Minutes
Washington Fish and Wildlife Commission
October 24-26, 2024 Hybrid Minutes

Attendance

Commission	Staff	
Barbara Baker, Chair	Kelly Susewind, Director	Lorna Wargo
Tim Ragen, Vice chair	Amy Windrope, Deputy Director	Heather Hall, Region 6 Director
Lorna Smith	Joe Panesko, AGO	Mick Cope
Molly Linville	Jamie Caldwell, Executive Asst.	Rich Beausoleil
John Lehmkuhl	Mike Livingston, Region 3 Director	Anis Aoude
Jim Anderson	Nicole Jordan	Dr. Stephanie Landry
Melanie Rowland - Remote	Matthew Trenda	Dr. Ilai Kertson
Steve Parker	Lisa Coffman	Dr. Donny Martorello
Woody Myers - Excused	Kelly Cunningham	Dr. Lindsay Welfelt
	Marlene Wagner	
	Mike Scharpf	

Friday, October 25, 2024

1. Call to Order

Chair Baker called the meeting to order at 8:00am. (Begins at 0:01 mark)

Commissioner's Discussion

Commissioner Linville updated the Commission on her time spent with Lieutenant Olson when he took her on a tour of one of the department's law enforcement vessels. (Begins at 1:24 mark)

Commissioner Smith updated the Commission on a field trip her and Chair Baker took with the Pantera Cougar Research Team who are conducting the Olympia Cougar Research Project. (Begins at 3:43 mark)

Chair Baker thanked the Communications team for putting together the swag bags that they received. (Begins at 7:20 mark)

Meeting Minute Approval

Commissioner Baker commented that the minutes were much shorter as was requested, but still long enough that they need to have further discussion at some point to finalize what they want captures in the minutes. (Begins at 7:43 mark)

Commissioner Linville moved to approve the September 26-28, 2024 hybrid meeting minutes and it was seconded by Vice Chair Ragen. The Commission voted unanimously (8-0, Commissioner Myers excused); motion passes. (Begins at 8:56 mark)

Committee Meeting Updates:

Big Tent Committee

Committee members in attendance: Lehmkuhl, Baker, Parker, Smith.

Commissioner Lehmkuhl reported out that the committee met on October 21st in a closed session to discuss the progress of the science policy. In June, the committee reported the results of the public comment process to the full Commission. The recommendation based off the many comments received, is that the policy be started over again and restructure the policy. In particular, consultation on the nature of the policy was requested by some of the Tribes. The Commission approved that recommendation and on October 7th, representatives of five different Tribes that had concerns, and the policy was brought to them as a blank slate. After meeting with them, the staff and Commissioner Lehmkuhl drafted a one-page policy that is

focused less on the process, which was prominent in the first draft, and more on the core of the science issue. They deemed the initial scientific integrity, which best available science is a part of that. That meeting was last Monday, and the committee reviewed that draft, and decided that yes, we would go forward with this on a second phase of Tribal consultation. The plan is to present the updated document, and say this is the department's concept for the policy, and ask for their concerns and approaches. They plan to release that draft to the Tribes for their comment as part of the consultation process. At the same time, Commissioners will get a copy, just for information, as the committee isn't asking for comment at this time. Once they've consulted a second time with the Tribes, they'll revise the draft, and hopefully by January, they'll have a substantive draft to shar with the Commission. (Begins at 9:51 mark)

Fish Committee – Special Meeting
Committee members in attendance: Anderson, Linville, Ragen, Parker. To review the full meeting recording for October 21, 2024, please click this link.

Commissioner Anderson reported out that the committee met in an off-cycle meeting on October 21st at 9am. The off-cycle special meeting was held to make sure that everything stayed on schedule within the fish program. They reviewed policy C-3621 on the Grays Harbor Basin Salmon Management. While the committee didn't take a vote to pass a recommendation onto the full Commission, the general consensus is that it was consistent with where they're at with other plans. The Commission would have the opportunity to speak on the policy when it's reviewed for approval later in the afternoon. They were also briefed on the background, proposed approach of the draft language, and timelines of the Coastal Dungeness Crab policy. There will be public comment taken on it during the meeting later this afternoon. They were also briefed on the Lower Columbia River Sturgeon Management Policy review and annual report. They got a stock status update and some information on what staff are doing in regard to conservation planning and the overall policy review. No changes are being suggested yet, but the committee did have concerns over the status of the stock. Lastly, they reviewed the Coastal Steelhead Season Planning. The goal is to get that done by the end of November and possibly hold a Special Fish Committee meeting to discuss coastal steelhead and future fish committee agenda planning sometime just before Thanksgiving. (Begins at 12:59 mark)

Executive Committee
Committee members in attendance: Baker, Ragen, Anderson, Linville

Chair Baker reported out that they met to discuss next year's schedule and the cities to visit outside of Olympia. Port Angeles, Tri-Cities, Bellingham, and Wenatchee were the cities proposed. They also discussed the implementation of Substitute House Bill 2424. Essentially, the Commission has to align their wolf management with that of the Colville Nation by renegotiating a previous agreement. The executive committee's recommendation on the matter is to delegate negotiation and ratification to the Director under the condition that the Commission has sideboards to be able to provide input. The sideboards themselves haven't been determined, but the executive committee did want the Director to address Tribal hunting on the former northern portion of the reservation and data sharing for the counting of wolves. Their ask of the Director is to come back and regularly report to the Commission on the status of the negotiations. There was some discussion around the draft of the Conservation Policy but didn't come up with anything specific to do with it. The last topic was the ADAAC and the issues they've been having reaching a quorum to hold meetings. Staff are working on recommendations to improve the working of that committee. (Begins at 23:49 mark)

2. Open Public Input

Please see the attached list of commenters. To listen to the audio please click this link. Public input begins at the 33:33 mark. Commissioner response to the public comments received begins at the 1:38:29 mark.

Commissioner Smith requested the Commission return to the discussion about the delegation of petitions to the Director. Chair Baker said it would be discussed tomorrow. Commissioner Rowland also was in support of Commissioner Smith's suggestion. She also agreed with statements made by Rocky Ross about the prohibition of baiting, especially now with CWD being detected in the state. Mick Cope provided a quick update on what staff are doing in response to CWD, including the bait banning.

Commissioner Lehmkuhl wanted to clarify some based on comments received about cougars and bears. A lot of people seemed to feel that the Commission were doing things based on a personal agenda, and he wanted to clarify that it wasn't an extraordinary effort that's going on right now, and it's just part of the regular game management planning process. Director Susewind clarified that the envelopes themselves, aren't widely distributed because they are pre-paid postage envelopes. But the envelopes are available to hunters at any WDFW office for hunters to pick up. The department can look into some options and suggestions made on how to get better compliance.

Commissioner Baker commented on hunters being required to submit a particular tooth to the department using tooth envelopes, and how to possibly improve the response with hunters submitting those teeth.

3. Director's Report

Director Susewind reported out that there have been lots of comments made about the approach to CWD, and he wanted to remind folks that there is lot of information about it on the department's webpage. He recently met with the consultant group that are coming in to evaluate the department's safety program and safety plan going forward. There's been a lot of work with the Tribes recently. He noted there have been several Government-to-Government meetings and the department has executed MOUs with the Cowlitz and Sammamish Tribes for them to become licensed dealers for the state system. They'll be able to buy a license for or sell a license to their members to hunt under state rules and laws, but will work collaboratively as they do that, and that will allow their enforcement to do enforcement on Tribal members. These are federally recognized but not treaty tribes. They're working on the agreement that the department has with the Chehalis Confederated Tribe, to update the MOU. They're currently an RID licensed dealer with the department and it's working out well. He noted that Commissioner Lehmkuhl had already discussed meeting with the Tribes on the best available science policy, and he himself attended a Tribal groundbreaking ceremony with the Yakima on the Klickitat. There was also a meeting with the US Fish and Wildlife Service and the Bureau of Indian Affairs to inquire how they work with off-reservation hunting rights in federal situations. There is continued work with the Colville's on a separate MOU for their Wenatchee band to have an MOU on hunting in certain areas. The regional advisory committees in regions 2 and 4 are kicking off. He announced that Melena Thompson has been hired as the new Legislative Director. He also noted that the work portfolio for Nate Pamplin was updated. Sam Montgomery and Rachel Blomker will report to the Deputy Director until the decision is made on how to best manage that group. Nate will take on a couple of national level forums that will be announced at a later time. He provided an update on the pending petitions. There are currently two petitions waiting for a decision, both in relation to a spring bear season. (Begins at 2:00:35 mark)

The Region 3 Director, Mike Livingston, provided an update on happenings in the area. (Begins at 2:11:55 mark)

4. Land Transactions – Briefing, Public Comment, Decision

Staff briefed the commission and requested a decision on approval of the land transactions for Sol Duc, Twin River, and Texas Creek properties and the property management projects for Silver Lake. (Begins at 3:03:32 mark)

Please see the attached list of commenters. To listen to the audio please click this link. Public input begins at the 3:14:26 mark.

Commissioner Ragen moved to approve the land transactions as presented by staff and it was seconded by Commissioner Linville. The Commission voted unanimously (8-0, Commissioner Myers excused); motion carries. (Begins at 3:13:47 mark)

5. Legislatively Directed Update of the Cooperative Management Agreement - Decision

Staff requested a decision from the Commission on the legislatively directed update of the cooperative management agreement between WDFW and the Confederated Tribes of the Colville Reservation. There was a discussion held in regard to concerns that some Commissioners had, but weren't shared by all. (Begins at 3:21:22 mark)

Chair Baker went over the recommendation that the executive committee made. The recommendation was that the Commission delegate the initiation, negotiation, and ratification to the Director, with some conditions. The Director would check in with the Commission before ratification. Two issues they didn't unanimously agree on, but at least agreed would be raised, were the issues of hunting of endangered animals on the northern portion and data collection. (Begins at 3:47:02 mark)

Commissioner Anderson made a motion to accept the recommendation of the executive committee. The Director will initiate, negotiate, and ratify an agreement with the Colville Nation regarding the management of natural resource both on the reservation land and the former norther half, with the stipulation that there will be a check-in before it's ratified with the executive committee. The Commission will create sideboards to discuss Tribal hunting of endangered species on the former norther half and data collection on wolves with the Director. It was seconded by Commissioner Linville. (Begins at 23:55 mark)

Commissioner Smith offered an amendment to the original motion that would revise the check in to be with the full Commission in an executive session. Attorney General Panesko responded that it wasn't a topic that qualified to be discussed in an executive session, so Commissioner Smith withdrew her motion. (Begins at 27:41 mark)

Commissioner Smith offered another amendment to the original motion to have the check-in be in public during a Commission meeting and it was seconded by Vice Chair Ragen. The Director was asked to repeat his concerns with this process for the record, and he stated that he isn't sure of what support he'll have at that point. If everyone agrees and have absolutely no concern about it, then it can be addressed in public. But if they don't agree, and start trying to put new sideboards on the direction of the agreement, then the Commission will be publicly telling the Director the range of options he should take back to the table, while the people he's negotiating with are watching and listening. He didn't think it was a good negotiation ploy. The Commission voted 2-5-1-1 (Commissioner Smith and Vice Chair Ragen yes, Commissioners Parker, Anderson, Lehmkuhl, Linville, and Chair Baker no, Commissioner Rowland didn't cast a vote, and Commissioner Myers excused); motion fails. (Begins at 30:58 mark)

Chair Baker called for a roll call vote on the original motion made by Commissioner Anderson (Begins at 33:08 mark):

Commissioner Rowland: No
Commissioner Smith: No
Commissioner Linville: Yes
Commissioner Lehmkuhl: Yes
Commissioner Parker: Yes
Commissioner Anderson: Yes
Vice Chair Ragen: No
Chair Baker: Yes

The Commission voted 5-3-1 (Commissioner Myers excused); motion passes.

6. Policy C-3621: Grays Harbor Basin Salmon Management Policy - Decision

Staff requested a decision from the Commission on Policy C-3621: Grays Harbor Basin Salmon Management. (Begins at 34:25 mark)

Commissioner Anderson moved to adopt the Grays Harbor Basin Salmon Management Policy (C-3621), as provided by staff in the meeting materials for agenda item #6 and it was seconded by Vice Chair Ragen. The Commission voted unanimously (8-0, Commissioner Myers excused); motion passes. (Begins at 40:38 mark)

7. Policy C-3604: Management Objectives for Coastal Dungeness Crab – Briefing, Public Comment

Staff briefed the Commission on the public comments received on the policy that guides management of the Coastal Dungeness Crab Fishery. The updates included were intended to modernize the policy and align it with the need to implement a Conservation Plan pursuant to seeking an Incidental Take Permit under ESA for listed whale impacts. (Begins at 43:54 mark)

Please see the attached list of commenters. To listen to the audio, please click this link. Public comment begins at the 59:25 mark.

Commissioner Lehmkuhl moved to approve the update of policy C-3604, Management Objectives for Coastal Dungeness Crab as presented by staff and was seconded by Vice Chair Ragen. The Commission voted unanimously (8-0, Commissioner Myers excused); motion passes. (Begins at 1:08:09 mark)

8. Black Bear Science and Hunting Framework - Briefing

Staff briefed the Commission on the science that will be used to set black bear seasons and the agency developed hunting season framework that incorporates that science. (Begins at 1:18:15 mark)

Commissioner Anderson asked about slide 22 where northing and easting was mentioned. His question was if that was the aspect of the slope or aspect of the geography. Ilai responded that it was essentially latitude and longitude (Begins at 1:55:31 mark)

Vice Chair Ragen noted that earlier in the presentation, they'd emphasized the importance of monitoring. He was wondering what thought had been given on how staff would go about monitoring, or if they were gong to just continue to refine this model? Lindsay responded that it would be a combination of both. Staff plan on filling in some of the gaps that they know they have in the model. The model has been great to help identify some of those habitat gaps they don't have data for. But they also want to try to develop a method to have the model respond the way they expect it to, if staff make changes to the harvest structure. Staff will be trying to monitor the trend in the population as well. Rich added that one of the things staff have bene talking about instead of having two study areas that aren't connected, that in the future they may explore a longer stretch that covers multiple habitat types and then implementing a cluster design. Still have to stay relatively close, but not this boxy kind of polygon structure that was shown. There are becoming more common with this type of work. There's just a couple of papers that have been landmark papers on informing staff about this. So, they might take that route from here on out. Vice Chair Ragen followed up noting that the critical question is if they can detect change in these populations and whatever strategy staff come up with will be very important. (Begins at 1:57:21 mark)

Commissioner Lehmkuhl noted that staff described the lambdas as 1.8 or 8% increase and then mentioned 2%. He was wondering what that 2% was. He wondered if it was the realized growth rate including harvest mortality. Ilai replied that yes, it was put in just for the heck of it if the harvest and conflict were added in and ran through the same model. Commissioner Lehmkuhl followed up to ask if that would be over a 10-year study period. Ilai replied that he would be limited to those two areas. Commissioner Lehmkuhl asked if there would be any way that over time, staff could tease out temporal trends over time? Ilai noted it would be difficult to do and he would prefer not to. (Begins at 1:59:35 mark)

Commissioner Parker had some questions about the estimated female replacement that was noted roughly as 4-4.5 for the east side population, he wanted to know if that was scaled to the reproductive age of the females (the replacements)? His other question was that if they assume 50-50 sex ratio, can they assume that each female over her lifetime, will produce roughly 8-9 surviving offspring total. Also, looking at the density estimates, he didn't have any basis for assessing whether those are higher or lower. The model predictions track quite well with observation. So, apparently they're not seeing anything very alarming or surprising. It sounds like they have a reasonably good fix on population densities prior to this observation and wanted to know if that was a fair statement. Ilai responded that he'd have Lindsay speak to the second question, but statistically speaking, it wasn't very good. But yes, you'd want to take the cub part. As a reminder, that this is not the actual state, and was the intrinsic growth rate. Those four cubs are for the average female life. He went on to say that you can't take an average female lifetime (say 15-20 years), and spread those four cubs along those years, and say that's the intrinsic growth rate. The contribution at every age, not just the beginning. They can't just spread those four cubs over the lifetime. The intrinsic growth rate is determined by looking at the different contribution every year. In the essence of right censoring with conflict and harvest, they're talking about four female replacements, and up to eight on the westside. It's 50-50 male to female ratio at birth, and that's related to the final habitat model and some of those decisions, but then the sex ratio for every year has that, is now dependent on other processes, like hunting. This model can't be used to make any assumptions about the survival of male offspring. Lindsay followed up in terms of

density, the model is really showing the product of the density estimates that staff came up with. It's not assuming anything prior about the population. She thought that's where the disconnect probably is. The model fits really well, and they were able to figure out a model that fits all the data points. But in terms of what staff expected of the population, that gets a little but more complicated. Staff generally assume more bears in Western Washington. That wasn't really the case when they actually went and did the data collection. She'd certainly say in general, the Eastern Washington density estimates were a little bit higher. There were a lot of things there that maybe weren't exactly what staff would expect just thinking about bear population throughout the state. But that's why staff are measuring it and they'll see how those change through time with continued monitoring and management. (Begins at 3:10:25 mark)

Commissioner Baker wanted to know where the line is between science and policy? What staff have told the Commission in their presentation is that they sort of have a good idea of intrinsic growth rate, at least for females. They know that they need to try to keep the mortality lower than that to have essentially status quo. The model assumes they have the right number of bears. So, the question gets to all the other things like occurring capacity, the population objectives, the ecosystem management, analyses that they're struggling to grow into. Whether the simplistic 'how many bears can we kill,' because it's not just harvest, and not have a decline. But what's optimal? She wasn't sure if that's science or policy and wanted to know if that was being looked at. Rich responded that is one of the benefits of a 10-year study. They documented one year, where say 30-40% of the females didn't have cubs when they were expected. Then they documented a year where 100% of the females didn't have cubs when they were expected. So, there's a lot of that variability got worked in. Everything is always changing like she's saying. They've had a study area that have burned up since they left. That redistributes bears and he thinks that all they can hope for is that continued monitoring to try to keep their finger on the pulse as best they can. The 10-year study really panned out and having that wounding loss added in at the end, and all the different ways that cause mortality were different on Western Washington than they were on Eastern Washington. Just a crazy amount of variation. One of the most surprising things they didn't expect to see, was six and seven year old bears that hadn't reproduced yet. That was a major fining to staff. They saw four year olds reproduce. It wasn't terribly common, but in Eastern Washington when they reproduced at four, they always had one cub. That was another surprising find to staff. Whereas in Western Washington, they had two cubs. So, lots of things went into this model and it's super dynamic, but he's hoping they can continue this monitoring at a larger scale so that they can get those differences incorporated, and make that model better and better over time. (Begins at 2:07:11 mark)

Commissioner Smith commented that in calculating the total mortality, she wanted to know if staff were able to get good numbers from the Tribes? Rich replied stating that some Tribes publish their data, but for where staff were for the long-term study areas, there wasn't a Tribal aspect to it. Generally speaking, when staff report numbers in the status and trend report, they don't include Tribal total. Commissioner Smith followed up to ask if he thought it should be accounted for and Rich replied that it's hard to say and is a larger conversation that is really location dependent. Commissioner Smith went on to ask about the timer related mortality, and asked if staff feel confident and if they have the work captured accurately. Rich replied yes, even with wildlife services, they might give them a blanket permit to address multiple landowners throughout the season. It's mandatory that they submit the tooth and an envelope with all the data for all the bears they kill. So, staff are confident that they have good information coming in there. (Begins at 23:18:17 mark)

Commissioner Anderson wanted to go back to the calculation of the growth rate indicated in the harvest and wound loss. He wasn't sure where the wound loss came from and wanted to know what scientific studies are used in the like. He wanted to know if there was a projection or a restriction on sow harvest with cubs. He wanted to know what effect that would have on the wound loss ratio or it's calculation. Lindsay responded that the estimate of wounding loss comes from the collared bears. Staff estimated from the GPS collar data. For every 100 bears that get reported as harvested, an additional 10 would probably die of wound loss. That wounding loss does not include females with cubs. So, those cubs would have been included into cub mortality rate in the model. Essentially, when staff did that, they did have a number of females that had cubs that got harvested. But staff censored those cubs at that time with the female was harvested. Staff didn't make an assumption of whether they died or they were alive. So, if regulations were changed, the number presented wouldn't. Commissioner Anderson followed up to ask about the reference made to 8-16% across the region, so the number staff have isn't out of bounds one way or the other. Ilai responded that

one thing to remember, and it's a common theme, is that when you look at other states, you have to look at what exactly is being reported to. So, what staff have is again the collar data. So, staff have the actual mortality from wounding loss, and not (for example) hunter reports that report a shot but never recovered, assuming a wounding loss. Rich added that the number was 9-15%. So, the 10% in the presentation was on the conservative side, and staff checked multiple jurisdictions. He added that it's a hard number to find and staff were lucky because of the long-term study, that they were able to produce one, as well as find four or five others. The 9-15% was the range that all of them were. (Begins at 2:14:40 mark)

Commissioner Ragen had a question about the samples hunters are supposed to turn in. He wanted to know how staff used that information, or if they were able to use it, in their evaluation. Rich responded that in this portion, staff didn't use it. They had known-age of bears, because staff had pulled teeth as well to get the animal's age. Visiting dens, they have known-age bears out there too. (Begins at 2:18:13 mark)

Commissioners Lehmkuhl wanted to know if staff had an explanation for the Eastern and Northern trends in density and how that's explained? He was wondering if it's a legacy of past management, poor habitat, or if staff knew what it might be. Rich responded that he wasn't sure that they'd gotten to the stage of talking about that yet. Washington has a lot of different habitat types that cross a lot of those gradients, lower tree elevations, or lower tree cover at higher elevations. There could be a hunting aspect to that. Where there were low densities, part of that might fit into a management regime used in the past where that was the management goal, like on private timer land. (Begins at 2:18:48 mark)

Commissioner Smith asked that if the season was adjusted after the fact, with black bears being so slow to reproduce, is anything at risk by going over the recommended number and how far might that number be exceeded? Stephanie replied that staff don't know how far over necessarily that they could go for the population, but they do have the 8% target. If it is over, then staff can do as many measures as it takes to try to reduce that harvest, and what's expected is a reduction in bag limits and season dates. Especially focusing those season dates in areas that staff think would make the most sense for change, in hopes that would be enough to lower that percentage rate to the 8%. (Begins at 2:23:39 mark)

Chair Baker asked if there was a repercussion for not submitting a tooth and Stephanie responded that it's currently a misdemeanor, and that by adding a date that the tooth submission would be due, that it's now an enforceable rule. Previously, there wasn't a date the tooth was due by, so it wasn't an enforceable rule. Chair Baker followed up and asked if the penalty could be raised, short of legislation, for failure to submit a tooth. Attorney General Panesko didn't have the answer off the top of his head and said he'd have to look into the RCW language compared to the rule language to see if there's any flexibility. His initial reaction was probably not, as most of these are set in statute. Typically, the flexibility for a rule is to actually downgrade things, but not to make something more severe. Anis clarified as well noting that the submission of biological samples is not the same as submitting a hunter report. The fee he thought she was thinking about is the $10 fee for the hunter report, and this is different all together. If the tooth isn't submitted, it's a misdemeanor, and there is no fine, unless the misdemeanor applies a fine. It is higher than the $10 for a misdemeanor charge. The new hunting structure isn't dependent on this information like the old structure was. Staff still want the information because it'll help when they get to the next step of modeling these populations through population reconstruction. That harvest age data is very important for that part, but staff haven't really gotten to that point yet. (Begins at 2:27:21 mark)

Vice Chair Ragen asked if staff will be going back every three years and check total harvest against what the estimates were, or if they'd be real-time monitoring it so they could stop it if it started or did reach the 8%. Anis replied that it's a three-year season setting process. They'll look at the last three-years harvest, if that harvest exceeded 8% of the females, they would adjust seasons for the next three years. Staff wouldn't be monitoring real-time. (Begins at 2:34:50 mark)

Commissioner Smith commented that they don't want to be doing rulemaking every year for bears, but she wanted to know how difficult it would be to just review the previous year's data to ensure that something wasn't just awry. Anis responded that staff do that already. What they're talking about here is how the process will be for making the season, not how it's done on a regular basis. (Begins at 2:38:24 mark)

Chair Baker asked if there was a brief synopsis of how this is going to happen? She noted that there is a GMP that the full Commission hasn't seen yet. She understood that even the wildlife committee hadn't seen the bear chapter. Then, there's the three-year season setting, and she's heard they're going to be working on this in December, and she also heard it'll be sometime this spring before the pamphlet, and she also heard before next season. So, she wanted to know if staff had a general idea of when and where the Commission can expect to make some decisions? Anis responded that staff' plan was to put this through the rulemaking process in the March/April timeframe to be in place for next year's season. Both cougar, bear, and some other hunting rules and some CWD related goals. There's a bunch of stuff coming in that same season setting process. If the Commission wanted something between now and then, like some clarification or revisiting a topic, staff could certainly present to the Commission again in December, January, of February. (Begins at 2:39:27 mark)

Director Susewind added that what Anis said about March and April is good, but he advised that staff have confirmation from the full Commission way before then. He noted there is time to come back in December and say, 'is this what you want us to put out in March and April?' His concern is, that all the season hit in March and April, so if there were remaining questions on this, then it gets piled in with all the other seasons, and the department starts to get in a cramped spot. He recommended a discussion in December, confirm the direction the Commission wants, and then go out for rulemaking in March and April. If they don't get there in December, it leaves the opportunity for another shot to still make March and April. He really didn't like the idea of taking this up in March and not have a path. (Begins at 2:40:59 mark)

9. Cougar Rulemaking Preview - Briefing

Staff briefed the Commission on the cougar hunting framework options for possible 2025-2026 season rulemaking. (Begins at 2:44:16 mark)

Vice Chair Ragen asked for some clarification on Option A, and noted that staff had mentioned that the mortality would be at the CDAU scale, and wanted to know if it was the same for option B. Stephanie responded that Option B doesn't incorporate the CDAU scale. (Begins at 2:55:17 mark)

Commissioner Anderson wanted to know why the season begins on September 1st instead of August 15th for any of the options. Stephanie replied that the current structure is September 1st. Anis followed up to clarify that historically, it's always been September 1st for cougars and that for bears, it was between August and September. (Begins at 2:55:47 mark)

Commissioner Rowland had a question about the presence of the 16% cap in the presentation. When it goes from 10-16% (obviously 13% is in the middle), and to her the obvious one to choose is the 13% in the middle, and Option C has the 13% cap in the middle. Option A and B have increased that to 16% depending on the previous mortality. She wanted to know the reason for using the 16% instead of the fairly obvious and bit more conservative 13% cap? Stephanie replied stating that the main thing staff really wanted to do was also provide as much opportunity as possible, that's still within the science. The 10-16% is what they have as a relatively safe management zone. Staff understand her value for the 13%, but staff's point and purpose of dong this was to try and give as much opportunity as they possibly can, where they can. But to also be able to management it at that lower end of the spectrum too if needed at any point in time. That's why staff like this range of 10-16%, because they can both go above and below with that. (Begins at 3:01:43 mark)

Vice Chair Ragen commented that what he would want answered during the next conversation would be how long will it be before staff know that another cougar had been taken in a particular unit given their reporting/no reporting requirements, or their submission of samples? From the time staff realize they're at the stopping point to when they can actually shut down that harvesting, how long is that period? The other question he has was, using the cougar data analysis unit, a lot of data was lumped together from former cougar management units. One of the reasons that the Commission has been so concerned about this, is the propensity in some areas to have excessive harvest. By lumping them all together, do it not increase the potential, or make allowance for, continued high levels of take in certain areas if staff are using that smaller cougar management unit? (Begins at 3:05:03 mark)

Commissioner Smith commented that as they went through the cougar rules earlier in the year, the Commission heard a lot of concerns that they were not being guided by the science. They believed they were and worked closely with staff, but they heard that criticism from the public. She went on to say that staff presented them with three options, and wanted to know if all of them were based on the science that was presented to the Commissioners. Stephanie responded yes, that it's all based on the science that was presented to the Commission. (Begins at 3:07:23 mark)

Commissioner Parker noted that in Option B, he sees that in late season if the 16% is approached, the shut down is mid-season, and wanted to know if they actually have that capacity? He always understood it that they don't have real-time data to tell staff when they're approaching a cap. He wanted to know if that was available for cougars. Stephanie responded that staff do, because all cougars must be checked as a mandatory ceiling, so they do get all of that data, and they get all those numbers. At the moment, they're doing it on a daily basis. When staff get that data, the next day it would be closed if it reaches that cap. (Begins at 3:08:34 mark)

The Chair recessed the meeting at 5:04pm

Saturday, September 28, 2024
Chair Baker called the meeting to order at 8:02am

10. Open Public Input
Please see the attached list of commenters. To listen to the audio please click this link. Public input begins at the 7:39 mark. Commissioner response to public comment starts at the 47:44 mark.

During the discussion, the Commission began talking about the decision to delegate decision making on rulemaking petitions to the Director. There appeared to be some confusion about the process, and Chair Baker noted that she'll be documenting the process, and will go over it with the Attorney General and the Director prior to sending it out to the rest of the Commission, so that everyone is on the same page. (Begins at 1:14:36 mark)

11. Meeting Debrief and Future Meeting Planning
Deputy Director Windrope covered the debrief of meeting items listed below. (Begins at 1:29:35 mark)

- Government-to-Government Training: No requests
- Call to Order: No requests
- Open Public Input: Bear tooth sample compliance ideas – Staff will come back with some ideas on how to improve compliance.
- Director's Report: No requests
- Land Transaction: Approved, no requests
- HB2424 Direction: Delegated to the Director – Director will follow up and provide check-in when appropriate.
- Grays Harbor Salmon Management Policy: Approved, no requests
- Coastal Dungeness Crab Policy: Approved, no requests
- Black Bear Framework: Commissioner Smith will work to provide a timeline for GMP completion and discuss bear management proposals.
- Cougar Rulemaking: Commissioner Smith will work to provide additional time for conversation prior to March/April regular process.
- Chair Baker will write up the process for petition delegation to the Director that will be reviewed by the Director and AGO and consider adding to rules of procedure.
- Sheriff's Coalition follow-up once the Director is able to meet with the Coalition.
- Explore ways to communicate upcoming actions of the Commission to Tribes.
- Commissioner Linville requested the Region 3 Director for information on the cost to the agency of the two fires experienced earlier in the year in Region 3 and he'll report out on them at the December meeting.
- Baker Region Mountain Goats follow up from letter received by Tribes to be added with Big Horn Sheep Disease Briefing.

- Commission to take formal action on 2025 Proposed Schedule at December meeting.

12. Executive Session

This Commission went into executive session at 11:00am and announced that they'd be back by 12:00pm (Begins at 2:34:21 mark)

The Chair came back from the Executive Session and adjourned the meeting at 12:09 pm.

Jamie Caldwell, Executive Assistant

Agenda Item 2 – Open Public Input

In-Person	Zoom
1. Frank Herbert 2. Francisco Santiago-Avila 3. Hannah Thompson-Garner 4. Justin Averre 5. Ryan Niemeyer 6. Doug Boze 7. Bob McCoy	1. David Linn 2. Rachel Haymon 3. Susan Kane-Ronning 4. Rachel Bjork 5. Kelsey Ross 6. Kim Thorburn 7. Rocky Ross 8. Ann Prezyna 9. John Rosapepe 10. Josh Rosenau 11. Liz Carr 12. Michelle Lute 13. Patricia Arnold 14. Kimberlee Goheen Elbon 15. Amanda Reyes 16. Hal 17. Lon Ottosen

Agenda Item 4 – Land Transaction

1. Kimberlee Goheen Elbon (Zoom)

Agenda Item 7 – Dungeness Crab Policy

1. Larry Thevik (Zoom)
2. Kimberlee Goheen Elbon (Zoom)

Agenda Item 10 – Open Public Input

In Person	Zoom
1. Jerry Lowdermilk 2. Joseph Vaile 3. Francisco Santiago-Avila	1. David Linn 2. Rachel Haymon 3. Susan Kane-Ronning 4. Ilene Le Vee 5. Ben Rush 6. John Rosapepe 7. Timothy Coleman 8. Rachel Bjork 9. Wes Hoppler 10. Brenda Skinner