissioner Gary Douvia as Vice Chair. The motion carried unanimously. (Commissioner Mahnken was absent during discussion and vote on the motion.)

GOVERNOR'S PROPOSED 2009-2011 BUDGET OVERVIEW – BRIEFING:

As a follow-up to the January 9, 2009, Commission meeting, Bill Phillips Jeff Olsen, and Kathy Cody continued the briefing on the Governor's proposed 2009-2011 Operating and Capital Budgets for the Department of Fish and Wildlife.

Department staff will provide a side-by-side comparison of cuts and priorities at the February 6-7, 2009, Commission meeting in Olympia.

GENERAL DISCUSSION:

Commissioners and Department staff discussed recent activities and items of interest, including: potential agenda items for future Commission meetings and upcoming meeting with Governor; public conduct rules review.

Chair Wecker adjourned the meeting at 11:43 a.m.

nb & sdy

These minutes, plus the audio recording, constitute the full minutes.

Susan Yeager

MINUTES

FISH AND WILDLIFE COMMISSION SPECIAL MEETING via CONFERENCE CALL

May 28, 2009 -- 2:30 p.m.
Olympia, Washington

ATTENDANCE:

Commission

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Ken Chew
Conrad Mahnken

Department: None

Public/Other

Audrey Ely, WA Dept. of Personnel

Commission Staff:
Susan Yeager

Chair Wecker called the meeting of the search committee to order at 2:35 p.m.

SEARCH PROCESS FOR DEPARTMENT DIRECTOR POSITION – DISCUSSION:

The Commission's search committee (Commissioners Wecker, Douvia, Chew and Mahnken) discussed the general process for the Commission's selection of a new Director, including executive search service contracting options. The Commission had delegated these duties to the search committee during the May 8-9, 2009, Commission meeting in Olympia. The committee will present recommendations for discussion and possible action by the full Commission during its June 5-6, 2009, meeting in Olympia.

Chair Wecker adjourned the meeting 3:30 p.m.

nb

These minutes, plus the audio recording, constitute the full minutes.

Nancy Burkhart

MINUTES

WASHINGTON FISH AND WILDLIFE COMMISSION MEETING

May 8-9, 2009

Natural Resources Building, Room 172
1111 Washington Street Southeast
Olympia, Washington

ATTENDANCE:

Commission

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Ken Chew
Conrad Mahnken
George Orr
Chuck Perry

Commission Staff:

Susan Yeager
Nancy Burkhart

Department

Phil Anderson, Interim Director
Joe Stohr, Deputy Director
Bruce Bjork
Dave Brittell

Jim Scott
Greg Hueckel
Darren Friedel
Dave Ware
Bill Frymire, AGO

Department (continued)

Gary Gertsen
Rich Eltrich
Dan Budd
Kirt Hughes
Andy Appleby
Ron Warren
Allen Preuss
Steve Pozzanghera
Other Department staff

Public

Kevin Reynolds, Ballast Water Task Force (BWTF)
Michael Moore, PMSA Seattle, BWTF
Christian Mollitor, Holland America Line/NWCA, BWTF
Bruce Wishart, People for Puget Sound, BWTF
Michael Kern, HSRG
Marianne Mitchell, Steelhead Summit Alliance
Les Johnson, Wild Steelhead Coalition
Bob Young, Wild Steelhead Coalition
Robb Keller, Kayaking organizations

FRIDAY, MAY 8

Chair Wecker called the meeting to order at 8:30 a.m.

APPROVAL OF MINUTES:

Commissioner Douvia moved, seconded by Commissioner Perry, to approve the minutes of the following:

- **December 10, 2008, Special Meeting;**
- **December 11, 2008, Joint Meeting with Oregon;**
- **January 28, 2009, Special Meeting via Conference Call;**
- **March 13, 2009, Special Meeting via Conference Call;**
- **March 20, 2009, Meeting via Conference Call;**
- **March 27, 2009, Meeting via Conference Call; and**
- **April 10, 2009, Meeting via Conference Call.**

The motion carried unanimously.

COMMISSIONERS' DISCUSSION:

Commissioners discussed recent activities and items of general interest.

DIRECTOR'S REPORT:

Interim Director Anderson reviewed significant Department issues and activities, including North of Falcon fisheries and recent meetings of the Governor's cabinet agencies on government reform.

Department staff will provide updates at future Commission meetings on the government reform process and progress.

OPERATIONS/BUDGET UPDATE:

Deputy Director Stohr provided an update to the Commission on the Department's budget and operations.

OPEN PUBLIC INPUT:

The following individual provided oral testimony on issues of concern during this portion of the meeting:

Robb Keller (Vancouver) – Wind River portage regulations & kayaker access

PROPOSED LAND TRANSACTIONS – DECISION:

Dan Budd presented proposed land transactions for the Commissions consideration and approval.

No one signed up to testify on the proposed transactions during this portion of the meeting.

Commissioner Perry moved, seconded by Commissioner Orr, moved to approve the following land transactions:

- **Acquisition of the 14.92-acre Burger property in Yakima County for \$60,000; and**
- **50-year renewable trail agreement with Whatcom County Parks and Recreation on the Nooksack River in Whatcom County, with maintenance assumed by the County.**

The motion carried unanimously.

SWAN RESERVE BOUNDARY ADJUSTMENT – UPDATE:

As a follow-up to the October 3-4, 2008, Commission meeting briefing, Steve Pozzanghera and Lora Leschner provided updated information to the Commission about the history of the Johnson/Debay's slough boundary line error, which was corrected temporarily by Commission rule action during its August 8-9, 2008, meeting in Lynnwood.

BALLAST WATER MANAGEMENT – RULE BRIEFING AND PUBLIC HEARING:

Allen Pleus, along with members from the Ballast Water Task Force (Bruce Wishart, Christian Mollitor, Michael Moore, and Kevin Reynolds), briefed the Commission on proposed updated ballast water regulations resulting from 2008 Legislation (E2SSB5923) to reduce environmental impacts from non-indigenous species discharges of ballast water:

New chapter

- 220-150 WAC Ballast water management

Repealers:

- WAC 220-77-090, Ballast water management and control—Reporting and sampling requirements; and
- WAC 220-77-095, Interim ballast water discharge standard approval process.

The Commission will consider final adoption of these proposed rule amendments at its June 5-6, 2009, meeting in Olympia.

The following individuals provided oral testimony on the above proposed rule amendments during this portion of the meeting:

Bruce Wishart (Olympia)
Christian Mollitor (Seattle)
Michael Moore (Seattle)
Kevin Reynolds (Seattle)

PROPOSED COMMISSION POLICY ON HATCHERY REFORM – BRIEFING:

At the request of the Commission, Interim Director Anderson, Jim Scott, Andy Appleby, Sara LaBorde, and Heather Bartlett briefed the Commission on the progress in developing a draft Commission Policy on Hatchery Reform (C-3619).

The Commission will accepted public testimony on a proposed policy at its June 5-6, 2009, meeting in Olympia, and will consider approval of a final policy at its July 10-11, 2009, meeting in Olympia.

COMMISSION COMMITTEE REPORTS:

The Commissioners discussed activities of the various Commission committees.

OPEN PUBLIC INPUT:

No one signed up to testify during this portion of the meeting.

MISCELLANEOUS AND MEETING DEBRIEF:

Commissioners and Department staff discussed topics with the Commission's fish committee, including: Puget Sound crab, North of Falcon fisheries, ocean acidification, Columbia River fisheries run-size calculations, draft hatchery reform policy status and rockfish conservation.

Chair Wecker recessed the meeting at 5:15 p.m.

SATURDAY, MAY 9

Chair Wecker called the meeting back to order at 8:30 a.m.

PROCESS FOR DIRECTOR SEARCH AND JOB DESCRIPTION DEVELOPMENT –
DISCUSSION, PUBLIC TESTIMONY, AND ACTION:

Commissioners discussed the search process for a permanent Director for the Department, including specific wording to update the official job description for the position. The Commission will accept public comments throughout the process.

One individual provided oral testimony during this portion of the meeting:

Les Johnson (Redmond)

Commissioner Orr moved, seconded by Commissioner Perry, that the search committee (Wecker, Douvia, Mahnken and Chew) review options and provide recommendations to the full Commission on search methods for seeking candidates to fill the Department Director position. The motion carried unanimously.

COMMUNICATONS STRATEGIES:

Commissioners and Interim Director Anderson discussed plans for strengthening Commission communications with constituents, the Legislature, Tribes, and Governor's Office.

Interim Director Anderson reviewed the current list and status of the Department's citizen advisory groups.

COMMISSION POLICY REVIEW:

Commissioners and Director's Office staff will review the list of Commission Policy Decisions and discuss the current relevance of existing policies at the Commission's June 5-6, 2009, meeting in Olympia.

MISCELLANEOUS AND MEETING DEBRIEF:

The Commission deferred discussion in order to allow time for an executive session.

EXECUTIVE SESSION:

The Commission met in Executive Session from 12:00 p.m. to 12:30 p.m. to review the performance of a public employee or employees, pursuant to RCW 42.30.110(1)(g). No action was taken during the Executive Session, and the public was not permitted to attend.

Chair Wecker reconvened and adjourned the meeting at 12:35 p.m.

nb & sdy

These minutes, plus the audio recording, constitute the full minutes.

Nancy Burkhart

**MEMOS AND AUTHORITIES FROM THE MAY 8-9, 2009
FISH AND WILDLIFE COMMISSION MEETING, OLYMPIA**

- Approval of Minutes - Motion by Douvia, second by Perry, to approve the minutes of the following:
- December 10, 2008, Special Meeting;
 - December 11, 2008, Joint Meeting with Oregon;
 - January 28, 2009, Special Meeting via Conference Call;
 - March 13, 2009, Special Meeting via Conference Call;
 - March 20, 2009, Meeting via Conference Call;
 - March 27, 2009, Meeting via Conference Call; and
 - April 10, 2009, Meeting via Conference Call.

The motion carried unanimously.

- Approval of Land Transactions - Motion by Perry, second by Orr, to approve the following land transactions:
- Acquisition of the 14.92-acre Burger property in Yakima County for \$60,000; and
 - 50-year renewable trail agreement with Whatcom County Parks and Recreation on the Nooksack River in Whatcom County, with maintenance assumed by the County.

The motion carried unanimously.

- Motion by Orr, second by Perry, that the the search committee (Wecker, Douvia, Mahnken and Chew) review options and provide recommendations to the full Commission on search methods for seeking candidates to fill the Department Director position.

The motion carried unanimously.

Commissioners in Attendance:

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Ken Chew
Conrad Mahnken
George Orr
Chuck Perry