



Minutes

Washington Fish & Wildlife Commission
Special Web Conference
Friday, January 21, 2022
Olympia, Washington

Attendance

Commission:	Department Staff:	Commission Staff:
Larry Carpenter, Chair	Amy Windrope, Deputy Director	Nikki Kloepfer
Molly Linville, Vice Chair	Kelly Susewind, Director	
Barbara Baker	Joe Panesko, AGO	
Don McIsaac	Anis Aoude	
Lorna Smith	Eric Gardner	
Kim Thorburn	Stephanie Simek	
James R. Anderson	Mick Cope	

Friday, January 21, 2022

Chair Carpenter called the meeting to order at 1:00 p.m.

A. Spring Bear Petition – Briefing, Decision

Kelly Susewind, Director asked the Commission for a decision on petitions regarding changes to WAC 220-415-080, 2021 Spring black bear special permits.

Commissioner McIsaac made a motion, seconded by Commissioner Thorburn to deny the Lewis, Cannon, Magart, Jackman, and Martz petitions and accept the Neumiller/Inland NW Wildlife Council, et al. petition and initiate rulemaking for a 2022 season to begin soon and include a final Commission decision at the March 17-19 Commission meeting. The CR-102 notice for rulemaking should include amending WAC 220-415-080 by removing from the title the year “2021” as well as delegating to the Director the ability to alter permit allowances in response to changing circumstances.

Commissioner McIsaac spoke to the motion.

Commissioner Baker made a substitute motion, seconded by Commissioner Smith that the Commission collectively deny all of the petitions for the following reasons:

- **On November 19, 2012, the full commission voted on a proposed rule change to WAC 220-415-080 which would have amended the rule to authorize a 2022 spring bear hunt. Because the Commission vote split 4-4, it failed to adopt the proposed amendment, and no 2022 spring bear hunt has been authorized. The Commission cannot reconsider that vote now under parliamentary rules. Petitions from Lewis, Cannon, Magart, and Jackman, essentially ask the Commission to re-vote, “rescind,” or “repeal” its 4-4 decision, such requests are not technically requests to adopt, amend, or repeal a rule in compliance with RCW 34.05.330(1). But it is clear that those petitioners seek to reinstate the spring bear hunt.**
- **Four of the Commissioners that voted to deny the last proposed amendment asked for Department staff to provide additional information, going forward, before the Commission revisits the issue for future years. I was one of those**

Commissioners, and I believe the Commission should deny these petitions for new rulemaking topic until the requested information is provided by the Department.

- Only after Department staff have provided the Commission with further information, as requested, can the Commission then direct Department staff how to proceed for future possible spring hunting seasons.
- Therefore, I move that the commission collectively deny all six of the petitions submitted. Commissioners have previously voiced, on the public record, the intent to engage in a process to resolve outstanding questions, both for ourselves and for the public, before considering new rulemaking on spring bear hunts in future years. When future rulemaking commences, the Department will notify the public with a preproposal inquiry, and the public, including the petitioners, will again have opportunities to provide input. The Commission is committed to that course of action, and because that course is inconsistent with the petitioners' desires for the Commission to initiate rulemaking now, the petitions are all denied.

Commissioners spoke to the motion. **The Commission voted on the substitute motion, 3 in favor (Commissioners Carpenter, Baker, and Smith), 4, opposed (Commissioners McIsaac, Thorburn, Anderson, and Linville). Motion failed.**

The Commission returned to the original motion. **The Commission voted on the original motion, which passed with 4 in favor (Commissioners Anderson, Linville, McIsaac, Thorburn), 3 opposed (Commissioner Carpenter, Baker, Smith).**

Commissioner McIsaac made a motion, seconded by Commissioner Thorburn to adopt the following intent to fully review the Department policy on spring bear hunts, and separately, rulemaking for annual seasons:

1. The intent to conduct a process to fully consider changes to the spring bear hunting policy as described in the current Game Management Plan that will begin with a Commission agenda item at the April or June Commission meetings.
2. The intent to conduct a process to fully consider spring bear hunting permit levels and season specifics for an annual season that concludes with a Commission decision at the October Commission meeting.

Commissioner McIsaac asked the Director if there were any conflict with the timeline proposed in the motion. The Director indicated there was not.

The motion passed unanimously.

Chair Carpenter adjourned the meeting at 2:30 p.m.

Nichole Kloepfer, Executive Assistant