



# Minutes

## Washington Fish & Wildlife Commission Meeting

November 8-9, 2012

Natural Resource Building, room 172, Olympia, Washington

---

### Attendance

#### Commission:

Miranda Wecker, Chair  
Gary Douvia, Vice Chair  
Larry Carpenter  
David Jennings  
Jay Kehne  
Conrad Mahnken  
Chuck Perry  
Rolland Schmitt  
Brad Smith

#### Commission Staff:

Tami Lininger  
Erin Gariépy

#### Department Staff:

Phil Anderson, Director  
Joe Stohr, Deputy Director  
William Frymire, AGO  
Joanna Edie  
Nate Pamplin  
Eric Gardner  
Tim Burns  
Margen Carlson  
Bruce Botka  
Mike Cenci  
Madonna Luers  
John Burrows  
Doug Hoyer  
Guy Norman  
Rich Childers  
Dave Ware

---

#### Public:

Ross Fleming  
Joyce Merkel  
Janna Nichols  
Bob Bailey  
Rick Stratton  
Selene Muldowney  
Reagan Muldowney  
Koos du Preez  
Jacqueline Winter  
Bill Minton  
B.J. Thorniley  
Linda Saunders

Darrell Wallace  
Diane Gallegos  
Darrell Smith  
Lona Smith  
Scott Lundy  
Dylan Mayer  
Wesley Winstead  
Fritz Merkel  
Elle Eamin  
Richard Jack  
Kely Tynon Brown  
Margaret Christopher

Ron Garner  
Ron Chase  
Brent Hackney  
Gabe Miller  
Captain Larry Kaminski  
Steven Andrews  
Dave Suther  
Ted Measor  
Marianne Campbell  
Kenneth Campbell  
Michael Bitterling  
Sylvia Bitterling

Commission Meeting

Ken Wirkkala	Caraly Farneff	Aven M. Andersen
Robert Sudar	W. W. Foulter	Vic Burri
Tim Heuker	Mike Backman	Barb Burri
Doug Forsythe	Terry West	David Lutz
Ron Mijitic	Bryce Divine	John Martinis
Bob Krause	Joe Slepki	Steve P. Thorniley
Jerry Lowe	Larry Burnstad	Laurence A. Bucklin
Ken Rathbun	Dylan Kretchmer	Frank Laird
Clay Dickerson	Craig Winemsen	Herb Guttler
Terry Miller	Brian Wiedenspan	Rich Poelker
Roger Goodan	Jeanna Edgerte	Ed Wickersham
Norm Reinhardt	Mark Salgrt	Harry Barber
Earl Betts	Patty Carter	Troy McKelvey
Frank Haw	Georga Prossick	Heath Heikkila
Duane Dettmann	Tim Buckendahl	Nello Picinich
Brad Schoenburn	Darren Crookshanks	Bob Loomis
Greg Wilson	Vern Forsberg	Peter Flohr
Ron Fraser	Greg Johnson	Ed Fedder
Marlene Fraser	Steve Gray	Merle Herrett
Chuck Hickey	Shelley Wirkkala	Lee Blankenship
Carl Rienstra	Kent Martin	Dan H Stauffer
Roy Brogdon	Irene Martin	Cliff Richard
Melissa Brogdon	Glen Johnston	Gary Graff
Neil Sullivan	Leon Stevenson	Larry Mann
Dan Sullivan	Dale Scott	Arnold Zachariasen
Rod Rarabeck	Pete Bergman	Keith W. Isaacson
Scot Jackson	Jerome A. Twogood	John Wicklund
Kirk Harrison	Raymond M. Ramirez	Kay McDonald
David Martin	Nathan Grimm	Ray Seiler
Sunny Lees	Joe Verdoes	Dale Scott
Merle Herrett	Bret Andrigh	Wallace Cogley
Charles Hulse	Jim Ernest	Jim Baldes
Anthony Floor		
Gordon Ruh		

## Thursday, November 08, 2012

Chair Wecker called the meeting to order at 8:30 a.m.

### 1. Call to Order

#### a. Commissioners' Discussion

- Counting Fish – new technologies
- Montana trip - learning about lethal and non-lethal wolf control
- Wolves in Nevada

#### b. Meeting Minutes Approval

- November 2, 2012 – Conference Call Minutes
- Complements to Commission Staff for timely completion of minutes

**Commissioner Jennings moved, seconded by Commissioner Mahnken, to approve the minutes from the November 2, 2012 conference call. Motion carried unanimously.**

### 2. Director's Report (listed as item 3 on the agenda)

The Director briefed the Commission on various items including:

- Introduction of Tim Burns, Assistant Director, Capital Asset Management Program and Eric Gardner, Diversity Division Manager, Wildlife Program
- Giant Pacific Octopus harvest
- Wolf Conservation and Management Plan
- Rule to delist Steller Sea lions

### 3. Open Public Input: (listed as item 2 on the agenda)

The following people signed up to provide public input during this item:

- Dylan Mayer – Giant Pacific Octopus
- Fritz Merkel - Giant Pacific Octopus
- Mike Racine - Giant Pacific Octopus
- Craig Willemsen - Giant Pacific Octopus
- Scotty Lundy - Giant Pacific Octopus
- Janna Nichols – Cabazon catch limit
- Georga Prossick – Puyallup Trout Hatchery
- Patty Carter – Puyallup Trout Hatchery
- Bill Minton – Lingcod catch limit
- Jacqueline Winter - Giant Pacific Octopus

### 4. WAC Overhaul Technical Rule Changes Round 3 – Decision

## Commission Meeting

Joanna Eide, Administrative Regulations Analyst, Enforcement Program, briefed the Commission on the proposed third batch of technical rule changes associated with the WAC overhaul project. This proposal was an update to clarify, reorganize, and restructure numerous bottomfish, commercial shellfish, and recreational shellfish rules.

*The following rules are amended:*

WAC 220-16-330	General definitions--Dressed fish.
WAC 220-48-005	Puget Sound bottomfish--General provisions.
WAC 220-48-015	Beam trawl and otter trawl--Seasons.
WAC 220-48-052	Bottomfish troll--Seasons.
WAC 220-48-061	Drag seines--Gear.
WAC 220-48-071	Bottomfish pots--Gear and seasons.
WAC 220-52-018	Clams--Gear.
WAC 220-52-019	Geoduck clams--Gear and unlawful acts.
WAC 220-52-01901	Geoduck licenses.
WAC 220-52-040	Commercial crab fishery--Lawful and unlawful gear, methods, and other unlawful acts.
WAC 220-52-043	Commercial crab fishery--Additional gear and license use requirements.
WAC 220-52-046	Crab fishery--Seasons and areas.
WAC 220-52-060	Crawfish fishery.
WAC 220-56-315	Crabs, shrimp, crawfish--Unlawful acts.
WAC 220-56-320	Shellfish gear--Unlawful acts.
WAC 220-56-330	Crab--Areas and seasons.
WAC 220-56-335	Crab--Unlawful acts.
WAC 220-56-365	Razor clams--Unlawful acts.

*The following are proposed new rules:*

WAC 220-48-072	Unlawful retention of live bottomfish.
WAC 220-52-005	Crab--General unlawful acts.
WAC 220-52-01902	Commercial geoduck harvest--Requirements and unlawful acts.
WAC 220-52-01903	Commercial geoduck harvest--Time and area restrictions.
WAC 220-52-036	Definition--Commercial crab fishing.
WAC 220-52-038	Commercial crab licenses.
WAC 220-52-042	Commercial crab fishery--Buoy tag, pot tag, and buoy requirements.
WAC 220-52-044	Commercial crab fishery--Coastal gear recovery permits.
WAC 220-52-045	Commercial crab fishery--Seasons and areas--Coastal.

## Commission Meeting

- WAC 220-52-047 Commercial crab gear--Possession of another's gear and tag tampering.
- WAC 220-52-048 Commercial crab fishery--Gear limits--Puget Sound and Marine Fish-Shellfish Managements and Catch reporting Areas.
- WAC 220-52-049 Commercial crab fishery--Gear limits--Coastal.
- WAC 220-56-317 Personal use shrimp pot gear requirements.
- WAC 220-56-318 Personal use crab pot gear requirements.

*The following rules are repealed:*

- WAC 220-16-325 General definitions--Dressed fish length measurement.
- WAC 220-48-001 Puget Sound bottomfish gear.
- WAC 220-48-019 Roller trawl--Seasons.
- WAC 220-48-025 Set net--Pacific cod--Gear.
- WAC 220-48-026 Set net--Pacific cod--Seasons.
- WAC 220-48-027 Set net--Pacific cod--Logbooks.
- WAC 220-48-029 Set net--Dogfish--Seasons.
- WAC 220-48-032 Set line--Seasons.
- WAC 220-48-041 Commercial jig--Gear.
- WAC 220-48-042 Commercial jig--Seasons.
- WAC 220-48-051 Bottomfish troll--Seasons.
- WAC 220-48-062 Drag seines--Seasons.

**Vice Chair Douvia moved, seconded by Commissioner Smith to adopt all changes on pages 3 and 4 of attachment A (listed above). Motion carries unanimously.**

## 5. WAC Overhaul Technical Rule Changes, Round 4 - Briefing

Joanna Eide, Administrative Regulations Analyst, Enforcement Program, briefed the Commission on the fourth batch of technical rule changes associated with the WAC overhaul project. The proposal amended WAC sections to update, clarify, reorganize, and restructure numerous wildlife, fish, and shellfish rules.

No one signed up to provide public input for this item.

## 6. Puget Sound Recovery and Puget Sound Marine and Nearshore Grant Program – Briefing

Margen Carlson, Puget Sound Policy Lead, Habitat Program, briefed the Commission on the activities and commitments within the Department relating to Puget Sound recovery.

## 7. WDFW Use of Social Media

Bruce Botka, Public Affairs and Community Outreach Manager, Madonna Luers, Communications Consultant and Mike Cenci, Deputy Chief, Enforcement Program demonstrated how the agency is using social media to support its enforcement, public affairs and outreach efforts. Mr. Botka thanked John Burrows, Web Development Manager, for his work on the WDFW website.

## 8. Columbia River Fishery Management – Briefing

Guy Norman, Regional Director briefed the Commission on the results of meetings with the Oregon and Washington Fish and Wildlife Workgroup.

The following people provided public input for this item:

Jeff McKean	Robert Sudar	Duane Dettmann
Mike Backman	Larry Burnstad	Tim Heuker
Bryce Divine	Ed Wickersham	Kay McDonald
Joseph Slepki	Harry Barber	Glen Johnson
Greg Johnson	Heath Heikkila	Leon Stevenson
Tim Buckendahl	Jerry Lowe	Chuck Hickey
Vern Foresberg	Roger Goodan	Roderick Rorabeck
Darren Crookshanks	Bob Loomis	Stan Brogdon
Steve Gray	Peter Flohr	Nathan Grimm
Ken Wirkkala	Ed Fedder	
Shelley Wirkkala	Frank Haw	
Irene Martin	Greg Wilson	
Kent Martin	Brad Schoeborn	

Chair Wecker recessed the meeting at 4:22 p.m.

## Friday, November 09, 2012

Chair Wecker called the meeting to order at 8:07 a.m.

## 9. Executive Session

Pursuant to RCW 42.30.110(1)(i), the Commission met 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.

No action was taken in executive session, and the public was not permitted to attend the executive session.

#### 10. Puget Sound Shrimp Policy Review – Briefing

Rich Childers, Puget Sound Shellfish Manager, briefed the Commission on the preliminary analysis of spot shrimp fishery management options and draft language for a policy that includes fishery management objectives and resource conservation principles.

The following people signed up to provide public input for this item:

Panel 1:

Ken Crews  
Brent Andrich  
Joe Verdose

Panel 2:

Ron Garner  
Gordon Ruh  
Brent Hackney

Public:

Dan Stauffer	Captain Larry Kaminski	Laurence Bucklin
David Martin	Aven Andersen	Gabe Miller
Wallace Cogley	Jim Ernest	John McKay
Ron Chase	David Lutz	
Merle Herrett	John Martinis	

#### 11. Open Public Input

No one signed up to provide public input for this item.

#### 12. Commission's Annual Meeting with the Governor

Location: Governor's Office, Legislative Building, Olympia

The Commission met with Marty Loesch, Chief of Staff as Governor Gregoire was unavailable.

In accordance with RCW 77.04.055, the Commission met with Governor Gregoire to review and prescribe basic goals and objectives, and review the performance of the Department in implementing fish and wildlife policies.

#### 13. Wildlife Conflict Rules – Rule Briefing and Public Hearing

Dave Ware, Game Division Manager, briefed the Commission on amendments to wildlife interaction/conflict regulations including floor changes contained in the presentation.

Amend:

WAC 232-36-030 Definitions.

WAC 232-36-051 Killing wildlife causing private property damage.

WAC 232-36-100 Payment for commercial crop damage – Limitations.

WAC 232-36-200 Payment for commercial livestock damage – Limitations.

WAC 232-36-250 Payment for noncommercial livestock or guard dog losses – Limitations.

WAC 232-36-260 Application of cash compensation for noncommercial livestock or guard dog losses – Procedure.

WAC 232-36-400 Commercial crop or livestock damage claim – Dispute resolution.

The following people provided testimony for this item:

Darrell Wallace

Linda Saunders

#### 14. Miscellaneous and Meeting Debrief

The Commission discussed items that arose immediately before or during the meeting and after the preliminary agenda is published.

- Budget
- Annual performance review for Director Anderson – December meeting

Commission Requests:

Understanding the CR 101 and 102 process – Briefing, medium importance

**Commissioner Schmitten moved, seconded by Vice Chair Douvia to request a briefing on the CR 101 and 102 process. Motion carries unanimously.**

Enforcement Staffing Study – Briefing, medium importance

**Commissioner Perry moved, seconded by Commissioner Schmitten to request an Enforcement Staffing Study briefing. Motion carries unanimously.**

Chair Wecker adjourned the meeting at 3:27 p.m.

---

EKG

These minutes plus the audio recordings constitute the full minutes.

---

Erin Gariépy, Administrative Assistant