

ITEM D

Cover memo

FWC conf call

July 16, 2010

STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
LEGISLATIVE AFFAIRS

July 15, 2010

TO: Fish & Wildlife Commission

FROM: Ann Larson, Legislative Liaison

SUBJECT: Summary of WDFW Agency-request Legislation

WDFW's Executive Management Team (EMT) has reviewed and approved the following agency-request legislative package during the June 23, 24, 2010 EMT meetings.

The Fish and Wildlife Commission is scheduled to review proposed agency-request legislation for the 2011 legislative session on August 5, 2010. The request for Commission approval is scheduled for the August 20, 2010 via conference call.

Current stakeholder efforts are underway for initial feedback and will continue through September. The deadline for submission of agency budget requests (operating and capital) and agency-request legislation with budget impacts is due to the Office of Financial Management (OFM) by September 13, 2010.

This package represents a working list of legislative concepts developed by the Department and may include some inter-agency coordination. They will also require additional scoping and stakeholder work up until the OFM deadline and changes to concepts can be expected. Initial meetings with legislators have already begun. Key legislators and legislative staff have provided feedback on this package and suggestions incorporated where appropriate.

The package is made up of four overarching legislative requests that include: fiscal sustainability and efficient fund management; hydraulic project approval fees and policy; Title 77 omnibus; and, invasive species management. Several of these requests are made up of multiple concepts and each is detailed in the summary that follows.

WDFW Agency-Request Legislative Packages

1 Fiscal Sustainability & Efficient Fund Management

- a. *Recreational License Fee Increase*
- b. *Commercial License Fee Increase*
- c. *Commercial Fishing Excise Tax*
- d. *Raise Scientific Collection Permit Fee*
- e. *Recreational License Revenue to WLS*
- f. *Recreational Fees on WDFW lands (vehicle use, conservation surcharge)*
- g. *Increase the price of the Personalized License Plate (PLP) by \$10*
- h. *Standardized Pricing and Transaction Fees*
- i. *Consistent Dealer Fees*
- j. *PILT to Treasurer*
- k. *Discontinue Migratory Bird Collector Stamps*
- l. *Sub-accounts with WLS separate non-appropriate funds (WILD, PLP)*
- m. *Automated Commercial Licenses*
- n. *Require recreational license for Smelt Harvest*
- o. *Crew Licenses*

2 Hydraulic Project Approval Fees & Policy

3 Title 77 Omnibus

- a. *Unlawful Burning on WDFW Lands*
- b. *Penalty for taking 3+ big game*
- c. *Unlawful purchase or use of a license*
- d. *Hunter license suspension for shooting person/livestock*
- e. *Misdemeanor presence rule exemption/warrant authority*
- f. *Penalties for swans, loons, and raptors*
- g. *Record keeping requirements/ Special permits reporting*
- h. *Resident license requirements and definition of resident military personal*
- i. *Alternative Operator Exemption*
- j. *Higher Performance Bond*
- k. *PSRFEF modification of duties*
- l. *RFEG Funding & Uses Clarification (technical correction)*
- m. *Background Checks*
- n. *Adding "Ex Officio" to RCW 77.15.080*
- o. *Feeding Dangerous Wildlife*

4 Invasive Species Management

Fiscal Sustainability & Efficient Fund Management

a. Recreational License Fee Increase

During the 2009 Legislative Session, the Legislature was faced with an economic recession and a nearly \$9 billion budget shortfall. Due to a drop in general fund revenues, WDFW 2009-11 Operating budget was reduced nearly \$30 million in state General Funds (GFS), from \$110 to \$81 million. Due to the significant impact to fish and wildlife activities, a temporary 10% surcharge on the sale of recreational hunting and fishing licenses was adopted to partially offset the GFS reductions. The fees were directed to fund hunting and fishing opportunities for recreational license holders. The 10 percent surcharge is estimated to generate \$6 million during the 2009-11 biennium, and is scheduled to expire on June 30, 2011.

Due to the influx of one-time funds to address the 2009-11 state budget shortfall, the outlook for the 2011-13 budget will most likely include further GFS reductions for state agencies, including the Department. In addition, with the loss of the 10% surcharge, State Wildlife Account (WLS) revenues are expected to decrease by \$6.2 million. The non-restricted WLS is estimated to have a \$10 million shortfall over the biennium, assuming the surcharge expires.

Hunting and fishing license fees are set in statute by the legislature and most base fees have not been changed since 1999. Over the past 11 years, the revenues to the WLS have been relatively flat, while the costs of implementing programs have increased. An ongoing fee increase is required to maintain current services. A revenue proposal including a 20% fee increase would allow for a small amount of expanded opportunities, a 15% increase would not provide sufficient funding to maintain hunting and fishing opportunities for recreational license holders. As GFS support for the agency is reduced, increased support from the direct beneficiaries of hunting and fishing activities is an appropriate alternative to maintain or increase those opportunities. Revenues are projected between \$6-12 million.

b. Commercial License Fee Increase

This revenue proposal would hold the GFS harmless by either moving all commercial license-permit revenue fees collected during next biennium to the WLS and then reducing the GFS appropriation by the same amount or leaving the base commercial license revenue fee in the GFS and only placing the new increase on commercial license-permits in the WLS. At present, WDFW is assessing a percent increase on the commercial license or a flat rate application fee. Both methods would recover administrative costs for issuing approximately 6,000 commercial licenses/permits with revenues projected at approximately \$471,000 per year.

c. Commercial Fishing Excise Tax

This revenue proposal would maintain the existing excise "landing" tax shared by commercial fishers and buyers and create an added rate that is dedicated to WDFW/WLS much like a transit authority adds to the sales tax for that dedicated purpose). A dedicated landing tax of 1-3 percent would raise approximately \$700,000 - \$2.1M annually.

The proposal could also address currently exempted categories or tax exclusions. An additional \$1M - \$3M per year would be gained if these same rates were applied to items that are currently exempt (e.g. Tuna, Mackrel, Aquaculture Food-Shellfish).

d. *Raise Scientific Collection Permit Fee*

This proposal would increase the Scientific Collection Permit (SCP) fee to \$102 for residents and for non-residents. The fee increase would allow WDFW to recover the costs of analyzing and issuing these permits and keep our costs consistent with other states. Oregon recently raised the cost of their Scientific Collection Permit to \$102. Approximately 400 Scientific Collection Permits are issued each fiscal year, generating approximately \$6,000 in revenue. WDFW estimates that it costs approximately \$17,860 each fiscal year just to process the SCP which does not include the biologist analysis time for issuing the permit. WDFW could generate approximately \$40,800 per year to appropriately recover the expenses for issuing each SCP.

e. *Recreational License Revenue to WLS*

Washington receives approximately \$18 million per year from these federal programs. In order to qualify for programs under the Wildlife Restoration Act (1937) and Sportfish Restoration Act (1950), the state must pass legislation requiring that all revenues from recreational hunting and fishing licenses are used exclusively for fish and wildlife management activities. Revenue is defined to include the interest earned from hunting and fishing license revenue. Currently, revenues from recreational saltwater, shellfish, and razor clam licenses are deposited in GFS, with a statutory provision that these revenues be dedicated to the management of those activities. Revenues from all other licenses are deposited in either the WLS, or accounts dedicated to fish and wildlife activities. Interest earned on the WLS are swept and deposited in the GFS. To provide transparency and ensure to both hunters and fishers and the federal government that all revenues from hunting and fishing are used for fish and wildlife management activities, revenues from recreational saltwater fishing, shellfish, and razor clams should be deposited in the WLS to be used exclusively for fish and wildlife management. In addition, the interest earned on these license revenues should also be retained for fish and wildlife management as required by federal law. Approximately \$1.5 million per year would be shifted from the GFS to the WLS.

f. *Recreational Fees on WDFW lands (vehicle use, conservation surcharge)*

WDFW currently manages approximately 850,000 acres dedicated to preservation of fish and wildlife-focused open space and conservation based recreation (hunting, fishing, hiking, wildlife viewing, etc.). WDFW also manages over 650 water access sites, where the public accesses Washington' waterways for kayaking, rafting, fishing, and other water-related recreation activities. WDFW's land management is generally funded with a mix of Federal and state dollars which combined averages \$3.75 per acre per year. By comparison Federal Refuge land operates with an average of \$12-\$14 per acre per year

The vehicle use permit proposal would expand requirements to all department lands (and possibly DNR lands) and would increasing the fee to \$5 with the on initial purchase of saltwater, freshwater, combination, small game hunting, big game hunting, western Washington Pheasant license or trapping

license, or watchable wildlife decal (exempts youth and others that are eligible for other discounts). Non-consumptive and non-commercial recreational users would pay \$30.

In addition to the vehicle use permit, a conservation surcharge would be applied at a rate of \$5 on the initial purchase of saltwater, freshwater, combination, small game hunting, big game hunting, western Washington Pheasant license or trapping license, or watchable wildlife decal. A \$10 surcharge would be applied to stand-alone vehicle use permits and watchable wildlife decals. Projected revenues range from \$3-6 million and would be dedicated to operation and maintenance of lands.

g. Increase the price of the Personalized License Plate (PLP) by \$10

The fees for these license plates have remained static since 1980. Further resources are needed if to keep Washington's common species common and prevent the listing and resultant expensive management of endangered species. This proposal would increase the price of personalized license plates by \$10 with projected revenues at \$500,000.

h. Standardized Pricing and Transaction Fees

Due to unique pricing of a select few WDFW licenses, there are accounting, staff and systems complexities. Temporary fishing licenses and Puget Sound Crab endorsements when established included a unique pricing concept where "total Price" was designated to include the WDFW system transaction fee (10%). All other licenses, permits, and privileges have the transaction fee added to the price of the items. WDFW's objective is to create a consistent pricing structure for the transaction fee thus reducing staff time, system costs, and complexities that increase risk when implementing changes to the WILD system. It is estimated that WDFW would gain approximately \$50,000 in new transaction fee revenue and would retain approximately \$140,000 in state fees deposited to 104-SWA.

i. Consistent Dealer Fees

Dealer fees are collected at the point of sale from retail dealers and internet purchase points, but dealer fees are not applied to sales that occur directly with WDFW. The intent of the Department as part of budget reductions was to discontinue direct sales by WDFW to its customers. Sales have diminished but have not been reduced to zero for very practical and responsible accommodations to the public who arrived at WDFW locations seeking assistance. By not charging a dealer fee WDFW competes with the pricing charged by the retail dealers and internet sales outlets. Revenue from fees would be nominal and be used to offset existing department's staff costs associated with selling and issuing recreation license documents.

j. PILT to Treasurer

WDFW makes payments in-lieu of property tax (PILT) to county governments to offset the impact of Department land ownership which is property tax exempt. PILT payments usually increase each year due to a change in computation methods or an increase in land purchases. In order to avoid this annual request, WDFW is requesting to transfer PILT payment transactions to the Office of the State Treasurer. This would be consistent with the process that was approved by the Legislature for payment of PILT on

DNR natural area lands. WDFW would continue to work directly with the various counties to identify Department ownership and assist the counties in determining the correct amount of PILT. WDFW would then inform the Office of the State Treasurer of the amount to be paid to each county.

k. *Discontinue Migratory Bird Collector Stamps*

This proposal would terminate the print and issuance of migratory bird collector stamps. WDFW currently manages and audits the issuance of collector and complimentary stamps at a cost of approximately \$120,000 a biennium. Additionally, WDFW no longer uses a physical stamp to designate the migratory bird validation hunt privilege. Currently, stamps are issued for free when requested by the hunter with a migratory bird license or \$10/stamp by stamp collectors. The overall savings to WDFW would be approximately \$49,000 per year.

l. *Sub-accounts with WLS separate non-appropriate funds (WILD, PLP)*

WDFW, with the support of our stakeholders, has pursued diversified revenue sources beyond the traditional fish and wildlife license fees. The Legislature has passed laws to assist WDFW in this type of funding and has focused them for specific purposes. By statute, these funds are placed in separate restricted accounts within the WLS. In recent years, the balances have grown considerably for several accounts because of increased revenue, but very little spending authority has been granted to access this revenue beyond that provided for the WLS in general.

While the overall WLS balance benefits from increased revenue, the lack of spending authority does not allow expenditure of funds for the specialized purposes for which they were legislatively intended and supported by our constituents. To meet the intent of these laws, WDFW is requesting that the larger restricted accounts (Personalized License Plates, Background License Plates, Auction and Raffles, and License Transaction Fees) be moved from the Wildlife Account and placed into independent, non-appropriated accounts similar to other existing WDFW accounts.

m. *Automated Commercial Licenses*

Currently all 6,000 commercial licenses are issued manually and exclusively at WDFW's main office in Olympia, WA. This legislative proposal would allow commercial licensees to renew, and pay for their commercial license(s) through retail dealers or over the Internet, through an existing automated licensing system. The existing system used for recreational hunting and fishing licenses would be adapted for this purpose. Phase I will implement approximately 600 Trapper, Taxidermy and fur dealers. Sales through the system include cost recovery for system and administrative expense associated with the system and that transaction fee of 10% would be applied. License issuance will be self supporting and WDFW will gain staffing efficiencies of 300 hours per year.

n. *Require recreational license for Smelt Harvest*

Currently recreational smelt fishers in Washington are not required to have a recreational fishing license. In addition, eulachon is proposed for listing under the Federal Endangered Species Act by the National Marine Fisheries Service. The decline in the smelt runs and proposed ESA listing have added

additional complexity and cost to managing eulachon. These actions have increased the need to protect and restore the species. This proposal would remove smelt from the list of fish for which people do not need a recreational license. Requiring people to buy a recreational license to fish for smelt will generate additional revenue to help WDFW regulate and manage the resource at approximately \$60,000 annually.

o. Crew Licenses

Draft concept to be submitted on 7/16/2010.

DRAFT

Hydraulic Project Approval Fees & Policy

WDFW proposes amending existing statute to enable us to improve the effectiveness of the Hydraulic Project Approval (HPA) program in protecting fish life, reducing the program's reliance on the state's general fund, and improving streamlining and coordination with other natural resources agencies. This proposal would amend various provisions in Chapter 77.55 RCW (commonly referred to as the "hydraulic code") to allow WDFW to charge fees for processing HPA applications, and establish a fee schedule for all activities that require an HPA. In addition, it would revise the hydraulic code to enhance various components necessary to protect fish life and habitat, such as WDFW's civil authority for enforcing HPA compliance. WDFW's determination of what specific components to pursue will depend on the outcome of discussions with key stakeholders and the public, but possibilities include:

- Granting WDFW the authority to place project types into categories that reflect potential environmental impact, with emphasis on use of individual permits for those projects with highest environmental risk;
- Enhancing provisions that are necessary to protect fish life including enhanced civil authority and clarifying the extent of HPA jurisdiction; and
- Charging fees for processing HPAs in order to reduce the program's dependence on state general funds, and to fund critical compliance monitoring and reporting.

The fiscal component of the proposed legislation is to collect approximately \$2 million per year from new fees for HPA permits through development of a fee structure for all hydraulic project types, depositing monies collected into a dedicated HPA account. Funds collected in the HPA account will partially fund the operation and improvement of the HPA program.

Title 77 Omnibus

a. *Unlawful Burning on WDFW Lands*

Under existing law, WDFW does not have the authority to penalize people who start fires on lands owned or controlled by WDFW. Additionally, WDFW has no way to recover fire-suppression costs if a person's negligence results in burning department lands. This proposal would establish a strict liability standard for any individual who starts a fire that places WDFW lands in danger of destruction or damage and would also allow cost recovery of expenses (fighting, investigating, and litigating) for a fire that was negligently started on or spending to lands owned or controlled by WDFW.

b. *Penalty for taking 3+ big game*

WDFW lacks adequate penalties for more egregious big-game poaching situations. This activity, commonly known as "spree killing," is often associated with the wastage of the animals. Currently, WDFW can charge with one count of Unlawful Hunting of Big Game for each animal killed or injured, which generally results with dismissal of all but one or two counts in exchange for a minimum bail-forfeiture due to prosecutor's workload. The person would then face a small fine, imposition of only one criminal wildlife penalty, and a two-year suspension of hunting privileges, when bigger fines, the imposition of a criminal wildlife penalty for each animal killed, and a longer suspension term is warranted. This proposal would make the Unlawful Hunting of Big Game a first-degree, Class C felony offense if a person takes three or more big game animals.

c. *Unlawful purchase or use of a license*

Draft concept will be submitted as part of the omnibus bill on 7/16/2010.

d. *Hunter license suspension for shooting person/livestock*

The current statute only allows WDFW to suspend the hunting privileges of a person who directly shoots another person or domestic livestock while hunting. It does not allow suspension of a person whose bullet causes shrapnel or something else to hit another person, and it does not define "shoots" to include bows or crossbows. Also, the current statute only allows WDFW to suspend a person's hunting privileges for 10 years if WDFW can prove the shooter did the shooting with "criminal negligence."

e. *Misdemeanor presence rule exemption/warrant authority*

WDFW officers are unable to make an arrest without a warrant for the most common Title 77 crimes, including the elimination of ambiguity of existing authority. RCW 10.31.100 (also known as the "misdemeanor presence rule") requires misdemeanors and gross misdemeanors to be committed in an officer's presence in order for the officer to arrest without a warrant. The statute provides a list of exemptions to this rule, but none of WDFW's crimes are included in the exemptions. The addition of certain fish and wildlife offenses to the exemption list will allow officers to make warrantless arrests for a narrow group of fish and wildlife violations when officers arrive after a person has committed the misdemeanor.

f. Penalties for swans, loons, and raptors

Draft concept will be submitted as part of the omnibus bill on 7/16/2010.

g. Record keeping requirements/ Special permits reporting

Currently, trappers, taxidermists, and fur dealers are required by statute to keep records, but the statutes do not provide WDFW with flexibility to change its record-keeping requirements or impose reporting requirements. The statute omits reporting requirements for people with special permits. Meat-cutters are not required by statute to keep records or abide by reporting requirements. WDFW uses records of trappers, taxidermists, fur dealers, and meat-cutters for two purposes (1) to manage wildlife populations; and (2) to help enforcement officers track people who, for valuable consideration, illegally trap, process, hold, or store wildlife. WDFW needs flexibility in the law to be able to change record-keeping requirements and impose reporting requirements on trappers, taxidermists, fur dealers, and meat-cutters.

h. Resident license requirements and definition of resident military personal

WDFW does not have a statute prohibiting people who are residents from other countries from purchasing WA resident licenses: RCW 77.08.010(45) defines "resident" for license purposes as a person "who is not licensed to hunt or fish as a resident in another state." However, this does not include people who are residents of other countries, such as Canada. WDFW's policy is to make license costs lower for state residents, since the fish and wildlife within the state are the property of state residents. We need to be able to charge non-resident fees for people who are residents of other countries, just as we do for people who are residents of other states.

i. Alternative Operator Exemption

One statute exempts alternate operators of charter boats from needing a license, which is WDFW's policy; another statute does not: RCW 77.65.120 exempts alternate operators of charter boats from needing an alternate operator's license. This has always been WDFW's policy. However, RCW 77.65.110 contradicts RCW 77.65.120 and requires charter boat alternate operators to possess an alternate operator license and be designated on the license. WDFW wants to remove this contradiction the requirement that charter boat alternate operators possess an alternate operator license and be designated on the license.

j. Higher Performance Bond

WDFW wants to require higher performance-bond amounts for non-residents and violators to better protect the wholesale-dealer market: RCW 77.65.320 requires the same performance-bond minimum and maximum for resident and non-resident wholesale fish dealers, and for wholesale fish dealers with prior convictions relating to reporting requirements. WDFW wants to increase the bond-amount minimum and maximum for non-resident and convicted wholesale fish dealers, since there is a higher probability that they will violate laws and rules related to commercial fish dealing and reporting.

k. *PSRFEF modification of duties*

Audits by the State Auditor's Office and the Joint Legislative Affairs Review Committee identified two areas of legislation in RCW 77.105, the Puget Sound Recreational Fishery Enhancement Fund (PSRFEF) that should be changed to improve the intent of the legislation relative to implementation.

This proposal would amend RCW 77.105 so WDFW can adaptively utilize PSRFEF revenue to maximize the contribution of hatchery reared Chinook in recreational fisheries based on the cost-benefit ratio of fingerling releases versus yearling releases, hatchery reform recommendations, and ESA compliance. In addition, the addition of the word depleted to the section 77.105.050 makes the statute and Fish and Wildlife Commission policy consistent relative to application and implementation.

l. *RFEG Funding & Uses Clarification (technical correction)*

During the 2010 legislative session the Governor, under the Governor's efforts to streamline government, proposed legislation that would eliminate a number of boards and commissions throughout the state. This proposal included the Regional Fisheries Enhancement Group (RFEG) Advisory board. The proposed legislation would repeal RCW 77.95-110, Regional Fisheries Enhancement Group Advisory Board, and RCW 77.95.120, Regional Fisheries Enhancement Group Advisory Board – Duties and Authority; and amend sections of RCW 77.95 with reference to the Advisory Board, all of which would be effective on June 30, 2010.

It was later noticed that the elimination of the RFEG Advisory Board sections actually eliminated the clarifying language for the use of the RFEG funding. It also eliminated the collaboration between WDFW, and the RFEG's. This proposal would amend RCW 77.95.090 by reinstating the language allowing WDFW to retain up to 20% of RFEG Program funds deposited into the account for RFEG Program and will provide clarifying language to provide direction and guidelines as to how the RFEG's and the department are to collaborate and on what items.

m. *Background Checks*

WDFW has no way to screen the backgrounds, including conviction records, pending charges, other criminal history information, and civil adjudication proceeding records, of current employees, applicants seeking or being considered for any paid or unpaid positions within WDFW, and any service providers, contractors, student interns, volunteers, or other individuals acting on behalf of WDFW who carry firearms, deal with children and vulnerable adults, and handle financial and confidential information. Without authority to conduct background checks on people in these categories, WDFW is open to liability for accidents, crimes, and misconduct caused by these people.

n. *Adding "Ex Officio" to RCW 77.15.080*

State Park rangers have traditionally worked closely with patrol officers from the Washington Department of Fish and Wildlife (WDFW) to enforce fishing rules within the state parks. Working together helps protect the natural resources from over-harvest especially for shellfish harvest where much of the activity occurs at the state parks. It also helps the WDFW officers to stretch their limited

time and project areas where they provide all or most of the fishing enforcement. At this time, the rangers are not allowed to check buckets of clams coming from a state park beach or other catch/harvest gear. This makes it difficult for rangers to protect the resource from over-harvest and to work cooperatively with WDFW patrol officers.

o. Feeding Dangerous Wildlife

Draft concept will be submitted as part of the omnibus bill on 7/16/2010.

DRAFT

Invasive Species Management

Aquatic and terrestrial invasive species statutes are scattered throughout RCW 77 (at least 7 chapters) and need to be reorganized into single new chapter for improved effectiveness. Many critical regulatory gaps and needs have been identified through reviews by the Attorney General's office, the Aquatic Nuisance Species Committee, the Washington Invasive Species Council and the Puget Sound Partnership in their Action Agenda:

- Express authority to require prevention, containment, control, and eradication actions by property owner/operator/transporter.
- Rapid response lead authorization, emergency powers, and responsibilities
- Express authority for closing or limiting activities on infested waters
- Authority to establish cooperative agreements with other states in Columbia River Basin with emergency response assistance
- Clarify and make definitions and classification systems consistent
- Express authority to decontaminate, impound, and quarantine conveyances
- Address terrestrial invasive animals
- Address authorities with non-animal invasive species/pathways managed by department
- Linkage with Invasive Species Council/statewide invasive species management plan
- Integration with all department divisions and regions
- Add civil penalty structure
- Test and refinement program for management tools
- Duty to report
- "Hold harmless" law that includes cooperation with volunteer divers meeting specific rating/experience criteria (not dive with, but allow formal collaboration)
- Reciprocity agreement authority within and between states such as AIS stickers.
- Broad statutory authority to implement program through rules

This proposal creates a single RCW 77 chapter for WDFW to regulate invasive species that would fill regulatory gaps and expand activities. It would also be a comprehensive chapter that would encompass Aquatic Invasive Species Prevention and Enforcement proposal elements and provide a revenue-generating mechanism for the program

“GREEN SHEET”

Meeting: August 5, 2010, Commission Meeting

Agenda item # : 2011 Agency-Request Legislation

Staff Contact: Ann Larson, Legislative Liaison, Director’s Office

Presenter(s): Ann Larson

Background:

WDFW’s Executive Management Team has reviewed and approved the following agency-request legislative package during the June 23, 24, 2010 EMT meetings. The deadline for submission of agency budget requests (operating and capital) and agency-request legislation with budget impacts is due to the Office of Financial Management by September 13, 2010.

Policy issues:

The package is made up of four overarching legislative requests that include: fiscal sustainability and efficient fund management; hydraulic project approval fees and policy; Title 77 omnibus; and, invasive species management. See attached legislative summary for detail.

Public involvement process and outcome:

Current stakeholder efforts are underway for initial feedback and will continue through September. The public will have the opportunity to offer input following this briefing.

Action requested:

The Fish and Wildlife Commission is requested to review proposed agency-request legislation for the 2011 legislative session on August 5, 2010 and provide comments, and hear public input on the legislative package. The request for Commission approval is scheduled for the August 20, 2010 via conference call.

Draft motion language:

No action is requested at this time. Staff will present the final proposals to the Commission for consideration during its August 20, 2010, conference call meeting.

Justification for Commission Action:

The Fish and Wildlife Commission sets policy for the Department of Fish and Wildlife, and is responsible for final review and approval of Department goals, objectives, and budget proposals (RCW 77.04.055).

Communications Plan: