
Wildlife Rehabilitation Advisory Committee

4 May 2018

Contact Mick Cope (facilitator) with questions or concerns about Committee: work cell (360) 489-4600

Minutes - Wendy Connally, with post-meeting group review, then when final will post to the WDFW Wildlife Rehabilitation Advisory Committee (WRAC) [website](#).

Attending – Kelley Ward, Jade Shaw, Jennifer Convy, Suzanne West, Alysha Evans, Alicia Bye, Hailie Christenson, Crystal Buckley, Jan White, Jenny Schlieps, Mick Cope, Patricia Thompson, Kristin Mansfield, Wendy Connally

Absent – Angela Messmer, Rachel Rivera, Jasmine Fletcher, Jason Capelli, Severin Erikson

Ground Rules

In addition to the WDFW Advisory Group Handbook (provided and [online](#)), the group in the meeting developed ground rules which will be **printed large, posted each meeting, and kept in mind** for all of our work together. Several ground rules centered on mutual respect and constructive communication (“make things better”). Members who could not attend this meeting will have an opportunity to review and contribute at the next meeting.

Of note, the group spent time on **use of social media** related to these meetings. Social media messages for this group to share need to be deliberate and helpful – progress on issues, benchmarks and decisions, outcomes. With other communication (in-person, comment opportunities), this will enable us to be transparent and provide opportunities for community and public engagement in a way that fosters productive, positive outcomes.

Committee members agreed that this approach would give space for idea development and evaluation by the group and allow discussion space to gel around particular decision points. Group agreed that social media could be very beneficial, but that it could also create frustration and time management issues (manage false information, pick out helpful information from a lot of content).

Decision – WRAC members will create messages together, approve them in the group, and ask WDFW staff to post them to WDFW social media and/or WRAC website, then members can link/share those through their own channels.

RCW & WAC – General Overview

Printed copies of each RCW and WAC related to wildlife rehabilitation were provided and are found online.

Agency structure – Director, appointed by the [Fish and Wildlife Commission](#) (FWC)

Mick provided overview of agency structure: Director, Wildlife Program, Diversity Division, and Wildlife Rehabilitation Manager; relationship to Regional operations

Commission or FWC – Nine (9) Governor-appointed volunteers/citizens, for 6-year term positions with various perspectives from all over the state, meet 9 – 10 times per year; public may attend meetings and can listen to recordings after each meeting; some meetings are broadcast on [TV-W](#).

Laws are formed by legislative action; **rules** are made by agencies and commissions to implement laws.

RCW – Revised Code of Washington (laws) made by the Legislature; “enabling legislation” allows FWC to promulgate rules.

WAC – Washington Administrative Code (rules); all WDFW rules are under WAC 220; [WAC 220-450](#) is the set related to wildlife in captivity and wildlife rehabilitation.

Finding – in an RCW, there are occasionally notes at the end called “Findings.” These refer to the Legislature’s reasons for making that law and may reference other RCWs.

Process for rule-making – Department employees make recommendations to FWC which may accept, change or reject the recommendation to make rules that inform how the Department and Public interact in areas of WDFW authority and responsibility. FWC follows the [Washington Administrative Procedures Act](#) rule-making process. FWC vote is majority.

Recommendations that come from diverse perspectives, like on this Committee, mean the proposed rule changes are more likely to be adopted and rule-making is generally more durable (pass the test of time). Our agreement together improves the “**hope line**” – a shorter “distance” between what we recommend and the rules eventually adopted by FWC.

Public engagement – Commissioners are very involved in many issues and interested in understanding public needs. There are multiple opportunities for public outreach and comment, and opportunities for committee members to gather information in this process:

- each FWC meeting has a public general comment period;
- public can comment around specific rule changes as part of the FWC public comment process;
- public can review the work of the advisory council through the WRAC website; and
- Committee members can gather information about specific issues and recommendations from people who are not in this room, as needed, in line with our Ground Rules and our communication principles (Meetings and Communications section).

Scope and Timelines

This committee and staff will **review existing wildlife rehabilitation rules under [WAC 220-450](#)**, discuss topics and issues related to each one where clarification may be needed, and **make specific language proposals to address changes**. This work will **inform the staff recommendation to the Fish and Wildlife Commission, which will consider this work and make the final rule decision**.

WRAC needs to have a **public proposal out 2 months before FWC rule-making in December**, meaning we need to have a **complete recommendation by September 2018**. Group expressed some concern about timeline – the time of our work coincides with wildlife rehabilitation busy season, summer vacations; we’ll track and check in often on the timeline.

If the group agrees a key issue/solution needs attention and is not in existing WAC *and* a remedy would be appropriate in WAC (as opposed to guideline or procedure), the Committee can propose a new WAC. Discussed that we need to be careful that our proposals are in line with/do not adversely influence other WACs.

Meetings & Communications

In person meeting once per month, with conference calls or other “homework” between meetings as needed to meet our goal.

Meeting minutes will document key points in discussion and the decision point(s).

Minutes will be reviewed and approved by the group attending that meeting.

WDFW will distribute the final version of the minutes to the entire WRAC and will post on the WRAC website. To be transparent with the wildlife rehabilitation community and the public, Committee members may share final minutes and/or the WRAC website link to get understanding that may inform our work together.

We may want to communicate with the **Washington Wildlife Rehabilitation Association** to seek input on specific issues and the group should determine what that looks like together.

Decision – WRAC members on the WWRA Board can pose specific questions and be the conduit back to the Committee with WWRA input; Committee will determine when and how that’s appropriate (i.e., share broad strokes, benchmarks and goals to be most productive).

Media attention is expected. In our discussions, this group will best understand which issues may be sensitive, so the group should strategize in the meeting, develop messages and Frequently Asked Questions (FAQ) together, and work closely with Mick.

Decision – group will direct media attention to facilitator Mick Cope, who will work with meeting notes, participants and WDFW Public Affairs to create cohesive, clear, constructive statements, enabling public transparency and trust in the process.

Action – Before the next meeting, WDFW team will work with the webmaster to provide an email for the WRAC website so that people can ask questions; staff can check that inbox and bring information back to the committee.

Other expectations of each other outside of our meetings (some of this discussion led to additional ground rules):

- Be **altruistic**, make things better, don’t antagonize
- **Avoid the “telephone game”** (see notes on social media and WWRA above)
- **Facilitated strategy for conflict/decision-making:** communication, seek common ground; **don’t communicate outwardly what would be destructive in this Committee** (if there is a topic that’s hot in our discussions, we need to allow ourselves the time to work it out in Committee, and check-in often to **keep everyone whole** in the process)
- Where relevant to the topic and informative to make a decision, we will seek **metrics and/or data**
- **Do our homework to support our decisions/process**
- **Keep the national relationship in mind** – Washington’s work can inform/influence the national (NWRA) and international/Canada perspective on specific topics (e.g. WDFW funding rehabilitation)
- **Alternates** – no proxy for effective committee work, “alternates” are applicants that met the criteria and could backfill for someone who steps out permanently

Decision-making

Document decision points in minutes – Committee members need to clearly state when a decision is made and help wordsmith the decision in the meeting.

Minority opinions matter – capture/document minority opinions and footnote in decisions, correspondence, and/or recommendations.

Prepare for decision-making based on the material covered in the previous meeting and what the group agrees is “homework” – a little bit at a time.

Keep the big picture/future in mind – our decisions need to consider related issues like wildlife disease, invasive or non-native species, species-specific rehabilitation, state-centric values and influences, oiled wildlife, national/international rehabilitation conversations.

Reaching Agreement – group discussed secret ballot, open “voting” (hand raising), consensus, sufficient consensus, majority.

Decisions

- **no secret ballot**
- explore **first perspective on any proposed edit with hand-raising** (either support a proposal or indicate more discussion needed)
- **discussion** is encouraged, follow-up questions inform decisions, document pivotal points

- **strive for consensus (shorter “hope line”)** and **allow for sufficient consensus** – not everyone has to agree with the decision, but everyone can live with it, minutes document the decision and minority perspective
- **when sufficient consensus feels out of reach** – facilitation, solicit specific outside expertise or engage subject matter experts

Capture Absentee Perspective – Mick will follow up with folks who don’t plan to attend a meeting; those folks can also write a short perspective to be shared with the group ahead of time, can be part of the record in the decision-making. The group present at that meeting will determine if a decision will be postponed because of an absentee member.

External expertise and Subject Matter Experts (SME) – on targeted questions, outside information or perspective may be helpful (e.g., Federal permit officer, invasive species specialist, oiled wildlife) and group will determine that together.

Review Wildlife Rehabilitation WACs

In this meeting, the group reviewed WACs relevant to wildlife rehabilitation – those that guide the rehabilitator’s facilities, operations and “culture” (how they interact with the public, enforcement, permitting, and others). While not a comprehensive or limiting list of topics, the group explored WAC 220-450 together to get a feel for deeper needs or “hot topics”.

Actions – **BLUE** section numbers are topics we’ll address in our next (June) meeting. Committee members please read those ahead of time to prepare for discussion. Before each meeting, Committee can recommend additional links / resources if essential to foster understanding; staff can provide distribution to the entire committee.

Section	“Hot Topic” / Needs
060	<p>Definitions</p> <p>permit vs. license vs. endorsement (consistent use throughout wildlife rehabilitation WAC)</p> <p>imping feathers</p> <p>oiled wildlife – individual wildlife in gluetraps, under cars, contaminants, cooking oil; different from multiple wildlife oiled in a spill or a large episode; techniques different; required endorsements; oil facility / oil spill team experts may be a good resource</p> <p>hacking – needs more complete definition</p> <p>Principal veterinarian “oversee” – needs clarification</p> <p>imprinting vs. mal/mis-imprinting – where is that referenced again?</p> <p>Other definitions may be needed (such as “off-site care”)</p>
070	<p>Requirements and restrictions</p> <p>(2) questions about how things are counted</p> <p>Endorsements should have similar structures even though they have different requirements; “permit” vs “endorsement”</p> <p>(3) “large carnivores” endorsement – which species and how to get an endorsement, state does not have authority for marine mammals (e.g. seal, sea lion; that is administered by National Oceanographic and Atmospheric Administration, NOAA)</p> <p>(4) raptor rehabilitation endorsement – all needs review</p> <p>(7) renewal – continuing education definition / requirements / validity of online classes?</p> <p>(7b) continuing education includes ... independent of each other and vetted differently? How is “or” interpreted in this case?</p> <p>Out of state rehabilitators – how to transfer active license, letters of recommendation</p> <p>We will look at Rehabilitation CFRs</p>

080	<p>Primary and subpermittee responsibilities</p> <p>Proposal to split primary and subpermittee WACs</p> <p>Subpermittee definition is different than how this is applied, more detail is needed</p> <p>Concern that process and approval for subpermittee impedes recruitment</p>
090	<p>Permit revocation, modification, suspension - * this one is going to take some time * may also relate to 020</p>
100	<p>Facilities</p> <p>Subpermittee section work may help clarify some of the confusing elements in this one</p> <p>2a. minimum standards – set by the Department and national/international standards (actually intended to be guidelines or best practices); how much interpretation is allowed in enforcement; how can we clarify for implementation; adopt current version of minimum standards with grace period for adopting those standards; federal rulemaking process means that their language does not change as often, so it can be confusing to the rehabilitation community which set of standards works.</p> <p>2d. what is “in home” care</p> <p>3. offsite care</p> <p><i>Aside.</i> May need inspection training</p>
110	<p>Releasing</p> <p>birds v mammals, migratory birds, ranges for release, pre-release conditions</p> <p>Questions about standards vs WAC – what’s appropriate/best for best practices, standards, processes</p> <p>Cervids, amphibians, reptiles – release issues related to disease transmission</p>
120	<p>Veterinary care</p> <p>Case - issues even with licensed rehabilitation veterinarians if they get a situation out of their depth; unintentional harm or resources, secondary to clinic function, veterinarian did not have the resources or expertise with a particular species and waited too long to move to a suitable facility, ultimately resulting in euthanasia or non-rehab conditions.</p> <p>Define initial care, stabilization, and stabilization for transport</p>
130	<p>Records</p> <p>paper ledger or cloud-based records</p> <p>challenges with inspection</p> <p>define timing/location for “admission”</p>
140	<p>Falconers and raptor rehab</p> <p>Requirements for falconers for CE or particular aspects of rehab best practices</p>
150	<p>Transfer, import, export</p> <p>Good Samaritan clause related to public transport to a rehabber</p> <p><i>Aside.</i> Transport/release/disposal “regions” for certain species related to disease transmission</p>
160	<p>Possession of dead wildlife and parts</p> <p>road salvage allowed by rehabbers for feeding</p> <p><i>Aside.</i> Find WAC related to non-native species trap / retention for feeding wildlife</p>
170	<p>Disposition nonreleasable</p> <p>* time needed on this one, quite a bit of discussion anticipated *</p>
180	<p>Euthanizing</p>

	verbatim from USFWS CFR; raptors status has changed
190	Wildlife remains bald eagle feathers for imping 10-day schedule and requirement needs to be revisited (freezing, disease, local regulations) Look at consistency for other WAC that addresses disposal
200	Prohibition on commercial use Define the issue (fee for service – rehab intake, oil spill remediation – is different from fundraising/auctions for nonprofit, direct negligence like with restaurant oiled gull)
	Note: Recommendation to package all of the oiled wildlife WAC and include WDFW oiled wildlife staff. Future action – notify WDFW oiled wildlife staff when this item may be planned in Committee discussion.
210	Oiled -- see definitions above, plus “facility” needs work
220	Reporting oiled – needs work, see comments on oiled wildlife definitions above

Beyond WAC work

Acting Director Joe Stohr indicated that if this group as a whole identifies issues that need future work beyond WAC revisions planned in this working group, then he would consider a proposal statement for future work, close the existing work group (“disappearing task force”), and re-recruit with the other purpose(s) in mind.

Some topics came up in this meeting that are not in the WAC now, issues the community may care about:

- which species are allowed
- fundraising and education vs. commercialization of wildlife
- realistic regulation and consistent oversight regardless of size
- funding at the state level for adequate rehabilitation well-distributed across the state
- long-range system capacity
- profession growth in Washington

Homework & Action Items

Next Meetings

- Mill Creek office June 2nd (9:30 – 4:30)
- June 29th, TBD
- July 28th TBD
- Doodle for the remaining months through September

Committee – review, become familiar with the wildlife rehabilitation WACs; concentrate on those highlighted in **BLUE** in the “hot topic” table

WDFW staff – work with Webmaster to put a contact for questions on our WRAC website

WDFW staff – add WAC 220-450-010 for notebooks

WDFW staff – distribute resource links and documents as available for background information