

MINUTES

Item 1A
FWC
Oct. 1-2, 2010

WASHINGTON FISH AND WILDLIFE COMMISSION MEETING

January 7-8-9, 2010

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 Schmitt
Brad Smith

Commission Staff:

Susan Yeager
Nancy Burkhardt

Department

Phil Anderson, Interim Director
Joe Stohr, Deputy Director
Jim Scott
Steve Pozzanghera
Pat Chapman
Dave Geiger
Lorna Wargo
Jo Wadsworth
Pat Frazier
Pat Michael
Jennifer Quan
Craig Burley
Guy Norman
Donny Martorello
Cindy LeFleur
Lori Preuss
Bill Tweit
John Long
Bill Frymire, AGO
Other Department staff

Public

Greg Johnson
Jim Wells, Salmon for All
Bill Robinson
Brian Mackey

Public (continued)

Brian E. Allison, Puget Sound Crab Assn.
Vinton Waldron, Puget Sound Crab Assn.
Robert M. Olson, Puget Sound Crab Assn.
Tony Rouff, WA Trollers Assn.
Richard Good, WA Trollers Assn.
Kim Reisbick, WA Trollers Assn.
Dave Parker, WA Trollers Assn.
David Forcucci, WA Freediving/Spear Fishing Assn.
Brian Allen, WA Freediving/Spear Fishing Assn.
Darren Crookshanks
Gordon Ruh
Carl Ulrich
Kwin Bailey
Ben Downs
Paul Daniels
Mike Allen
Gary Bodine
Eric Hopfer, American Albacore/Fishing Assn.
Darren Kapp, Astoria Packing Seafoods
Ryan Kapp
Ed McClure, Col. River Bait Co.
Jackie McClure, Col. River Bait Co.
Jessica Walz, Gifford Pinchot Task Force
Susan Saul, St. Helens Protective Assn. & Vanc. Audubon
Jamie Glasgow, Wild Fish Conservancy
Martha Jordan, The Trumpeter Swan Society
Hans Mak
David Pearce
Ken Kumasawa
Lisa Eckhart
Russ Heagle
John McKinley
Vern Forsberg, Col. Riv. Fisherman's Protective Union
Dennis Forsberg
Marty Kuller
Marty Whitman,, Coastal Conservation Assn.
Doug Myers, People for Puget Sound
Kent Martin, Col. R. Fisherman's Protective Union
Bryce Divine
Steve Williams, ODFW
Russ Fowler

THURSDAY, JANUARY 7

Chair Wecker called the meeting to order at 1:05 p.m.

COMMISSION POLICY GOVERNANCE – OVERVIEW AND DISCUSSION:

Commissioners and Department staff discussed principles outlined in the Carver Guide for Policy Governance® and applicability to the Commission's role as governing body for the Department and level of involvement in developing its performance measures.

STRATEGIC PLANNING AND BUDGET PREPARATION:

Commissioners and Department staff discussed the strategic planning and budget preparation processes.

Chair Wecker recessed the meeting at 4:20 p.m.

FRIDAY, JANUARY 8

Chair Wecker resumed the meeting at 8:30 a.m.

APPROVAL OF MINUTES:

Commissioner Douvia moved, seconded by Commissioner Jennings, to approve the minutes of the August 6-7-8, 2009, Commission Meeting as corrected. 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: outreach and education cuts; lead tackle ban proposal; Area 4 bottomfish proposal; hatchery funding and policies.

OPERATIONS AND BUDGET UPDATE:

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

OPEN PUBLIC INPUT:

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

- Carl Ulrich (Chehalis) – Elk and grouse seasons
- Gordon Ruh (Seattle) – Puget Sound shrimp policy
- Gary Bodine (Buckley) – Puget Sound shrimp policy
- David Forcucci (Kenmore) – Rockfish; spearfishing
- Brian Allen (Kenmore) – Rockfish; spearfishing

**BIG GAME AND WILD TURKEY AUCTION, RAFFLE AND SPECIAL INCENTIVE PERMITS –
RULE ACTION:**

Donny Martorello presented proposed permanent rule amendments to WAC 232-28-283, Big game and wild turkey auction, raffle and special incentive permits, that would help generate revenue for the management of big game animals. The Commission held a public hearing on the proposed amendments during its December 4-5, 2009, meeting in Olympia.

Commissioner Douvia moved, seconded by Commissioner Orr, to adopt the permanent amendments to WAC 232-28-283, Big game and wild turkey auction, raffle and special incentive permits, and repeal WAC 232-28-282, Big game and wild turkey auction, raffle and special incentive permits as presented. The motion carried unanimously.

DELETERIOUS EXOTIC AND LIVE WILDLIFE REGULATIONS – RULE ACTION:

Lori Preuss presented housekeeping rule changes permanent rule amendments to WAC 232-12-017, Deleterious exotic wildlife, and WAC 232-12-064, Live wildlife, through the expedited rule making in order to make grammatical and punctuation corrections. The Commission received a briefing on the proposed amendments during its December 18, 2009, meeting via conference call.

Commissioner Jennings moved, seconded by Commissioner Mahnken, to adopt the permanent amendments to WAC 232-12-017, Deleterious exotic wildlife, and WAC 232-12-064, Live wildlife, as filed with the Code Reviser's Office and amended by staff. The motion carried unanimously.

COMMISSION'S ANNUAL MEETING WITH THE GOVERNOR

In accordance with RCW 77.04.055, the Commission met with Governor Gregoire and reviewed goals and objectives and performance of the Department in implementing fish and wildlife policies.

FORAGE FISH COMMERCIAL TRIP LIMITS – RULE BRIEFING AND PUBLIC HEARING:

Lorna Wargo briefed the Commission on proposed permanent rule amendments that would limit catch and disposition of anchovy on the Columbia River, Willapa Bay, Grays Harbor, and ocean fisheries while accommodating the needs of the baitfish fisheries:

WAC 220-20-010, General provisions—Lawful and unlawful acts—Salmon, other fish and shellfish;

WAC 220-33-060, Herring and anchovy;

WAC 220-36-03001, Grays Harbor—Seasons and lawful gear—Forage fish;
WAC 220-40-030, Willapa Bay—Forage fish;
WAC 220-44-020, Ocean forage fish; and
WAC 220-69-240, Duties of commercial purchasers and receivers.

The Commission will consider adoption of permanent rules at its February 4-5-6, 2010, meeting in Olympia.

Four people testified orally on the above rule amendments during this portion of the meeting:

- Kwin Bailey (Port Townsend)
- Eric Hopfer (Tokeland)
- Darrell Kapp (Astoria, OR)
- Ryan Kapp (Bellingham)

OCEAN SHRIMP TRAWL REGULATIONS – RULE BRIEFING AND PUBLIC HEARING:

Lorna Wargo briefed the Commission on proposed permanent rule amendments to WAC 220-52-050, Ocean pink shrimp trawl fishery—Coastal waters, that would require Washington ocean shrimp trawl license holders to participate in the National Marine Fisheries Service’s West Coast Observer Program. The Commission will consider adoption of permanent rules at its February 4-5-6, 2010, meeting in Olympia.

One person testified orally on the above rule amendments during this portion of the meeting:

- Paul Daniels (Garibaldi, OR)

**PROPOSED LAND EXCHANGE WITH DEPARTMENT OF NATURAL RESOURCES (DNR),
PHASE 2 – BRIEFING, PUBLIC HEARING, AND DECISION:**

Jennifer Quan briefed the Commission on a 3-year evaluation of exchange properties with DNR to eliminate checkerboard ownership and allow each agency to better address its specific management goals. During its September 11-12, 2009, meeting in Olympia, the Commission held a public hearing on Phase 1, followed by a vote approving Phase 1 of the exchange.

No one signed up to provide oral testimony on the above proposed land exchange during this portion of the meeting.

Commissioner Jennings moved, seconded by Commissioner Schmitt, to approve Phase 2 of the Department of Natural Resources’ land exchange as presented. The motion carried unanimously.

OPEN PUBLIC INPUT:

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

- Jessica Walz (Portland, OR) – Spirit Lake sport fishing
- Susan Saul (Vancouver) – Spirit Lake sport fishing
- Jamie Glasgow (Duvall) – Rockfish

Chair Wecker recessed the meeting at 5:20 p.m.

SATURDAY, JANUARY 9

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

OPEN PUBLIC INPUT:

Nine people testified on issues of concern during this portion of the meeting:

- Russ Heagle (Mt. Lake Terrace) – Puget Sound shrimp
- Lisa Eckhart (Mt. Lake Terrace) – Puget Sound shrimp
- Martha Jordan (Everett) – Lead shot
- David Pearce (Anacortes) – Cougar pilot safety study
- Ken Kumasawa (Auburn) – Rockfish
- Brian Mackey (Anacortes) – Crab
- Marty Kuller (Cathlamet) – Spring chinook fisheries
- John McKinley (Skamokawa) – Sport fisheries
- Doug Meyers (Olympia) – Rockfish

PROPOSED UPDATES TO COLUMBIA RIVER STURGEON MANAGEMENT POLICY C-3001 – BRIEFING AND PUBLIC HEARING:

Pat Frazier and Bill Tweit briefed the Commission on the current status of Commission Policy C-3001 (which expired December 31, 2009) and presented recommendations for updating the policy. The Commission will consider adoption at its February 4-5-6, 2010, meeting in Olympia.

Seven people testified orally on the above policy during this portion of the meeting:

- Hans Mak (Shelton)
- Kent Martin (Skamokawa)
- John McKinley (Skamokawa)
- Les Clark (Chinook)
- Jim Wells (Astoria, OR)
- Vern Forsberg (Ridgefield)
- Bryce Divine (Longview)

PROPOSED UPDATES TO COLUMBIA RIVER SPRING CHINOOK POLICY C-3617 – BRIEFING AND PUBLIC HEARING:

Cindy LeFleur and Guy Norman briefed the Commission on proposed updates to Policy C-3617, Mainstem Columbia River Spring Chinook Management and Allocation for Non-Indian Fisheries, 2009-2013. The Commission will consider approval of policy updates at its February 5-6, 2010, meeting in Olympia.

Seven people testified orally on the above policy during this portion of the meeting:

- John McKinley (Skamokawa)
- Les Clark (Chinook)
- Kent Martin (Skamokawa)
- Jim Wells (Astoria, OR)
- Marty Kuller (Cathlamet)
- Bryce Divine (Longview)
- Hans Mak (Shelton)

NORTH OF FALCON POLICY OVERVIEW – BRIEFING:

John Long briefed the Commission on current status of the North of Falcon Policy (C-3608), which was adopted in February 2009 and expires December 31, 2010.

OPEN PUBLIC INPUT:

Five people testified on issues of concern during this portion of the meeting:

- John McKinley (Skamokawa)
- Ken Kumasawa (Auburn)
- Vinton J. Waldron (Oak Harbor)
- Brian Allison (Oak Harbor) – Sport fishing
- Richard Good (Curtis) – Salmon recovery, recreational fishing

COMMISSION COMMITTEE REPORTS:

The Commissioners discussed activities of the various Commission committees.

SUMMARY OF COMMISSION REQUESTS AND NEW REQUESTS:

Commissioner Schmitt moved, seconded by Commissioner Chew, to request that the Department provide a presentation to the Fish Committee on the management, history, and current fishery of spot prawns/shrimp prior to the April 9-10, 2010, Commission meeting in Leavenworth. The motion carried unanimously.

Commissioner Wecker moved, seconded by Commissioner Douvia, to request that the Department provide an overview of research and monitoring activities within each program of the Department; to include: list of researchers and disciplinary expertise; how projects are selected and funded; whether they are peer-reviewed or published. Motion carried unanimously.

MISCELLANEOUS AND MEETING DEBRIEF:

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

Chair Wecker adjourned the meeting at 3:00 p.m.

nb/sdy

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

Nancy Burkhart and Susan Yeager

MINUTES

WASHINGTON FISH AND WILDLIFE COMMISSION MEETING via CONFERENCE CALL

August 20, 2010
Olympia, Washington

ATTENDANCE

COMMISSION:

Miranda Wecker, Chair
Ken Chew
Chuck Perry
Connie Mahnken
David Jennings
George Orr
Rollie Schmitt

DEPARTMENT:

Phil Anderson, Director
Ann Larson, Legislative Liaison
Margaret Ainscough, Public Affairs
Bruce Bjork, Chief, Enforcement Program
Mike Cenci, Enforcement Program

PUBLIC: None

COMMISSION STAFF

Susan Yeager, Exec. Assistant
Darlene Bartlett, Admin. Assistant

Chair Wecker called the meeting to order at 8:34 a.m.

A. 2011 DEPARTMENT REQUEST LEGISLATION – DECISION:

Director Anderson and Ann Larson briefed the Commission on the 2011 Proposed agency request legislation. It was stated that this legislation piece is a work in progress and this is the framework that the Department is working with. Ms. Larson walked the Commissioners through each item.

Commissioner Chew moved, seconded by Commissioner Schmitt to approve the 2011 Department request legislation as proposed.

Motion carried unanimously.

B. COMMISSION BUDGET POLICY – DISCUSSION:

Commissioner Schmitt asked for some clarification from the Department concerning the Commission Policy C-4001, Budget Reductions 2009-2011. Director Anderson stated that the Executive committee will be updating the budget policy document and presenting at the next meeting.

C. GENERAL DISCUSSION:

Commissioners and Department staff discussed recent activities and items of interest, including:

- Budget concerns
- Temporary layoff days

Chair Wecker adjourned the meeting at 10:05 a.m.

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These minutes plus the audio recordings constitute the full minutes.

Darlene Bartlett, Administrative Assistant

MINUTES

WASHINGTON FISH AND WILDLIFE COMMISSION SPECIAL MEETING

August 5, 2010

Natural Resources Building
1111 Washington St S
First Floor, Room 172
Olympia, Washington

ATTENDANCE:

Commission

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Connie Mahnken
David Jennings
Chuck Perry
George Orr

Commission Staff

Susan Yeager, Executive
Assistant

Department Staff

Phil Anderson, Director
Joe Stohr, Deputy
Director-Operations

Staff, continued

Curtis Tanner, Nearshore
Project Manager, Habitat
Margen Carlson, Puget
Sound Policy Lead, Habitat
Bruce Bjork, Chief,
Enforcement Program
Bill Phillips, Assistant
Director, Capital & Asset
Mgmt
Bill Joplin, Licensing Division
Manager
Jeff Olsen, Assistant Director,
Technology & Financial Mgmt
David Giglio, Budget Director,
Technology & Financial Mgmt
Dave Geiger, Special
Assistant, Performance &
Accountability
Margaret Ainscough, Special
Assistant Public Affairs

Staff, continued

Dave Pulliam, Deputy
Director, Wildlife Program
Glenn Gerth
Kathy Cody
Jair Reitsma
Bill Frymire, AGO
Other Department Staff

Public

Al Schmauder
Chris Sterns

THURSDAY, August 5, 2010

Chair Wecker called the meeting to order at 2:08 p.m.

1. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION PROGRAM OVERVIEW – BRIEFING:

Curtis Tanner and Margen Carlson briefed the Commission on the Puget Sound Nearshore Ecosystem Restoration Project (PSNERP), which is a large-scale initiative that affords a unique opportunity to tackle some of the foremost habitat restoration needs in Washington State's Puget Sound basin. Nearshore Project goals are to identify significant ecosystem problems, evaluate potential solutions, and restore and preserve critical nearshore habitat. PSNERP represent a partnership between the U.S. Army

Corps of Engineers (Corps), state, local, and federal government organizations, tribes, industries, and environmental organizations.

2. PROPOSED 2011-2013 DEPARTMENT BUDGET REQUEST – DECISION:

Joe Stohr introduced the Department staff to present the budget proposals to the Commission. David Giglio updated the Commission on the falling revenue growth, increasing expenditures, and statewide solutions. Dave Geiger presented to the Commission a progressive overview of the 2011-2017 Strategic Plan and the next steps to completing the plan. Bill Phillips led the Commission through the Capital Budget list of projects. He suggested the Department's holistic view mirrors the direction of the agency. David Giglio presented an overview of the Department's operating request for the Commission's review and approval. Two people provided oral testimony on the above rule proposals during this portion of the meeting:

- Al Schmauder (Olympia)
- Chris Sterns (Olympia)

Commissioner Douvia moved, seconded by Commissioner Perry to approve the Department's 2011-2013 Operating and Capital Budget Requests as proposed.

Commissioner Jennings moved to amend the motion by removing the line item for the Wenas Shooting Range. The motion to amend failed due to lack of a second.

The main motion carried.

3. PROPOSED 2011 DEPARTMENT REQUEST LEGISLATION - DECISION:

Ann Larson reviewed the list of Legislative proposals with the Commission. Ann stated that is a working list of ideas and that a lot of work needs to be done before the September 13, 2010, OFM submission. Two people provided oral testimony on the above proposals during this portion of the meeting:

- Al Schmauder (Olympia)
- Chris Sterns (Olympia)

Commissioner Douvia moved, seconded by Commissioner Orr to continue the Proposed 2011 Department Legislative Request to the next Commission conference call on August 20, 2010.

The motion carried unanimously.

4. COLUMBIA RIVER ALTERNATIVE GEAR STUDY- BRIEFING:

The Commission, per staff recommendation, chose to postpone the Columbia River Alternative Gear Study to the October 1-2, 2010, Commission meeting in Olympia.

Chair Wecker adjourned the meeting at 5:30 p.m.

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These minutes and the audio recording constitute the full minutes.

Darlene Bartlett, Administrative Assistant

MINUTES

WASHINGTON FISH AND WILDLIFE COMMISSION MEETING

August 6-7, 2010

Natural Resources Building
1111 Washington St S
First Floor, Room 172
Olympia, Washington

ATTENDANCE:

Commission

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Ken Chew, Sat. only
David Jennings
Rollie Schmitt
George Orr
Connie Mahnken
Chuck Perry

Commission Staff

Susan Yeager, Exec. Assistant
Darlene Bartlett, Admin. Assistant

Department Staff

Phil Anderson, Director
Joe Stohr, Deputy Director
Dan Budd, Real Estate Manager
Dave Pulliam, Assistant Director
Wildlife Program
Eric Cummins, Section Manager
Don Kraege, Section Manager
Dave Ware, Game Division
Manager
Lisa Wood, HPA Appeals
Coordinator
Rich Childers, P.S. Shellfish
Manager
Jim Scott, Fish Program
Darrin Friedel, Public Affairs
Bill Frymire, AGO
Pat Chapman
Steve Burton

Public

Brian Perron
James Neil
Larry Ray, WA Falconers Assn
Lydia Ash, WA Falconers Assn
Geoff Hirschi, WA Falconers Assn
Barbara Nichols, Baby Island

Public continued

David Hollingsworth
Jim Hollister
Ben Welton
Linda Saunders
BJ Thorniley, WA Trappers Assn
Ron Craig
Brian Johnson, Puget Sound
Anglers
Jim Hull
Tim Donahue
Todd Gerhardt
Skie Bender
Brian Kellogg, WA Falconers Assn
Clifford Kellogg, WA Falconers
Assn
Linda Kellogg, WA Falconers Assn
Shirley Solomon
Charles Hickey, CCA
Chris Stearns
David Reese, CCA/PSA
Mark Talbott, CCA/PSA
Marsha Schaefer, CCA/Crab & Shrimp
Rec. Advisors
John Wicklund, CCA
Frank Haw, CCA
David Kautzan, CCA
Dale Tyler, Camano Water System
Assn
Lawrence Bucklin, PSA Gig Harbor
Archie Jorgenson, PS Crabbers
Archie Jorgenson Jr, PS Crabbers
Mary Kinley, PS Crabbers
Carol Davis
Ken Van Cleave, PSA Gig Harbor
Van
Chau To
Lam
Gordon Ruh, PSA
Andrew Marks, CCA
Ralph Ferguson, CWSA
Kirsten Games
Dean Games
Gary Bodine
Lewis Boyd, CCA
Ryan McFarland, CCA/PSA

Public continued

Karen Thompson
Brian Mackey
Jerry Lowe
Tim Ratfield
Jen Ratfield
Sue Ratfield
Clint Muns, PSA-RFA
Steve Davis
Ken Crews Craig Rothwell
Dmitry Kermian
Don Green
Julie Rothwell
Terra Mills
Vinton Waldron, PSGA
Charisse Waldron, PSGA
Sandi Corderl, PSGA
Brian Johnson, PSA
Abvil Carien
Jack Collins
Don Overby
Don Williams, PSA
John Constanti, PSA
Eric Sandvig
Donna Sandvig
Erika Sandvig
Kylie Sandvig
Jason Freeman
Leroy Freeman
Jake Wilson
Patrice Wilson
Haley Wilson
Janie Wilson
Josie Wilson
Lee Blankenship, CCA
Brian Melvin, PSCA
Doug Binder, CCA
Vana Silva, PSCA
Allie Carlson, PSCA
Mark Silva, PSCA
Wendy Schaeffer
Ray Hanson
Wayne Palmer
Cheryl Palmer
Darrell Palmer
Matt Palmer

Community
Ken Miller
Brian Allison, Puget Sound Crab
Assn
David Drewry

Matt Anderson
Andy Fisk
Duane Nail
Steve Rothwell
John McKay & family

Jordan Palmer
Joe Toste
Phil Palmby
Kelly Long Freeman
Chris Wilson Freeman
Stephanie Wilson Freeman

FRIDAY, August 6, 2010

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

1a. APPROVAL OF MEETING MINUTES

Commissioner Douvia moved, seconded by Commissioner Schmitt to approve minutes of the following as presented:

- **November 6-7, 2009, meeting;** and
- **January 15, 2010, meeting via conference call**

The motion carried unanimously.

Commissioner Jennings abstained from voting, since he wasn't present for those meetings

1b. COMMISSIONERS' DISCUSSION

Commissioners discussed recent activities and items of general interest.

1c. DIRECTOR'S REPORT

Director Anderson review significant Department issues and activities, followed by Commissioners' questions and discussion on various items, including:

- Public involvement in decision making
- Lead fishing tackle and Loon productivity
- Area 4 groundfish management
- Cowlitz River fish management and production
- White-tail deer management and recovery strategies
- Puget Sound Dungeness crab management and policy review
- Legislative Outreach and Communication
- Communications tools and partnerships
- Budget preparation and planning
- Land acquisition and management
- Law enforcement and public safety
- Partnerships with state and federal agencies and local governments
- NOAA law enforcement summit

1d. OPERATIONS AND BUDGET UPDATE

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

2. OPEN PUBLIC INPUT

The following individuals provided testimony on items of interest/concern during this portion of the meeting:

- Jim Hollister (Rainier) – Pro Wildlife
- Barbara Nichols (Langley) – Baby island community, hunting infringement
- Geoff Hirschi (Snohomish) – Encouraging the adoption of the falconry policy
- Ken Miller (Olympia) – Bear damage to small tree farm
- Brian Allison (Oak Harbor) – Puget Sound Crab Issues
- Jim Hull (Port Orchard) – Shrimp fishing update
- Ron Craig (South Bend) – Salmon recovery in Willapa Bay, Pacific County
- Skie Bender (Olympia) – Wolves, low breeding pairs and domestic conflicts
- Larry Ray – (Spokane) – Recommend adoption of falconry policy
- Lydia Ash (Kirkland) – Support adoption of falconry regulations
- Brian Kellogg (Tacoma) – Support adoption of falconry regulations
- Clifford Kellogg (North Bend) – Support of falconry regulations

3. FALCONRY REGULATIONS – RULE ACTION:

Eric Cummins suggested the adoption of permanent rule amendments to update, amend and align the state's falconry regulations with new federal regulations, meet changing conservation needs, and correct and simplify wording. The Commission held a public hearing on the proposals at its June 4, 2010, meeting in Olympia.

NEW SECTIONS

- WAC 232-30-100, Falconry and captive propagation of raptors permitted;
- WAC 232-30-110, Revocation, modifications, or suspension of falconry permits;
- WAC 232-30-120, Falconry definitions;
- WAC 232-30-130, Permits to practice falconry,
- WAC 232-30-140, Reporting falconry activities;
- WAC 232-30-151, Apprentice falconer classes of permit and permitted raptors;
- WAC 232-30-152, General falconer classes of permit and permitted raptors;
- WAC 232-30-153, Master falconer classes of permit;
- WAC 232-30-160, Reinstatement of an expired falconry permit;
- WAC 232-30-171, New Washington residents from outside the United States;
- WAC 232-30-172, Nonresident falconers in Washington;
- WAC 232-30-173, Falconers moving to Washington;
- WAC 232-30-174, Falconers moving out of Washington;
- WAC 232-30-175, Transport of raptors out of state;
- WAC 232-30-210, Take from the wild;
- WAC 232-30-215, Capture of marked raptors;
- WAC 232-30-220, Designation as a wild raptor;
- WAC 232-30-222, Take of nestling at nest site;

WAC 232-30-224, Raptors injured due to falconer trapping efforts;
WAC 232-30-230, Acquisition, transfer, release, loss, or rebanding of a raptor;
WAC 232-30-232, Acquiring a bird for falconry from a permitted rehabilitator;
WAC 232-30-240, Flying a hybrid raptor in falconry;
WAC 232-30-242, Releasing a falconry bird to the wild permanently;
WAC 232-30-244, Transfer, selling, or trading raptors under a falconry permit;
WAC 232-30-250, Provisions for accidental take by falconers;
WAC 232-30-260, Closed areas for raptor trapping and practicing falconry;
WAC 232-30-310, Banding or microchip tagging raptors used in falconry;
WAC 232-30-410, Inspections;
WAC 232-30-420, Facilities are required for possession of falconry or abatement raptors;
WAC 232-30-430, Falconry facilities on property not owned by falconry permittee;
WAC 232-30-440, Facilities and care requirements and guidelines;
WAC 232-30-450, Required equipment;
WAC 232-30-460, Facilities for a raptor when in transport, using it for hunting, or are away from facilities, and temporary housing;
WAC 232-30-470, Care of falconry raptors by another person;
WAC 232-30-510, Captive propagation of raptors;
WAC 232-30-520, Hacking of falconry raptors;
WAC 232-30-530, Abatement activities with captive raptors;
WAC 232-30-540, Use of falconry raptors in education programs;
WAC 232-30-550, Other uses of falconry raptors;
WAC 232-30-560, Falconers assisting in rehabilitation of raptors to prepare them for release;
WAC 232-30-570, Feathers molted by falconry raptors; and
WAC 232-30-580, Disposition of carcasses of falconry birds that die.

REPEALER

WAC 232-12-101, WAC 232-12-104, WAC 232-12-106, WAC 232-12-107, WAC 232-12-114,
WAC 232-12-117, WAC 232-12-121, WAC 232-12-124, WAC 232-12-127 and
WAC 232-12-129.

Commissioner Jennings moved, seconded by Commissioner Schmitt to approve the permanent amendments to WAC 232-28-291 and WAC 220-55-115 as proposed.

Motion carried unanimously.

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4. BAYVIEW GAME RESERVE – RULE ACTION:

Don Kraege presented for approval permanent rule amendments WAC 232-16-690 Bayview game Reserve, to increase access to shore areas and enhance user opportunities.

Commissioner Douvia moved, seconded by Commissioner Schmitt to approve the permanent amendments to WAS 232-16-690 as proposed.

Motion carried unanimously.

5. NON-TOXIC REQUIREMENTS – RULE ACTION:

Don Kraege presented for approval the adoption of permanent amendments to WAC 232-12-068, Non-toxic shot requirements, which would add two areas to the list of Department-owned lands where only non-toxic shots is allowed in order to avoid potential lead shot poisoning of wildlife.

Commissioner Douvia moved, seconded by Commissioner Schmitt to approve the permanent amendments to WAC 232-12-068 as proposed.

Motion carried unanimously.

6. MIGRATORY WATERFOWL SEASONS – RULE BRIEFING, PUBLIC HEARING & RULE ACTION:

Don Kraege presented to the Commission for approval the adoption of permanent amendments to **WAC 232-28-434, 2010-11 Migratory waterfowl seasons and regulations**, and repeal of **WAC-28-433, 2009-10 Migratory waterfowl seasons and regulations**. Several people provided oral testimony on the above rule proposals during this portion of the meeting:

- Todd Gerhardt (Shelton)
- Tim Donohue (Gig Harbor)
- Ben Welton (La Conner)
- David Drewry (Port Townsend)
- David Hollingsworth (Port Angeles)
- Brian Perron (Portland, OR)
- Shirley Solomon (Mount Vernon)

Commissioner Jennings moved, seconded by Commissioner Chew to approve the permanent amendments to WAC 232-28-434, 2010-11 Migratory waterfowl seasons and regulations with Department floor and repeal of WAC-28-433, 2009-10 Migratory waterfowl seasons and regulations as proposed.

Motion carried.

Commissioner Douvia absent for vote

7. BAITING OF GAME BIRDS – RULE BRIEFING, PUBLIC HEARING & RULE ACTION:

Don Kraege presented for approval the adoption of permanent on proposed amendments to **WAC 232-12-264, Baiting of game birds – Unlawful**, to bring state rules in line with Federal USFWS regulations prohibiting waterfowl baiting. The changes would also provide the Department with more effective tools for identifying violations. No public signed up to testify on this item during this portion of the meeting.

Commissioner Douvia moved, seconded by Commissioner Mahnken to approve the permanent amendments to WAC 232-12-264, Baiting of game birds – Unlawful.

Motion failed for lack of quorum.

8. **IMPORTATION OF DEAD NON-RESIDENT WILDLIFE – RULE BRIEFING, PUBLIC HEARING & RULE ACTION:**

Dave Ware presented for approval the adoption of permanent amendments to **WAC 232-12-021, Importation and retention of dead nonresident wildlife**, to establish restrictions on the importation of deer, elk, and moose from states known to harbor chronic wasting disease in wild populations and thus reduce the disease risk for native deer, elk, and moose populations in Washington. No public signed up to testify on this item during this portion of the meeting.

Commissioner Jennings moved, seconded by Commissioner Perry to approve the permanent amendments to WAC 232-12-021, Importation and retention of dead nonresident wildlife, as proposed.

Motion carried unanimously.

9. **TRAPPER REPORTING – RULE BRIEFING, PUBLIC HEARING & RULE ACTION:**

Dave Ware presented for approval the adoption of permanent amendments to **WAC 232-12-134, Report required of licensed trappers**, that would provide consistency with the report deadline for wildlife control operators authorized in another existing WAC rule. WAC 232-12-021, No public signed up to testify on this item during this portion of the meeting.

Commissioner Jennings moved, seconded by Commissioner Douvia to approve the amendments to WAC 232-12-134, Report of licensed trappers as proposed.

Motion carried unanimously.

10. **2011 COMMISSION MEETING CALENDAR – DISCUSSION:**

The Commissioners discussed the proposed meeting dates for 2011. Suggested changes for dates, critical months for meetings as well as what meeting rooms are available were made. A tentative schedule was proposed with further discussion and a decision to take place at a later date. No public signed up to testify on this item during this portion of the meeting.

January 7-8
February 4-5
March 4-5
April 8-9
June 3-4
August 5-6
October 7-8

November 4-5

December 2-3

11. SUMMARY OF COMMISSION REQUEST:

The review of existing requests was discussed by the Commissioners and Director Anderson

12. OPEN PUBLIC INPUT

The following individuals provided testimony on items of interest/concern during this portion of the meeting:

SATURDAY, APRIL 10, 2010

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

13. OPEN PUBLIC INPUT

The following individuals provided testimony on items of interest/concern during this portion of the meeting:

- Ralph Ferguson (Camano Island) – Leque Island
- Dale Tyler (Camano Island) – Leque Island
- Chris Stearns (Olympia) – Herring & sand lance

14. PROPOSED LAND TRANSACTION – DECISION

Dan Budd and Ron Judd presented for approval various land transactions recommended by the Department for the protection of critical fish and wildlife habitat, to provide public recreational opportunity and to address responsible property management.

- Proposed acquisition of 7.40 acres (Schwieger Property) in Mason County,
- Proposed acquisition of 4.06 acres (Alstrom Property) in Mason County,
- Proposed acquisition of 5.53 acres (Barbara Property) in Mason County,
- Proposed acquisition of 63 acres (Crescent View Property) in Grant County,
- Proposed acquisition of approximately 2,699 acres (Cutchie Property) in Okanogan County,
- Proposed conservation easement on 400 acres (Dagnon Property) in Okanogan County,
- Proposed acquisition of 27.97 acres (Evans Property) in Skagit County,
- Proposed road easement in Pierce County

Ron Judd (Seattle/Okanogan) – Testified in support of WDFW's habitat & conservation work

Commissioner Jennings moved, seconded by Commissioners Perry to approve the proposed land transactions as presented with floor amendments.

The motion carried unanimously.

15. HYDRAULIC PERMITTING APPROVAL (HPA) ADMINISTRATIVE GEARINGS BOARD PROCESS – RULE BRIEFING, PUBLIC HEARING & RULE ACTION:

Lisa Wood presented for approval the adoption of permanent amendments to the HPA process. No public signed up to testify on this item during this portion of the meeting.

Commissioner Jennings moved, seconded by Commissioners Mahnken to approve the proposed land transactions as presented.

Motion carried unanimously.

16. COMMISSION POLICY C-3609 REVIEW, PUGET SOUND CRAB FISHERY – BRIEFING & PUBLIC HEARING:

Rich Childers presented to the Commission proposed changes to the Commission Policy C-3609, Puget Sound Crab Fishery. Several people provided oral testimony on the above policy proposals during this portion of the meeting:

- Charles Hickey (Everett) – Support option A
- Andrew Marks (Federal Way) – Crab economics
- David Reese (Woodinville) – Support option A
- Mark Talbott (Woodinville) – Support option A
- Gordon Ruh (Camano Island) – Support option A
- Gary Bodine (Buckley) – Option A in the best choice
- Lewis Boyd (Everett) – Inequities with treaty tribes
- Ryan McFarland (Seattle) – Reason to support option A
- Brian Allison (Oak Harbor) – Policy review, resource for all not just a few
- Vinton Waldron (Oak Harbor) – Crab allocations, abuse by recreational crabbers
- Sandy Cordell (Oak Harbor) Support option 6 that wasn't included
- Charisse Waldron (Oak Harbor) – Encourage trips to see commercial/recreational operations
- Lawrence Bucklin (University Place) – Adequate opportunity for recreational crabbers
- Archie Jorgenson (Ferndale) – Safety implications of proposals
- Steve Davis (Bellingham) – Biological input and cap on harvest
- Archie Jorgenson Sr. (Bellingham) – Impact of commercial fisherman and the resource
- Clint Muns (Shelton) – Support option A
- Ken Van Cleave (Lakewood) – Gig Harbor PSA
- Don Overby (Rochester) – Crab allocations
- Ed Wickersham (Ridgefield) – Support option A
- Don Williams (Port Ludlow) – Recommend option A
- Andy Fisk (Port Angeles) – Commercial fleet
- Duane Nail (Port Townsend) – Support option A
- Ken Crews (Anacortes) – Dungeness crab allocation
- Craig Rothwell (Blaine) – Commercial crab fisher
- John McKay (Brinnon) – Crab
- Karen Thompson (Anacortes) – Morally wrong to eliminate commercial crabbing industry
- Brian Mackey (Anacortes) – Crab options
- Eric Sandvig (Bellingham) – Crab fishery
- Jake Wilson (Bellingham) – Commercial fishing is a way of life for his family

- Brian Melvin (Anacortes) – Crab plans
- Wayne Palmer (Anacortes) – Don't take resource away
- Darrell Palmer (Anacortes) – Crab Allocations
- Larry (Walk-up) Do not adopt option A

17. OPEN PUBLIC INPUT

The following individuals testified on issues of interest/concern during this period of the meeting.

- Darrell Palmer (Anacortes) – Suggested catch and release for crab
- Joe Toste (Westport) – Commercial crab fisherman
- Phil Palmby (Bellingham) –

18. MISCELLANEOUS AND MEETING DEBRIEF:

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

Chair Wecker adjourned the meeting at 2:00 p.m.

db

These minutes and the audio recording constitute the full minutes.

Darlene Bartlett

Approved by Fish & Wildlife Commission, August 6-7, 2010, Olympia

MINUTES

WASHINGTON FISH AND WILDLIFE COMMISSION MEETING via CONFERENCE CALL

September 3, 2010
Olympia, Washington

ATTENDANCE

COMMISSION:

Miranda Wecker, Chair
Gary Douvia, Vice Chair
Brad Smith
Rollie Schmitt
Ken Chew
Chuck Perry
David Jennings
Connie Mahnken
George Orr

DEPARTMENT:

Phil Anderson, Director
Joe Stohr, Deputy Director
Dave Pulliam, Wildlife Program

PUBLIC: None

COMMISSION STAFF

Susan Yeager, Exec. Assistant
Darlene Bartlett, Admin. Assistant

Chair Wecker called the meeting to order at 8:31 a.m.

A. 2011 COMMISSION MEETING CALENDAR – DECISION:

The Commissioners discussed the possible location options for their 2011 Commission meeting calendar. Commissioners juggled the importance of Eastern Washington meetings with attempts to follow the guidance from the Legislature and the Office of Financial Management. The Commission decided to have the March 4-5, 2011, meeting in Spokane and all others to be located in Olympia unless the budget improves and then they will revisit the location options again.

Commissioner Douvia moved, seconded by Commissioner Smith to approve the 2011 Fish and Wildlife Commission calendar as proposed.

Motion carried unanimously.

B. GENERAL DISCUSSION:

Commissioners and Department staff discussed recent activities and items of interest, including:

- October tentative agenda items
- December tentative agenda items
- Stellar sea lions
- White-tail deer plan
- Cougar pilot project

Chair Wecker adjourned the meeting at 9:40 a.m.

db

These minutes plus the audio recordings constitute the full minutes.

Darlene Bartlett, Administrative Assistant