

MINUTES

**WASHINGTON FISH AND WILDLIFE COMMISSION
MEETING**

November 6-7, 2009

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

ATTENDANCE:

Commission

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Ken Chew
David Jennings
Conrad Mahnken
George Orr
Chuck Perry
Rolland Schmitten
Brad Smith

Commission Staff:

Susan Yeager, Dora Austin

Department

Phil Anderson, Interim Director
Joe Stohr, Deputy Director
Bruce Bjork
Jim Scott
Jo Wadsworth
Craig Burley
Pat Michael
Dave Brittell
Steve Pozzanghera
Nathan Pamplin
Pat Frazier
Rocky Beach
Harriet Allen

Department (continued)

Bill Frymire-AGO
John Whalen
Rich Childers
Dan Budd
Andy Appleby
Other Department staff

Public

Andrew Marks, Coastal Conservation Assoc.
Phil Eidenopper
John Wicklund
Rob Kavanaugh
Paul Sparks, WA Council of Trout Unlimited
Sam Wright
Frank Haw
Daniel Poleschook, Jr., LLLA / BRI
Ginger Gumm, LLLA / BRI
Steve Burton
Mark Evans
Clint Muns, PSA-RFA
Steve Bell
David Graves, NPCA
Paul Fischbach, Trumpeter Swan Society
Kevin Lyon, Squaxin Island Tribe
Leroy Black, Quinault Nation
Jasmine Minbashian, Conservation NW
Ken Kumasawa

FRIDAY, NOVEMBER 6

Chair Wecker called the meeting to order at 8:32 a.m.

APPROVAL OF MINUTES:

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

- **April 3-4, 2009, Commission meeting;**
- **June 5-6, 2009, Commission meeting; and**
- **June 19, 2009, Commission conference call via meeting.**

The motion carried. (Commissioners Jennings, Schmitten, and Smith abstained from voting because they were

not serving on the Commission when these meetings took place.)

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

- **July 10-11, 2009, Commission meeting;**
- **July 17, 2009, Commission conference call via conference call; and**
- **July 29, 2009, Commission conference call via conference call.**

The motion carried unanimously.

COMMISSIONERS' DISCUSSION:

Commissioners discussed recent activities and items of general interest.

DIRECTOR'S REPORT:

Director Anderson reviewed significant Department issues and activities, including: meetings with various legislators; WDFW Rockfish Conservation Plan status; upcoming Tribal/WDFW co-management meeting; Puget Sound Chinook Management Plan.

OPERATIONS AND BUDGET UPDATE:

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

OPEN PUBLIC INPUT:

Four individuals testified on issues of concern during this portion of the meeting:

- Andrew Marks (Federal Way) – Hatchery and fishery reform; Puget Sound chinook fishery management plan
- John Wicklund (Lacey) – Rockfish
- Rob Kavanaugh (Olympia) – Grouse management; Commission's performance
- Ken Kumasawa (Auburn) – Hatchery and fishery reform; Puget Sound chinook fishery management plan

PROPOSED LAND TRANSACTIONS – DECISION:

Dan Budd presented for approval two proposed land transactions that have undergone a public review and competitive grant process conducted by the Recreation and Conservation Office.

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

- **Acquisition of the 95.52-acre Richner property in Okanogan County for \$1,035,000; and**
- **Acquisition of the 79.79-acre Shenyer property in Okanogan County for \$960,000.**

The motion carried unanimously.

PROPOSED COMMISSION POLICY ON HATCHERY REFORM – DECISION:

At the request of the Commission, Andy Appleby briefed the Commission on updates to a draft proposed Commission Policy on Hatchery Reform (C-3619). The Commission held a public hearing at its June 5-6, 2009,

meeting in Olympia. The Commission received additional staff briefings and continued discussions on changes at the July 10-11, 2009, Commission meeting in Olympia and the September 11-12, 2009, Commission meeting in Olympia. Action was continued to this meeting to allow additional time for gathering comments on DRAFT5 of the proposal. Written public comments received by October 15, 2009, were included in the staff's review, as well as tribal comments received by October 30, 2009.

Commissioner Mahnken moved, seconded by Commissioner Schmitt, to adopt Commission Policy on Hatchery and Fishery Reform (C-3619) as presented. The motion carried unanimously.

2010-2012 SPORTFISH RULE PROPOSALS – RULE BRIEFING:

Craig Burley briefed the Commission on sportfish rule proposals for the 2010-2012 season. A public hearing on the proposals will be held during the December 4-5, 2009, Commission meeting in Olympia. The Commission will consider adoption of permanent rules during its February 2010 meeting.

OPEN PUBLIC INPUT:

Three individuals testified on issues of concern during this portion of the meeting:

- Dan Poleschook (Loon Lake) – Lead gear
- Virginia Gumm (Loon Lake) – Lead gear
- Clint Muns (Olympia) – Sportfish rule process; tuna; Humboldt squid

NEW COMMISSIONER ORIENTATION, PHASE II – DEPARTMENT OVERVIEW:

Director Phil Anderson provided the Commission with an overview of Department operations. The Commission received a briefing on Commission operations and procedures during its July 10-11, 2009, meeting in Olympia.

PROPOSED 2010 COMMISSION MEETING CALENDAR – DECISION:

The Commission continued action on adoption of dates and locations for its 2010 Commission meeting calendar to its November 20, 2009, meeting via conference call. The Commission held a public hearing regarding 2010 meeting dates during its September 11-12, 2009, meeting in Olympia.

Chair Wecker recessed the meeting at 5:40 p.m.

SATURDAY, NOVEMBER 7

Chair Wecker called the meeting back to order at 8:35 a.m.

OPEN PUBLIC INPUT:

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

TRIBAL TRADITIONAL HUNTING AREAS – BRIEFING:

At the request of the Commission, Nathan Pamplin briefed the Commission on the development of draft procedural guidelines for responding to assertions of tribal traditional hunting areas.

JOHNSON DEBAY'S SLOUGH GAME RESERVE BOUNDARY – RULE BRIEFING, PUBLIC HEARING & ACTION:

Steve Pozzanghera updated the Commission on the status of negotiations to resolve boundary issues at the Johnson Debay's Slough Game Reserve and on changes to proposed rule amendments to WAC 232-16-800, Johnson/Debay's Slough Game Reserve, presented during the September 11-12, 2009, Commission meeting in Olympia. Action on this item was continued from the September 11-12, 2009, Commission meeting in Olympia to this meeting.

Two people testified orally on the proposed rule amendments during this portion of the meeting:

- Mark Evans (Burlington)
- Paul R. Fischbach (North Bend)

At the recommendation of Department staff, **Commissioner Douvia moved, seconded by Commissioner Schmitt, to continue action on WAC 232-16-800, Johnson/Debay's Slough Game Reserve, to the December 4-5, 2009, Commission meeting in Olympia. The motion carried unanimously.**

WOLF CONSERVATION AND MANAGEMENT PLAN UPDATE – BRIEFING:

Harriet Allen and Rocky Beach briefed the Commission on the current status of developing a conservation and management plan for wolves in Washington state.

WHITE STURGEON – BRIEFING:

At the request of the Commission, Patrick Frazier and John Whalen briefed the Commission on the allocation process, stock assessment, and population status for white sturgeon.

COMMISSION COMMITTEE REPORTS:

The Commission continued discussion on this item to its November 20, 2009, meeting via conference call.

SUMMARY OF COMMISSION REQUESTS:

The Commission continued discussion on this item to its November 20, 2009, meeting via conference call.

OPEN PUBLIC INPUT:

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

MISCELLANEOUS AND MEETING DEBRIEF:

The Commission discussed items that arose immediately before or during the meeting and after the preliminary agenda was published.

Commissioner Jennings moved, seconded by Commissioner Smith, to request the Department provide a process timeline for and to develop a first draft of a Commission policy on habitat for salmonids to complement the newly adopted hatchery and fishery policy. The motion carried unanimously.

Commissioner Jennings moved, seconded by Commissioner Chew, to request the Department provide a briefing at the December 2-3-4, 2009, Commission meeting in Olympia on the Puget Sound Groundfish Management Plan with particular focus on Cabazon and Area 4B rockfish. The motion carried unanimously.

Commissioner Jennings moved, seconded by Commission Orr, to request the Department develop a proposed option for eliminating use of lead fishing weights by 2012. Department is to provide a briefing at the March 2010 Commission meeting. The motion carried unanimously.

Commissioner Wecker moved, seconded by Commissioner Smith, to request the Department as soon as feasible provide a briefing on the Puget Sound Chinook Harvest Management Plan. The briefing is to include background, summary of content, NOAA's authority, adaptive management provisions, and consistency with other NOAA agreements. The motion carried unanimously.

Chair Wecker adjourned the meeting at 1:25 p.m.

nab/sdy

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

Susan Yeager

**MEMOS AND AUTHORITIES FROM THE NOVEMBER 6-7, 2009,
FISH AND WILDLIFE COMMISSION MEETING, OLYMPIA**

Approval of Minutes	<p>Motion by Douvia, second by Chew, to approve the minutes of the following:</p> <ul style="list-style-type: none">- April 3-4, 2009, Commission meeting;- June 5-6, 2009, Commission meeting; and- June 19, 2009, Commission conference call via meeting. <p><u>The motion carried.</u> (Commissioners Jennings, Schmitten, and Smith abstained from voting because they were not serving on the Commission when this meeting took place.)</p> <p>Motion by Douvia, second by Chew, to approve the minutes of the following:</p> <ul style="list-style-type: none">- July 10-11, 2009, Commission meeting;- July 17, 2009, Commission conference call via email; and- July 29, 2009, Commission conference call via email. <p><u>The motion carried unanimously.</u></p>
Land Transactions	<p>Motion by Perry, second by Mahnken, to approve the following land transactions:</p> <ul style="list-style-type: none">- Acquisition of the 95.52-acre Richner property in Okanogan County for \$1,035,000; and- Acquisition of the 79.79-acre Shenyer property in Okanogan County for \$960,000. <p><u>The motion carried unanimously.</u></p>
Commission Policy on Hatchery Reform	<p>Motion by Mahnken, second by Schmitten, to adopt Commission Policy on Hatchery and Fishery Reform (C-3619) as presented. <u>The motion carried unanimously.</u></p>
Johnson Debay's Slough Game Reserve Boundary Rules	<p>Motion by Douvia, second by Schmitten, to continue action on WAC 232-16-800, Johnson/Debay's Slough Game Reserve, to the December 4-5, 2009, Commission meeting in Olympia. <u>The motion carried unanimously.</u></p>
Commission Requests to the Department	<p>Motion by Jennings, second by Smith, to request the Department provide a process timeline for and to develop a first draft of a Commission policy on habitat for salmonids to complement the newly adopted hatchery and fishery policy. <u>The motion carried unanimously.</u></p> <p>Motion by Jennings, second by Chew, to request the Department provide a briefing at the December 2-3-4, 2009, Commission meeting in Olympia on the Puget Sound Groundfish Management Plan with particular focus on Cabazon and Area 4B rockfish. <u>The motion carried unanimously.</u></p> <p>Motion by Jennings, second by Orr, to request the Department develop a proposed option for eliminating use of lead fishing weights by 2012. Department is to provide a briefing at the March 2010 Commission meeting. <u>The motion carried unanimously.</u></p> <p>Motion by Wecker, second by Smith, to request the Department as soon as feasible provide a briefing on the Puget Sound Chinook Harvest Management Plan. The briefing is to include background, summary of content, NOAA's authority, adaptive management provisions, and consistency with other NOAA agreements. <u>The motion carried unanimously.</u></p>

Commissioners in Attendance:

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Ken Chew
David Jennings
Conrad Mahnken
George Orr
Chuck Perry
Rolland Schmitten
Brad Smith