



# Director's Report to the Commission

January 18-20, 2018

## Director's Office

### Legislative Update

January 8th was the first day of the 60-day Legislative Session. The Legislature wasted no time, with hearings on the capital budget in both chambers and negotiations and hearings on Hirst water availability legislation. The Department of Fish and Wildlife (Department) spent the first week doing outreach on our agency request bills.

#### Agency Request Legislation

The Department's hunting and fishing recruitment bill ([HB 2505](#) / [SB 6198](#)), sponsored by Representative Blake in the House and Senator Takko in the Senate, raises the youth age for fishers to those under 16, provides a hunter education graduate coupon of \$20 on your first hunting license, and provides the Department authority to develop bundled discount license packages (like multi-year or family packages). The bill also removes a current requirement to have an annual license for the lowland lake trout opener, allowing anglers with a one-day or three-day temporary license to participate in that popular event.

The Department's Americans with Disabilities (ADA) accommodations bill ([HB 2649](#)) sponsored by Representative Barkis consolidates ADA-related statutes into a single comprehensive statute and expands who can sign disabled hunter and fisher reduced rate and accommodation forms.

#### Other Bills of Interest

**Net Pens:** There are three bills so far being considered on net pen aquaculture in response to the Cooke facility collapse this summer. [HB 2418](#) being sponsored by Representative Lytton would have the Department of Natural Resources (DNR), the Department of Fish and Wildlife, and the Department of Ecology study the latest science and gaps in the regulatory framework and report back to the legislature. [HB 2260](#) sponsored by Representative MacEwan bans cultivation of Atlantic salmon in Washington State, and [SB 6086](#) sponsored by Senator Ranker phases out non-native commercial net pen aquaculture by 2022.

**Hirst:** There are various bills being considered to address water availability. The two primary vehicles appear to be [HB 2740](#) being sponsored by Representative Fitzgibbon and [SB 6091](#) which is being sponsored by Senator Van De Wege.

**Commercial/Fishing Guide Fees:** The Department is working with Representative Blake, Senator Van De Wege, and the guide community on a bill ([HB 2626](#) / [SB 6317](#)) that would adjust the fishing guide fees and various non-resident commercial license fees that we didn't get quite right in last year's commercial fee bill. Last year, the fishing guides got a disproportionate increase compared to other commercial license types and the Department aligned resident and non-resident rates due to a pending court case which was testing whether non-resident rates were in violation of the interstate commerce act. In this bill we are reducing the resident fishing guide rates and increasing the non-resident commercial license rates based on the court approved model (non-residents will be charged \$385 above the resident commercial license rates).

## Wildlife Program

### **Southern Resident Killer Whale Recovery**

Department staff continue to work with the Governor's Office and legislators and coordinate with U.S., Canadian, state, tribal, and local governments, as well as conservation partners, to ramp up recovery actions for southern resident killer whales (southern residents). Wildlife, Fish, Habitat, and Enforcement programs are working on pieces to minimize or eliminate the major threats to southern residents: lack of salmon prey, high levels of contaminants, disturbance and noise from vessels, and the potential for a catastrophic oil spill.

The Legislature has proposed several bills related to southern residents, including around vessel regulations, vessel regulation enforcement, orcas in captivity, and increasing chinook hatchery production. In addition, in mid-February the Governor will launch an Executive Order around southern resident recovery at a ceremony in Seattle. The Executive Order directs state agencies to implement some immediate actions, and it establishes a southern resident killer whale task force to focus on securing more resources and policy support for implementing recovery actions. Stephanie Solien, Vice Chair of Puget Sound Partnership (PSP) Leadership Council, and Dr. Les Purce, former President of The Evergreen State College and avid natural resource steward, have agreed to serve as task force co-chairs. PSP and the Department will be the two lead state agencies working with the Governor's Office on this initiative. In addition, Governor Inslee included \$3.1 million in his proposed 2018 supplemental operating budget and \$825,000 in the supplemental capital budget for several Department actions to accelerate southern resident recovery.

### **Habituated Deer at Wildlife Rehabilitation Facility**

In accordance with the wildlife rehabilitation rules, the Department removed three male fawns and one elk calf from For Heaven's Sake Animal Rescue and Rehabilitation

Center (FHS) in November 2017. The animals were euthanized due to concerns that these individuals were habituated beyond the point where they would have a reasonable chance of surviving if released to the wild and because they could pose a danger to the public.

Eleven deer remain at FHS. The Department reached an agreement with FHS allowing the remaining deer to stay at the Rochester facility through March 16, 2018, unless Washington State University confirms its tentative agreement to take some of those animals. In the meantime, the Department will continue to seek potential homes for the deer and assess the status of those remaining at the facility in spring. Under the agreement, FHS is also required to minimize contact with the deer, avoid hand-feeding them, and wean any that are still bottle-feeding. FHS will not be accepting any ungulates in 2018 and they have decided not to accept any wildlife between now and March 16.

In a separate action, the Department posted a Preproposal Statement of Inquiry (CR101) in October 2017 stating that we are considering rule changes related to wildlife in captivity and wildlife rehabilitation. Staff members are meeting to suggest rule clarifications and improvements and to prepare for establishing a public advisory committee to review wildlife rehabilitation Washington Administrative Codes (WACs). Any proposed WAC changes would be brought to the Commission for consideration in late 2018.

### **Scatter Creek Fire Update**

The Department held a public workshop December 13 in Rochester to discuss issues related to the August 22 fire on the Scatter Creek Wildlife Area with the local community and recreational users. Topics included impacts to infrastructure and recreation, restoration activities, and goals for managing wildfire and habitat management. Staff also collected public comments. Fifty-seven people signed in, and staff counted between 60-70 participants. Presentations included staff from the Department, DNR, and the Thurston County Fire Department. There were several resource tables (prairie, forest, species, DNR natural areas, Department lands, hunter education, recreation, DNR FireWise, and Thurston County Emergency Management) where the public made comments and interacted with DNR and Department personnel. Wildlife Area staff members are recruiting for the Scatter Creek Wildlife Area Advisory Committee and several participants indicated interest in participating. The planning process for developing a new management plan for the South Sound Wildlife Area begins in 2018.

## **Fish Program**

### **Columbia River Gillnet Buyback**

Staff have initiated discussions with interested stakeholders on a range of options for reducing commercial fishing effort in the Columbia, including developing a buyback program. Staff have also had preliminary discussions with the Oregon Department of Fish and Wildlife staff about their interest in pursuing effort reduction, as it is unlikely

that a Washington only program will achieve its objectives. All options being examined would need legislative action; not all require funding to implement. The preliminary reactions from stakeholders are that they are interested in analyzing a suite of options, recognizing that more than one tool may be necessary to achieve a large enough reduction to be meaningful. The Department effort is being led by Bill Tweit and Cindy LeFleur, with assistance from other Fish Program, Director's Office and License Program staff. The first task is to compile necessary information on current license use patterns and design a survey to gauge licenseholder interest and motivations.