



# Minutes

## Washington Fish & Wildlife Commission Meeting

December 14-15, 2012

Comfort Inn Suites and Conference Center, Tumwater, Washington

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### 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  
Heather Bartlett  
Joanna Edie  
Dan Budd  
Jennifer Quan  
Rich Childers  
Donny Martorello  
Dave Ware  
Guy Norman  
Cindy Le Fleur

Brian Missildine  
Christina Iverson  
Dan Ayers  
Mark Teske  
Mike Livingston  
Ken Bevis  
William Meyer  
Thomas Woodruff  
Gary Marston  
Dale Gombert  
Brad James

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#### Public:

Derrick Robbings  
Glen Johnson  
Carl Burke  
John Campbell  
Steve Koch  
Cliff Richard  
Bruce Mack  
Jim Tuggle  
Tom Roof  
Vanice Roof  
Stan Brogoon  
Mike Selton  
Laurie Lloyd  
Jennifer Stahl  
Merrie Schilperoot

Tim Burns  
Robert Sudar  
David Knutzen  
Chris Stanley  
Andrew Marks  
Denise Dewey  
Mike Kohn  
Peter Dykstra  
Gene Duvernoy  
Lauren Lloyd  
Diane Gallegos  
Tom Davis  
Linda Saunders  
Lee Blankenship  
Frank Haw

Georgia Marincovich  
Jeff McKean  
Randy LeDuc  
Jeff LeDuc  
Hans Mak  
Ken Rathbun  
Chuck Gauthier  
Steve Carver  
Ken Wirkkala  
Robert Freund  
Kirk Harrison  
Lyle Cabe  
Clark Sitzes  
Chuck Hickey  
David Schamp

Ron Garner	Craig Carvall	Dom Reale
Kevin Newell	Denise Dawson	Duane Dettmann
Mike Burton	Mike Mudgett	Doug Baldwin
Dave Freund	Jim Howard	Scott Sigman
Orville Aas	Alyce Asch	Tom Wright
Brendan Flynn	Carl Asch	John Price
Ray Seiler	Mike Backman	Rick Durken
Irene Martin	Dale Scott	Laurence A. Bucklin
Tom Hester	Illayana Brown	Brian Durkin
Clay Dickerson	Eric Brown	Heath Heikkila
Russell Carver Sr.	Roger Goodan	Hal Bernton
Richard King	Timothy J. Sprague	Bill Swann
David Irvine	Joe Verdose	Randy Woolsey
Bob Margulis	Gordon Ruh	Bob Lake
Gabe Miller	Mark Stetzer	David Cubert
John Price	Brad Schilperoort	Brian Abbott
Derek Anderson	Gary Johnson	Johnny M. Brown
Les Clark	Otis Hunsinger	Blaine G. Johnson
Frances Clark	Bill Hunsinger	Ned Krilich
Kay McDonald	Jerry Massey	Nello Picinich
Paula Johnson	Steve Long	Fred Pentt
Bob Nichols	Liz Hamilton	Ron DeShazen
Mara Zimmerman	Phil Johnson	Keith Harrington
Kamen Penev	Greg Mueller	Earl Betts
Greg Johnson	Keith W. Isaacson	Rick Curtright
Steve Fransen	Ken Komasaawa	Mark Gavin
Mark O'Toole	Chris Doumit	Jody Mather
Mike Mudgett	David Reese	Christy Mather
Paul Alexander	Dan L Cothren	Ronald Fraser
Greg Muellen	Jack Marincovich	Marlene Fraser

### Thursday, December 14, 2012

Chair Wecker called the meeting to order at 8:32 a.m.

#### 1. Call to Order

##### a. Commissioners' Discussion

- Lincoln Park Zoo, Chicago - Lion recovery in Serengeti National Park, Tanzania
- Conservation Northwest in Yakima – presentation of movie outlining the history of wolves entering Washington
- Meeting in Colville with Ferry, Stevens and Okanogan counties cattlemen associations concerning wolves

b. Meeting Minutes Approval

- December 7, 2012 – Conference Call Minutes

**Vice Chair Douvia moved, seconded by Commissioner Schmitten, to approve the minutes from the December 7, 2012 conference call. Motion carried unanimously.**

2. Open Public Input

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

- Diane Gallegos, Wolf Haven: Wildlife Conflict Rules
- Tom Davis, Washington Farm Bureau: Wildlife Conflict Rules
- Robert Sudar: Columbia River – Kitzhaber plan

3. Director's Report

The Director briefed the Commission on various items including:

- Conservation initiative - leadership training
- Governor's visit
- Fish Program workshop with costal interests - Coho mark selective fisheries
- Director, Jim Scott and Region 4 staff met with Muckelshoot Tribe regarding Hatchery Production Memorandum of Understanding. Region 4 staff made great progress in developing and completing hatchery genetic management plan.
- Giant Pacific octopus – developing response, generous offers of help
- Albacore treaty with Canada
- International Halibut Commission
- Coastal crab fishery
- Wolf update – Director Anderson and Donny Martorello
- Effective performance management – Jair Reitsma

4. Hatchery and Fishery Reform Policy - Briefing

Heather Bartlett, Hatcheries Division Manager, provided an annual status update relative to Policy C-3619 and provided an update on the public process used to provide recommendations to staff for implementing hatchery reform in the Puget Sound region.

## 5. WAC 220-20-010 – Structural Improvements and Updates - Rule Briefing and Public Hearing

Joanna Eide, Administrative Regulations Analyst, Enforcement Program provided a briefing on the proposed amendments to WAC 220-20-010 to split this rule apart. The changes will clarify, reorganize, and restructure the content of the WAC.

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

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

Joanna Eide, Administrative Regulations Analyst, Enforcement Program requested the Commission adopt the proposed amendments and repealers in Round 4 of the WAC Overhaul Technical Rule Changes as presented during the November Commission Meeting.

The following rules are amended:

WAC 220-20-039	Live fish--Import and transfer.
WAC 220-20-040	General provisions--Rearing and planting food fish.
WAC 220-55-230	Columbia River endorsement.
WAC 220-56-360	Razor clams--Areas and seasons. (Director Anderson changed pg. 9 subsection b to 'of the detached' from 'at the detached')
WAC 220-56-372	Razor clam sanctuaries.
WAC 220-76-020	Aquatic farm registration form--Required information.
WAC 220-90-010	Herring hardship validations, qualifications, and conditions.
WAC 220-90-015	Resort or marina--Owner or operator.
WAC 232-12-025	Hunts authorized pursuant to RCW 77.12.240
WAC 232-12-064	Live wildlife.
WAC 232-12-091	Commercial buying and processing of anadromous game fish or roe.
WAC 232-12-097	Transportation of anadromous game fish and roe.
WAC 232-12-242	Hunting restrictions.
WAC 232-12-261	Live decoys unlawful.
WAC 232-12-289	Official hunting hours for game birds and game animals.

The following are proposed new rules:

WAC 232-12-063	Live wildlife--Facility, fencing, and marking requirements.
WAC 232-12-288	Official hunting hours for game animals and forest grouse.

The following rules are repealed:

WAC 220-16-255	Geographical definitions—Razor clam areas.
WAC 220-74-015	Surplus salmon eggs.
WAC 220-85-115	Rules of practice and procedure.
WAC 220-100-068	Formal administrative appeal of department environmental determinations.
WAC 232-16-010	Establishment of game reserves.
WAC 232-28-285	2010-2011 Pilot cougar hunting seasons with the aid of dogs.

**Vice Chair Douvia moved, seconded by Commissioner Smith, to approve the changes as outlined by the department on page 3 of the rule batch 4 materials. Motion carried unanimously.**

7. Lands Conservation in the Teanaway Basin – Briefing (*originally item 8 on agenda*)  
Jennifer Quan, Lands Division Manager briefed the Commission on the planned acquisition of 51,000 acres in the Teanaway Basin as part of the implementation for the Yakima Integrated Water Plan's Lands Conservation element and described the role of the Department in achieving this element.

8. Proposed Land Transactions – Decision (*originally item 7 on agenda*)

The Commission considered approval of various land transactions presented by Dan Budd, Real Estate Section Manager, Wildlife Program for the protection of critical fish and wildlife habitat, enhancement of public recreation opportunities, and responsible property management.

- Proposed acquisition of 161.9 acres in the Johns River Wildlife Area, Pacific County
- Proposed acquisition of 6.45 acres in Chelan County
- Proposed acquisition of 79.68 acres in Okanogan County

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

**Commissioner Jennings moved, seconded by Commissioner Mahnken, to approve item 1: proposed acquisition of 161.9 acres in the Johns River Wildlife Area, Pacific County and item 2: proposed acquisition of 6.45 acres in Chelan County proposed land transactions as presented. Motion carried unanimously.**

**Commissioner Jennings moved, seconded by Commissioner Smith, to approve item 3 proposed acquisition of 79.68 acres in Okanogan County. Motion carried. 8 yes, 1 no.**

## 9. Wildlife Conflict Rules – Decision

Dave Ware, Game Division Manager, Wildlife Program requested approval of the amendments to wildlife interaction/conflict regulations that were presented to the Commission during the November 8-9, 2012 meeting along with changes made during this meeting.

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.

**Vice Chair Douvia moved, seconded by Commissioner Jennings, to adopt the amendments to WAC's 232-36-030, 232-36-051, 232-36-100, 232-36-200 and 232-36-400 as proposed. Motion carried unanimously.**

## 10. Executive Session:

Pursuant to RCW 42.30.110(1)(g), the Commission met in executive session to review the performance of a public employee.

Chair Wecker recessed the meeting at 5:00 p.m.

## Friday, December 15, 2012

Chair Wecker called the meeting to order at 8:32 a.m.

## 11. Open Public Input

The following people signed up to provide public input:

Mark Gavin – Shrimp

Kevin Newell – Sturgeon

Jennifer Stahl – Sturgeon

Ron Garner – Shrimp, Fish

Dan Cothren – Game Laws

## 12. Columbia River Fishery Management – Briefing

Guy Norman, Regional Director, Department staff and Workgroup members briefed the Commission on the results of meetings with the Oregon Fish and Wildlife Workgroup members. Commissioners and Department staff discussed next steps including the development of a draft policy.

The following people provided public input for this item:

Brad Schilperoot	Dave Schamp	Bob Lake
Mark Gavin	Lyle Cabe	Bob Margulis
Otis Hunsinger	Jerry Lowe	Stan Brogdon
Bill Hunsinger	Andrew Marks	Doug Baldwin
Jody Mather	Paul Alexander	Les Clark
Keith Isaacson	Charles Hickey	Ned Krilich
Jim Howard	Carrie Backman	Roger Goodan
Chris Doumit	Mike Backman	Liz Hamilton
Glen Johnson	Irene Maritn	Kay McDonald
Jack Marincovich	Thomas Hester	Greg Mueller
Georgia Marincovich	Hans Mak	Jeff McKean
Greg Johnson	Richard King	Derek Anderson
Nello Picinich	Ken Wirkkala	Duane Dettlmanus
Heath Heikkila	Randy Woolsey	

**Commissioner Mahnken moved, seconded by Commissioner Smith, the Commission adopt the Director's initial draft Columbia River Fishery Policy as the Commission's draft policy for further review and public release. Motion carried unanimously.**

13. Review of Lower Columbia River Sturgeon Management Policy C-3001 – Briefing  
Cindy Le Fleur, Region 5 Fish Program Manager provided the annual review to the Commission on the Columbia River white sturgeon.

14. Puget Sound Shrimp Policy Review – Decision

Rich Childers, Puget Sound Shellfish Manager requested that the Commission adopt a spot shrimp fishery management option for a policy that includes fishery management objectives and resource conservation principles.

**Commissioner Mahnken moved, seconded by Commissioner Carpenter, to adopt and incorporate into policy C-3610 spot shrimp management option that provides 70% of the state spot shrimp quota to the recreational fishery. Motion carried unanimously.**

**Commissioner Mahnken moved, seconded by Commissioner Smith, to adopt the Puget Sound Shrimp Fishery Policy C-3610 as written. Motion carried unanimously.**

15. Miscellaneous and Meeting Debrief

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

- Land transfer and exchange between Washington Department of Fish and Wildlife and Department of Natural Resources
- Commissioner Jennings suggested quarterly evaluation/update with Director Anderson
- January Executive Session
- Chair and Vice Chair elections
- Working draft of 2013 Performance Agreement

Chair Wecker adjourned the meeting at 2:47 p.m.

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EKG

These minutes plus the audio recordings constitute the full minutes.

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Erin Gariépy, Administrative Assistant