



## Minutes

# Washington Fish & Wildlife Commission Meeting

December 13-14, 2019 – Bellingham

### Attendance

#### **WA Commission:**

Larry Carpenter, Chair  
Barbara Baker, Vice Chair  
Bob Kehoe  
Dave Graybill  
Donald McIsaac  
Kim Thorburn  
Molly Linville  
James R. Anderson  
Brad Smith

#### **WA Department Staff:**

Kelly Susewind,  
Director  
Amy Windrope, Deputy  
Director  
Joe Panesko, AGO  
Nate Pamplin  
Ron Warren  
Eric Gardner  
Anis Aoude  
Julie Watson  
Bill Tweit  
Steve Caromile  
Craig Burley  
Samantha Montgomery  
Rachel Blomker  
Dayv Lowry  
Phill Dionne  
Chris Eardley

Laurie Peterson  
Aaron Dufault  
Edward Eleazer  
Ryan Lothrop  
Kelly Cunningham  
Justin Spinelli  
Edie Thomas  
Brendan Brokes  
Kyle Adicks

#### **Commission Staff:**

Nikki Kloepfer

#### **Public:**

Bryan Townley  
Comer LaRue  
Steve Stout  
John Westfield  
David Parnicky  
Irene Martin  
Kent Martin  
Tom Allen  
John Gurdee  
Russell Carver  
Rob Larsen  
Ron Wesen  
Curt Kramer  
Charles Malmgren  
Bill Schmidt  
Phil Brockman  
Sandy Atkinson  
Dale Dennis

Curt Wilson  
Shannon Moore  
Jacob DeCraft  
Alan Chapman  
James Howe  
Marc Wallace  
Mike Rathvon  
Bob Cooper  
Roger Goodan  
Chris Johnson  
Amy Fenlon  
Brad Felger  
Frank Bob  
Leland Brown  
Chris Parrish  
Brian Lipscomb  
John Jonasson  
Martha Jordan  
Heath Heikkila

Art Thomas  
Steve Fransen  
Karl Frantz  
Steve Carpenter  
David Radosevich  
Mike Gurnee  
Charles Silver  
David Taylor  
Hilda Wiens  
Sean Mitchell  
Hernandez Ruffin  
Tino Villaluz  
Shannon Moore  
Patrick Pattillo  
Doug Davidson  
Gary Hagland  
Dave Thomas  
Janis Schweitzer  
Ron Pera

Joel Nania  
Steve Lebsack  
Dana Steiner  
Brian Henderson  
Mel Walters  
Daniel Zimmerman  
Riley Starks  
Phil Anderson  
Jerry Montogue  
Rob Harriman  
Martha Hall  
Franchesca Perez  
Shaun Seaman  
Doug Karlberg  
Rachel Vasak  
Jesse Pecor  
Bill Hebner  
Gordon Ruh  
Larry Bucklin

### Friday, December 13, 2019

Chair Carpenter called the meeting to order at 8:01 a.m.

#### **Call to Order**

##### **a. Commissioners' Discussion**

No general discussion was addressed with the Commissioners.

**b. Meeting Minute Approval**

The Commission considered approval of the minutes of the November 15 conference call.

**Commissioner Thorburn moved, seconded by Commissioner Smith to approve the minutes of the November 15 conference call as presented. All in favor. Motion passed.**

**c. Committee Reports - This Section constitutes the formal minutes from each of the listed committee meetings:**

**Wolf Committee**

Commissioner Thorburn reported that the Wolf committee received an update by Julia Smith, Wolf Coordinator, on the status of post recovery planning now that scoping has closed. Committee members and staff discussed the role of the committee and commission in plan development moving forward. Anis Aoude, Game Division Manager, provided an update on the status of the periodic status review. The contract to model the state wolf population and recovery by a UW post doc has been instituted. Committee members discussed the department's response to the Governor's letter and the members' interest in further discussing wolf conservation and management with the Governor during our annual meeting.

**Wildlife Committee**

Commissioner Thorburn reported that the Wildlife committee was provided an update by Eric Gardner, Wildlife Program Director and Anise Aoude, Game Division Manager, and program staff, on the current work around the Cougar CR-102 scoping and related wildlife conflict. Staff have made efforts to communicate public safety and started a video series educating the public about [Washington's Cougars](#). The committee was provided an overview of Washington's existing work on non-lead was ammunition in preparation for the briefing that would be provided the Commission the following day.

**Fish Committee**

Chair Carpenter reported that the Fish committee staff briefed that Ron Warren, Fish Policy Director, gave an update on Willapa Bay. Craig Burley, Fish Program Deputy Director briefed on agenda item #15, HB1579 options based on public feedback before its presentation to the Commission. Staff provided a briefing on the status of Puget Sound Crab. Chair Carpenter asked the staff to research the Puget Sound Crab policy further and add it as a fish committee agenda item and the January meeting.

**Habitat Committee**

Commissioner Smith reported that the Habitat committee was briefed by Margen Carlson, Habitat Director on HPA civil authority rulemaking and provided the committee with the [flow chart of tools](#) available for compliance as provided by the legislature. The priority habitats and species – Riparian volume 2 document it is in the process of being updated. The department is currently working with tribal and community partners to ensure equity in aquatic and terrestrial presentation. The committee didn't have enough time to discuss fish passage and screening rulemaking. The intent is to start the conversation as fish passages have never had formal rule making.

## 2. **Open Public Input**

The following people provided input on various topics:

Larry Bucklin – Overharvest concerns	Janis D. Schweitzer – Skagit elk issues
Charles Malmgren – Chinook enhancement for SRKW	Phil Brockman – Skagit elk issues
Curt Kraemer – Game fish seasons during North of Falcon	Randy Good – Skagit elk issues
Sandy Atkinson – Stillaguamish closure	Gary Hagland – Skagit elk issues
Ron Pera – Stillaguamish closure	Bill Schmidt – Skagit elk issues
Martha Jordan – North American Non-Lead Partnership	Thomas Freeburg – Stillaguamish closure
Ron Wesen – Skagit elk issues	Martha Hall – Non-hunting representation
Dave Thomas – Skagit elk issues	Dale Dennis – Stillaguamish closure
Ron Garner – HSRG, Crab policy, 10 year – Resource management plan	Gordon Ruh – Puget Sound crab policy
Steve Fransen – Opposing closing recreational angling	Robert Sudar – Columbia River Policy
Larry Bucklin – Puget Sound Anglers	Doug Karlberg – Hatchery management
Shannon Moore – Hatcheries	Tino Villaluz – Skagit elk issues

Chair Carpenter requested that the director provide a report out on the Skagit Elk efforts since the June briefing to the Commission.

## 3. **Director's Report**

The Director provided written highlights on the following:

- Forage fish research
- Waitt's lake opening day
- Partnership to protect biodiversity and working lands
- Partnership with Mobius Science Center
- Leque Island estuary restoration

New Region 4 Director Brendan Brocks provided a summary of major activities in the region. The Director gave a lightning-round summary of important meetings and activities.

## 4. **Land Transactions – Briefing, Public Comment and Decision**

Eric Gardner, Wildlife Program Director asked the Commission for approval of a land donation by former Commissioner Larry Cassidy. Located in the Chief Joseph Wildlife, Snyder Bar Access Areas. This proposal is to acquire by donation, 1.8 (+/-) acres in Asotin County from Frank (Larry) and Marilou Cassidy, to be added to the Snyder Bar Water Access Area. The property is valued at \$32,000 and the acquisition costs are being provided by the Fish Program.

No comment was provided at this time.

**Commissioner Thorburn seconded by Chair Carpenter moved to approve the transactions as presented by staff. All in favor. Motion passed.**

## 5. **Amendment to Dealer Fee WAC for CRSSE and License Package – Briefing, Public Comment, and Decision**

Nate Pamplin, Director of Budget and Governmental Affairs, briefed the Commission and requested approval on proposed edits to the dealer fee WAC to eliminate references to the

Columbia River Salmon and Steelhead Endorsement and to clarify the cumulative dealer fees charged to bundled license packages.

No comment was provided at this time.

**Commissioner Kehoe, seconded by Commissioner Thorburn moved to amend WAC 220-220-320, as presented by staff. All in favor. Motion passed.**

**6. Southern Resident Killer Whales – Briefing**

Julie Watson, Killer Whale Policy Lead, briefed the Commission on the status of Southern Resident Killer Whales, the Department's implementation of the Governor's Southern Resident Killer Whale Task Force Year 1 recommendations and provided an overview of the Task Force's Year 2 recommendations.

Commissioner Smith asked that the Commission is kept in the loop of meetings being held as to have the option to participate in the scoping process.

**7. Blue Sheet: Non-toxic Ammunition and North American Non-lead Partnership – Briefing**

Eric Gardner, Wildlife Program Director gave an introduction of Christopher Parish, The Peregrine Fund and Leland Brown, Oregon Zoo, founders of North American Non-lead Partnership. They briefed the Commission on non-toxic ammunition and the North American Non-lead Partnership.

Commissioner Thorburn requested that staff look into how the department can participate in the partnership.

**8. Marine Fish and Shellfish Sport Fishing Rule Simplification – Decision**

Dayv Lowry, Fish and Wildlife Research Scientist, Phill Dionne, Fish and Wildlife Research Scientist, and Chris Eardley, Puget Sound Shellfish Policy Coordinator asked the Commission to adopt the proposals to simplify and improve marine fish and shellfish recreational rules while addressing conservation objectives.

**Commissioner Thorburn, seconded by Commissioner Anderson, moved to adopt the following Forage Fish, Marine Fish, and Shellfish Sport Fishing Rule Simplification proposals as presented by staff. All in favor. Motion passes.**

**220-315-010 Forage Fish-Lawful gear**

**220-315-030 Smelt-Areas and seasons**

**220-310-160 Daily limits forage fish and other food fish not otherwise provided for**

**220-300-040 Definitions-Bottomfish**

**220-300-130 Definition-Forage fish**

**220-300-370 Food fish-Classification**

**220-330-010 Shellfish—Daily limits.**

**220-330-020 Personal-use shellfish gear—Unlawful acts.**

**220-330-040 Crab—Areas and seasons—Personal use.**

**220-330-070 Shrimp—Areas and seasons.**

**220-330-090 Crawfish, sea urchins, sea cucumbers, goose barnacles—Areas and seasons, personal-use fishery.**

**220-330-120 Clams, oysters, mussels—Unlawful acts.**

**220-330-150 Oysters and clams on private tidelands—Personal use.**

**220-320-060 General provisions—Shellfish.**

**220-314-020 Possession limits-Bottomfish.**  
**220-314-030 Halibut – Seasons-daily and possession limits.**  
**220-314-040 Lingcod – Areas and seasons**

**Repealed:**

**220-330-030 Personal-use crab pot gear requirements.**  
**220-330-050 Crab—Unlawful acts—Personal use.**  
**220-330-060 Personal-use shrimp pot gear requirements.**  
**220-330-080 Shrimp containers.**  
**220-330-100 Personal-use crab, shrimp, crawfish—Unlawful acts.**  
**220-330-130 Oysters and scallops—Gear.**  
**220-330-180 Squid, octopus.**  
**220-300-300 Geographical definitions—District 1.**  
**220-300-310 Geographical definitions—District 2.**

**9. Sturgeon Sport Rules Update- Decision**

Ryan Lothrop, Columbia River Fishery Manager, Bill Tweit, Special Assistant, provided the Commission an updated briefing and asked for a decision on rule proposals for sturgeon sport fishing.

**Commissioner McIsaac, seconded by Commissioner Thorburn, moved to adopt recreational sturgeon fishing regulations permanent amendments to; 220-310-100 - Fish handling rules - Removal from water. 220-316-010 - Sturgeon - Areas, seasons, limits and unlawful acts as presented by staff. All in favor. Motion passes.**

**10. Hatchery Reform Policy C-3619 – Briefing, Public Comment**

Laurie Peterson, Fish Science Division Manager, and Ron Warren, Director of Fish Policy provided the Commission with a status update on the Hatchery and Fishery Reform Policy (C-3619) review project.

The following people provided comments:  
Bob Harriman

Ron Warren asked for Commission guidance on a Tribal request to consider a joint Co-Managers policy on salmon hatcheries and another meeting between Tribal policy representatives and the Commission on the State Hatchery Policy.

Commissioner McIsaac provided comments on possible guidance from the Commission on the process moving forward and the questions about further Tribal involvement. Chair Carpenter requested a written summary of Commissioner McIsaac’s talking points to provide Commissioners and to staff. Written guidance was provided to the Commission and is available [here](#).

**11. Executive Session**

Pursuant to RCW 42.30.110, the Commission met in executive session. No action was taken during and the public was not permitted to attend. Location: Boundary Bay Conference Room. Executive session ended at 5:00pm.

## **SATURDAY, DECEMBER 14, 2019**

Chair Carpenter called the meeting to order at 8:00 am

### **12. Columbia River Salmon Fishery Policy Review – Briefing, Public Comment**

Bill Tweit, Special Assistant and Ryan Lothrop, Columbia River Fishery Manager provided the Commission an update on the progress and discussions conducted by the PRC toward the purpose of recommending a possible revision to the Columbia River Salmon Management Policy C-3620 that can be accomplished concurrently among Oregon and Washington.

The following people provided comments:

Irene Martin                 Art Thomas  
Heath Heikkila             Shannon Moore

No action on such policy issues was taken by the Commission at this meeting. The Commission will prioritize discussion of the process to optimize public notice and opportunities for public comment leading to final Commission action at some point in the future.

Commissioner McIsaac presented a [policy review process](#) for notice to the public that included a multiple meeting process for the Joint-State Policy Review Committee (PRC) with one meeting in an east-side location and a two meeting Washington Commission process to consider any PRC recommendations with one meeting on the west side and one meeting on the east side of the Cascade Mountains. The Commission agreed to move forward with this process.

Vice Chair Baker noted a letter from Oregon Fish and Wildlife Director Curt Melcher suggesting that he and Director Susewind work together to provide concurrency and allocation direction for the upcoming North of Falcon planning since the PRC process is not completed. The commission agreed to delegate these preparations to the Director for the 2020 North of Falcon negotiations.

### **13. Open Public Input**

The following people provided input on various topics:

Heath Heikkila – Hatchery management  
Steven Fransen – Recreation fishing season closures  
Rob Larsen – Marine mammals  
Chris Johnson – Salmon management  
Bob Harriman, Robo duck, sportsman license, 2 deer tag system, turkey harvest weapons  
Charles Sullivan – Hatchery management  
Alan Chapman – Hatchery management  
Shannon Moore – Samish bay fishery  
Kent Martin – Alternative fish gear

Chair Carpenter requested an oyster briefing around species restoration and water quality. Staff will provide a timeline at the next Fish committee meeting in January.

### **14. Baker Lake and Skagit River Sockeye Salmon Review – Briefing, Public Comment**

Aaron Dufault, Anadromous Resources Policy Analyst, and Edward Eleazer, Region 4 Fish Program Manager, provided the Commission with an overview of Baker Lake and Skagit River sockeye fishery management and an update on this year's fisheries.

The following people provided comments:

Steven Fransen	Ron Robertson
John Westerfield	Bryan Townley
Heath Heikkila	Roger Goodan
Bob Cooper	Bob Harriman
Comer LaRue	Rob Larsen
Mike Stefanick	Jacob DeCraft
Art Thomas	

The Commission provided staff guidance to discuss with the Tribes the goal to address and prioritize the harvest equity during the North of Falcon 2020 season setting process.

**15. Implementation of House Bill 1579, and Freshwater Gamefish Rule Housekeeping – Public Comment, Decision**

Steve Caromile, Inland Fish Program Manager, and Craig Burley, Fish Management Division Manager asked the Commission to adopt the presented proposals for the purpose of implementing the Southern Resident Killer Whale HB1579 (Section 2) as it relates to liberalizing bag limits for walleye, bass, and channel catfish in anadromous waters in order to reduce the predation risk to salmon smolts. Other technical and housekeeping rule changes for freshwater gamefish were also considered for adoption.

The following people provided comments:

David Taylor	Joe Boyd
David Parnicky	Bob Harriman
Marc Wallace	Hernandez Ruffin
Joel Nania	Steve Lebsack

**Commissioner McIsaac, seconded by Commissioner Graybill moved to adopt game fish housekeeping rules and Option B2 permanent amendments as listed below and presented by staff. All in favor. Motion passed.**

- 220-310-070 Statewide bait rules**
- 220-310-090 Game fish possession limits and size limits**
- 220-312-010 Freshwater exceptions to statewide rule –General rules**
- 220-312-020 Freshwater exceptions to statewide rules –Coast**
- 220-312-030 Freshwater exceptions to statewide rules – Southwest**
- 220-312-040 Freshwater exceptions to statewide rules – Puget Sound**
- 220-312-050 Freshwater exceptions to statewide rules – Eastside**

**Commissioner Thorburn presented a Blue Sheet on development of a policy document on non-native game fish & fisheries, deadline end of 2020. It will be assigned to the Fish program.**

**Commissioner Graybill made a motion to accept the Blue Sheet on development of a policy document on non-native game fish & fisheries, seconded by Commissioner Linville. All in favor. Motion passed.**

**16. Future Meeting Planning**

Chair Carpenter tabled the future meeting planning discussion until the December 27, 2019 conference call.

Commissioner McIsaac is unable to attend the December 27 conference call and will provide draft agenda and year at a glance edits to Nikki to present at the call.

**17. Miscellaneous and Meeting Debrief**

Chair Carpenter tabled further discussion until the December 27, 2019 conference call.

Chair Carpenter adjourned the meeting at 12:17pm.

These minutes plus the audio recordings constitute the full minutes.

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Nikki Kloepfer, Executive Assistant