



Washington Department of Fish and Wildlife
Fish and Wildlife Commission

Meeting

April 8-9, 2011
Natural Resources Building
1111 Washington St SE
First Floor, Room 172
Olympia, Washington 98501

Draft notes are for planning purposes only and do not appear on the distributed agenda.

Preliminary* AGENDA

DRAFT 3-14-11

THURSDAY, April 7

Committees: W-L, Enf/Reg

FRIDAY, April 8

8:30 AM 1. CALL TO ORDER

100 mins.

- a. Approval of Meeting Minutes *5 mins.*
- b. Commissioners' Discussion *20 mins.*
- c. Director's Report (Phil Anderson) *25 mins.*
- d. Legislative Update (Ann Larson) *25 mins.*
- e. Budget & Operations Update (Joe Stohr) *25 mins.*

10:10 a.m. **2. OPEN PUBLIC INPUT:**

30 mins.

The Commission is a direct link between citizens of Washington and the Department of Fish and Wildlife. Comments on Department programs and topics of concern are welcome during this portion of the meeting.

NOTE: During this portion of the meeting, the public is encouraged to comment on issues that are not on the agenda for decision action.

10:40 a.m. **BREAK**

15 mins.

PLEASE NOTE: All listed times are estimates only.

The Commission reserves the right to move agenda items as needed.

*Agenda revisions, updates, and informational materials are posted on the Internet for viewing at the Commission web page: www.wdfw.wa.gov/commission/meetings.html. Contact the Commission Office with questions and to identify special accommodation needs: (360) 902-2267, TTY (800) 833-6388, email: commission@dfw.wa.gov.

Times are approximate and subject to change

10:55 a.m. **3. CAPITAL PROGRAM ACTION PLAN UPDATE – BRIEFING:** 30 mins.

At the request of the Commission, Department staff will brief the Commission on the annual Capital Management Review as outlined in the "Berk" Report, including top priority projects, status of project management and development of cost accounting.

Staff Report: Bill Phillips, Assistant Director, Capital Asset Management Program
15 mins.

11:25 a.m. **4. LAND TRANSACTIONS – DECISION:** 20-30 mins.

The Commission will consider approval of various proposed land transactions recommended by the Department for the protection of critical fish and wildlife habitat, provide public recreation opportunities and address responsible property management.

Staff Report: Dan Budd, Real Estate Manager, Wildlife Program
15 mins.

PUBLIC INPUT (This Item Only)

11:55 a.m. **5. COMMERCIAL SHELLFISH POT GEAR ESCAPE MECHANISMS – RULE BRIEFING & PUBLIC HEARING:** 15 mins.

Department staff will brief the Commission on proposed amendments to **WAC 220-52-035, Commercial shellfish pot gear-escape mechanism required**, which would help ensure escape mechanisms work as intended. The Commission will take public comment at this meeting and also at its conference call meeting on April 15, 2011. The Commission will consider adoption of permanent amendments to this rule at its April 15, 2011, conference call meeting.

Staff Report: Heather Reed, Coastal Marine Resources Policy, Director's Office
10 mins.

PUBLIC INPUT (This item only)

12:10 PM LUNCH BREAK 95 mins.
Committees: Lands?

1:45 PM 6. BALD EAGLE PROTECTION – RULE ACTION: 20 mins.

The Commission will consider adoption of permanent amendments to **WAC 232-12-292 Bald eagle protection rules**, which would remove the requirement for a Bald Eagle Management Plan unless the bald eagle is federally or Washington state listed as endangered or threatened, and shift responsibility for bald eagle management to the U.S. Fish and Wildlife Service. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

Staff Report: Greg Schirato, Wildlife Program Manager, Region 6
10 mins.

2:05 p.m. **7. PUBLIC CONDUCT ON PRIVATE LANDS UNDER COOPERATIVE AGREEMENT-UNLAWFUL ACTS – RULE ACTION:** 10 mins.

The Commission will consider adoption of permanent amendments to **WAC 232-13-160 Public conduct on private lands under cooperative agreement with the Department-Unlawful Acts**, creating a new section to allow enforcement of private lands access rules that are mutually agreed to by the landowner and the Department. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

Staff Report: Mick Cope, Upland Game Section Manager, Wildlife Program
5 mins.

2:15 p.m. **8. LANDOWNER HUNTING PERMITS – RULE ACTION:** 10 mins.

The Commission will consider adoption of permanent amendments to **WAC 232-28-295 Landowner hunting permits**, which would help increase hunter access and address damage issues. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

Staff Report: Mick Cope, Upland Game Section Manager, Wildlife Program
5 mins.

2:25 p.m. **9. SPRING BLACK BEAR SEASONS AND REGULATIONS – RULE ACTION:** 10 mins.

The Commission will consider adoption of permanent amendments to **WAC 232-28-286 2010, 2011, and 2012 Spring Black Bear Seasons and Regulations**. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

Staff Report: Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager, Wildlife Program
5 mins.

2:35 p.m. **10. MOOSE, BIGHORN SHEEP, AND MOUNTAIN GOAT SEASONS AND PERMIT QUOTAS – RULE ACTION:** 10 mins.

The Commission will consider adoption of permanent amendments to **WAC 232-28-273 2009-2011 Moose, Bighorn Sheep, and Mountain Goat Seasons and Permit Quotas**. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

Staff Report: Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager, Wildlife Program
5 mins.

Times are approximate and subject to change

2:45 p.m. **11. BOUNDARY REGULATIONS, GAME MANAGEMENT UNITS – RULE ACTION:** 10 mins.

The Commission will consider adoption of permanent amendments to boundary descriptions that would simplify the descriptions, reduce verbiage, update road name changes or usage, and close known gaps in boundaries. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

**WAC 232-28-331 Game management units (GMUs) boundary descriptions – Region one;
WAC 232-28-332 Game management units (GMUs) boundary descriptions – Region two;
WAC 232-28-333 Game management units (GMUs) boundary descriptions – Region three;
WAC 232-28-334 Game management units (GMUs) boundary descriptions – Region four;
WAC 232-28-335 Game management units (GMUs) boundary descriptions – Region five;
WAC 232-28-336 Game management units (GMUs) boundary descriptions – Region six;
and
WAC 232-28-337 Deer and elk areas.**

Staff Report: Jerry Nelson, Ph.D., Deer and Elk Section Manager, Wildlife Program
10 mins.

2:55 p.m. **BREAK** 15 mins.

3:10 p.m. **12. DEER GENERAL SEASONS AND DEER AND ELK SPECIAL PERMIT REGULATIONS – RULE ACTION:** 45 mins.

The Commission will consider adoption of permanent amendments to deer general season and deer and elk special permit regulations to address crop and property damage problems, changes in population levels due to environmental conditions or disease outbreaks and to balance harvest levels with established population objectives. The Commission held a public hearing on the proposals at its March 4-5, 2011, meeting in Spokane.

**WAC 232-28-351, 2009-2011 Deer General seasons and definitions;
WAC 232-28-355, 2011 Deer special permits; and
WAC 232-28-356, 2011 Elk Special Permits.**

Staff Report: Jerry Nelson, Ph.D., Deer and Elk Section Manager, Wildlife Program
10 mins.

3:55 p.m. **13. OPEN PUBLIC INPUT:** 15 mins.

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4:10 p.m. **EXECUTIVE SESSION** *Quarterly update w-Joe Shorin & Phil* 60-90 min.

Pursuant to RCW 42.30.110(1)(i), the Commission will convene in executive session to discuss with legal counsel representing the agency litigation or potential litigation to which the agency is, or is likely to become, a party. The public is not permitted to attend the executive session.

5:40 PM RECESS *Committees: Marine Fish*

SATURDAY, April 9

Times are approximate and subject to change

- 8:30 AM 17. OPEN PUBLIC INPUT:** *15 mins.*
The Commission is a direct link between citizens of Washington and the Department of Fish and Wildlife. Comments on Department programs and topics of concern are welcome during this portion of the meeting. **NOTE:** During this portion of the meeting, the public is encouraged to comment on issues that are not on the agenda for decision action.
- 8:45 a.m.* **18. ESTUARY AND SALMON RESTORATION PROGRAM – BRIEFING:** *25 mins.*
Department staff will brief the Commission on the Puget Sound Nearshore Ecosystem Restoration Project (PSNERP), including...

Staff Report: Betsy Lyons, Estuary and Salmon Restoration Program Manager, Habitat Program
15 mins.
- 9:10 a.m.* **19. PUGET SOUND FORAGE FISH UPDATE – BRIEFING:** *45 mins.*
At the request of the Commission, Department staff will provide a status update with information on forage fish, including an overview/history of the 1998 Commission Policy on Forage Fish Management ([C-3012](#)).
[PUGET SOUND IN APRIL, COASTAL IN JUNE; PER PHIL 3-8-11]

Staff Report: Wayne Palsson, Research Scientist, Fish Program
20 mins.
- 9:55 a.m.* **BREAK** *15 mins.*
- 10:10 a.m.* **20. COMMISSION COMMITTEE REPORTS:** *20 mins.*
The Commissioners will discuss recent activities of the various Commission committees.
- 10:30 a.m.* **21. OPEN PUBLIC INPUT:** *15 mins.*
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- 10:45 a.m.* **22. MISCELLANEOUS AND MEETING DEBRIEF:** *20 mins.*
The Commission will discuss items that arise immediately before or during the meeting and after the preliminary agenda is published.

< Additional items? >

11:05 AM ADJOURN

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WASHINGTON FISH AND WILDLIFE COMMISSION 2011 MEETING SCHEDULE

<u>DATES</u>	<u>LOCATION</u>
January 7-8	Olympia
February 4-5	Olympia
March 4-5	Spokane
April 8-9	Olympia
June 3-4	Olympia
August 5-6	Olympia
October 7-8	Olympia
November 4-5	Olympia
December 2-3	Olympia

Note: the Commission also meets by telephone conference call, generally on the first and third Friday mornings of each month. The complete list is posted on our website.

Additional meetings and/or conference calls may be scheduled as deemed necessary by the Commission.

All meetings and conference calls are recorded and open to the public, except during Executive Sessions. Changes to the meeting schedule, agendas and additional materials are found on the Commission's website at:

www.wdfw.wa.gov/commission/meetings.html

MEMBERS

Miranda Wecker, Chair, Naselle
(Western Washington position, Pacific County)
Occupation: Director of the Marine
Program, UW Olympic Natural Resources
Center
Current Term: 01/01/07 - 12/31/2012

Gary Douvia, Vice Chair, Kettle Falls
(At-Large position, Ferry County)
Occupation: Financial consultant
Current Term: 01/15/07 - 12/31/2012

David Jennings, Olympia
(At-Large position, Thurston County)
Occupation: Environmental public health
Current Term: 06/18/09 - 12/31/2014

Conrad Mahnken, Ph.D., Bainbridge Island
(At-Large position, Kitsap County)
Occupation: Retired fisheries biologist
Current Term: 11/4/05 - 12/31/2010

Chuck Perry, Moses Lake
(Eastern Washington position, Grant County)
Occupation: Consultant, rangeland sustainability
Current Term: 01/01/07 - 12/31/2012

Rolland Schmiten, Lake Wenatchee
(At-Large position, Chelan County)
Occupation: Marine resources consultant
Current Term: 06/18/09 - 12/31/2014

Bradley Smith, Ph.D., Bellingham
(Western Washington position, Whatcom County)
Occupation: Dean, Huxley College of the Environ.
Western Washington University
Current Term: 06/18/09 - 12/31/2014

Vacant (2)
(1 Western WA; 1 Eastern WA position)
Term: 01/01/2011 - 12/31/2016

Updated 2/14/11

Contact the Commission office with questions at (360) 902-2267, or by email to commission@dfw.wa.gov