



Director's Report to the Commission

August 9-11, 2018

Policy and Public Engagement

Legislative Tours

On July 10, Habitat Program staff hosted a legislative tour with Representative Eslick, Representative Robinson, and Senator Wagoner. Staff and legislators met at the Stillaguamish Conservation Hatchery, where Stillaguamish Tribal Chairman Shawn Yanity discussed the purpose of the hatchery, depleted runs on the Stillaguamish, and coordination with the Department of Fish and Wildlife (Department). The group then toured the Leque Island Wildlife Area restoration site where they met other stakeholders who spoke to the value of habitat conservation and restoration.

On July 13, the Department hosted a ribbon-cutting for the 7400 Road access project with Green Diamond. This site provides an important access point on the Wynoochee River, supporting a variety of water-related activities and reducing crowding elsewhere on the river. The Department worked with Green Diamond to lay gravel at the site for the existing boat launch, and to create a parking lot. There was good public turn out at the event, including Representative Brian Blake.

On July 18, the Capital and Asset Management Program hosted a groundbreaking for the renovation and expansion of the Puyallup Hatchery. The event was well-attended by the public, tribes, the Puyallup Historical Hatchery Foundation, and local elected officials. The groundbreaking also featured special guest appearances and speeches from Senator Zeiger, Representative Stambaugh, and Councilwoman Roach.

Southern Resident Killer Whale Task Force

Department staff continue to work with the Governor's office and state agency partners to coordinate with U.S., Canadian, tribes, local governments, stakeholders and conservation partners to ramp up recovery actions for Southern Resident Killer Whales (Southern Residents). We are working 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 Governor launched his "Southern Resident Killer Whale Recovery and Task Force Executive Order" in mid-March in a ceremony in Seattle. The Executive Order directs state agencies, including the Department, to implement some immediate actions. Some of the actions for the Department included in the Order were increasing education, outreach, and enforcement of vessel regulations, examining the toxin levels in fish food, adjusting fisheries for Chinook and Southern Resident conservation where needed,

demonstrating how existing grants for Chinook recovery benefit Southern Resident recovery, and others.

During this time, staff have also been working to ramp up activities funded in the 2018 Legislative Session. The Department and other state agencies were provided about \$3 million to support new and ongoing orca recovery efforts, such as reducing the presence of toxic contaminants in Puget Sound, outreach and education, and increasing hatchery production of Chinook salmon and other prey species.

The Executive Order also established a Southern Resident Killer Whale Task Force to focus on securing more resources and policy support for implementing recovery actions. The Puget Sound Partnership (PSP) and the Department are the two lead state agencies working with the Governor's office on this initiative. The Governor, along with the co-chairs, Stephanie Solien and Dr. Les Purce, kicked off the first Task Force meeting on May 1. The Task Force is a broad group of government representatives (tribal, local, state, federal), stakeholders, scientists, advocates, and other interested parties. Amy Windrope and Commissioner Brad Smith are both serving on the Task Force.

The Task Force met on June 14 in Lacey where they gave direction to the Working Groups on potential actions and considerations around those actions that they would see. The three working groups focused on prey, vessels and toxins have been working hard to pull together potential actions and information for the Task Force. The next two Task Force meetings (August 7 in Wenatchee and August 28 in Anacortes) are designed to move towards decisions on recommendations to be included in the first draft Task Force report due October 1 (final November 1).

Enforcement Program

Enforcement Recruitment

From a high of 160 officers at the time of the merger of the Department of Game and the Department of Fisheries, the Enforcement Program is currently staffed with 143 commissioned officer positions. It is the only program in the agency to reduce in size since the merger despite a large increase in the state population and increased duties that did not exist at that time, such as boating safety.

The Enforcement Program has struggled with being able to fill its positions for a variety of reasons. First and foremost, it is a nationwide issue with recruitment and retention due to several sensationalized negative media campaigns that have painted all law enforcement with a broad brush. Fewer people are willing to accept the scrutiny and personal attacks that can accompany the career and applicant levels are down all over the country. Secondly and more specific to this agency is competition in-state with other agencies for the candidate who are willing to apply. As an employer, the Department has fallen further behind in salaries and benefits. During the past year, we lost two officers to other agencies in-state, who presented a more attractive employment offer to our officers.

The program has had as many as 22 vacancies, and currently there are 15, with three of those having applicants waiting for an academy date, which will bring us to 12 total. We have worked aggressively during the past year to identify any changes we can make internally to attract more applicants. We offered more credit for work in natural resources, law enforcement and the military, and dropped the four-year degree requirement, opening our initial applicant screening to a wider pool. We initiated an apprentice program that during a three-week open recruitment had over 200 applications. We were initially going to hire 4 but changed that to 7. We are hopeful that by exposing young people to the true challenges of the career and not what they read about in social media, they will be able to see the advantages of a career choice with this agency.

8/1/2017 – 7/30/2018 Statistics

283 Candidates passed initial testing

85 Candidates interviewed

18 Hired

10 Departures (3 retirements, 5 resignations, 2 termination/non-retention)

Technology and Financial Management

Community Outreach

On Saturday, July 21, Department staff attended Kids' Day at the Olympia Farmers Market. The goal was to provide kids with fun, educational activities to do throughout the day and to establish a relationship with the farmer's market circuit. The main activity was Fish Prints, during which children made pictures of different wildlife by painting silicone molds and taking an imprint of them with rice paper. Simple anatomical diagrams were placed on the table as well. Additionally, marketing materials were distributed including the "How to Get Started: Hunting and Fishing" guide, recipe cards for clams and perch, and bass maps. We were unsure what to expect from the public as the Department had never attended this event. Fortunately, the results of this event are overwhelmingly positive.

Staff interacted with over 400 people, and both children and adults expressed excitement and gratitude that the Department was present at the event. The delight was evident on kids' faces when they pulled back the paper and revealed their artwork. Parents seemed just as pleased to see their children having such a good time. Several folks approached staff to show them wildlife photos that they had taken themselves, and it was clear how thrilled they were to have been able to capture that moment. Staff also received and answered their hunting and fishing questions.

The Farmers Market staff and vendors welcomed Department staff with kindness and generously offered to help set up our tent. One vendor in particular talked with them about his passion for fishing and how he appreciated our presence and our emphasis on inspiring youth. Following the event, the Farmers Market Community Outreach Manager expressed how pleased she was that the Department attended and that they looked forward to welcoming us to events in the future.



Habitat Program

Priority Habitat and Species Riparian Guidelines Update

Background

The Priority Habitats and Species (PHS) Program is managed by the Habitat Program via the Ecosystem Services Division and the PHS Section. PHS provides technical information to facilitate land use solutions that consider fish and wildlife resources and works cooperatively with land use decision makers and landowners to protect fish and wildlife. Our role in land use decision-making is that of technical advisor: we provide information about the habitat needs of fish and wildlife and the likely implications of various land use decisions for fish and wildlife.

To assist with the continuing protection of aquatic systems and associated riparian areas, PHS is concluding an update of our 1997 guidance, *Management Recommendations for Washington's Priority Habitats: Riparian* (Knutson and Naef 1997). This update includes a review of the science from 1997 (Volume 1: *Science Synthesis and Management Implications for Protecting of Riparian Ecosystems*) and updated management recommendations (Volume 2: *Management Recommendations for the Protection of Riparian Ecosystems*).

Both Volumes will undergo formal layout and design with target completion by end of 2018.

Content

Volume 1 is a synthesis of scientific information to inform development of policies related to riparian and watershed management and is a source of best available science. This volume provides clarity on the following:

- One site potential tree from the stream bank or channel migration zone provides most riparian functions
- The value of riparian areas to the conservation of streams and rivers depend on riparian quantity and quality.
- Flows of water, sediment, wood, nutrients and species (e.g., salmon) and water quality can be impacted by human activities occurring throughout the watershed. Watershed conditions can both affect river and streams directly and can limit the effectiveness of riparian protections.
- The most reliable way to conserve fresh water streams and rivers is to protect or emulate historical conditions.

Volume 2 translates scientific findings into guidance to local governments to manage riparian areas and watershed that help:

- Meet requirements under the Growth Management Act, the Shoreline Management Act, and Voluntary Stewardship Program to protect riparian areas;
- Maintain and enhance anadromous fisheries; and
- Incorporate implementation monitoring to understand and increase effectiveness of riparian ecosystem management.

Management recommendations in Volume 2 encompass a few simple concepts:

1. Protect the functions of the riparian ecosystem;
2. Riparian ecosystems can be defined as the area within 1 site potential tree height from the edge of the stream or the channel migration zone;
3. Maintain and protect remaining function within the riparian ecosystem, regardless of current land use and work towards restoring function to their historical condition; and
4. Analyze the current state of riparian protection, understand current permitting limitations and work towards resolving them through adaptive management.

Review, Public Comment, and Outreach Process

Volume 1 was developed through a scientifically rigorous process. Topical experts served as individual chapter authors and extensive reviews were conducted by staff within multiple state, federal, and tribal partners. The complete document underwent extensive peer review provided by Washington State Academy of Sciences, resulting in a product that exceeds most Department standards.

Volume 2 also underwent extensive stakeholder review prior to public release. Members of the Department's Executive Management Team were engaged in drafting and review. State, federal, and tribal partners provided substantial feedback integrated into the final draft. Although this document does not trigger traditional State Environmental Policy Act (SEPA) review processes, the Department pursued a similarly rigorous public comment process.

Volume 2 was released on May 17, 2018, for a 60-day public comment period, which subsequently extended for an additional 30 days (August 17, 2018). Notice of public comment was made via a Department press release and distributed widely through our SEPA list serve, and to primary stakeholder groups including state and federal partners, cities and counties, tribes, and nongovernmental entities among others. Staff have presented content of both documents upon request to improve feedback including to the Voluntary Stewardship Program Technical Panel, the Washington State Association of Counties, the Association of Washington Cities, the Department of Natural Resources, Ecology, and others. Additional presentations are scheduled.

Public comment, stakeholder outreach, and overall community engagement and review of these documents was substantial, and staff are confident that the final product produced as a result of this effort will represent the kind of quality and scientific rigor that the Department should expect.

Fish Barrier Removal Board Funding Request

Established in 2014, the Brian Abbott Fish Barrier Removal Board (FBRB) is implementing a statewide strategy for prioritizing and correcting fish passage barriers. Through the Recreation and Conservation Office, the FBRB will likely request \$30 million in the 2019-2021 biennium for the design and correction of 70 fish passage barriers statewide (40 projects in the Puget Sound), opening 140 miles of habitat.

Suction Dredging

In April 2018, the Fish and Wildlife Commission directed the Department to initiate a rule making to require individual Hydraulic Project Approvals (HPAs) for all suction dredge mineral prospecting. To accomplish this, the Department plans to amend rules in Chapter 220-660 WAC (Hydraulic Code Rules) to:

- develop an individual HPA application method for suction dredging;
- remove suction dredging as allowed equipment under the Gold and Fish pamphlet HPA;
- develop reporting methods to enable the Department to determine the numbers, locations, and hours prospectors are engaged in suction dredging;
- identify methods to prevent the spread of aquatic invasive species by suction dredge equipment; and
- to streamline the transition for suction dredgers as much as possible.

A pre-proposal Statement of Inquiry (CR-101) was filed with the state code reviser in May and an HPA rulemaking web page has been posted. In July, Department staff met with representatives of state and federal agencies interested in suction dredging and conducted public listening meetings in Wenatchee, Spokane, Olympia, and Everett to hear input from over 60 members of the public about the proposed rulemaking. Comments heard at those public meetings will be summarized and made available on the HPA rulemaking web page. This month, staff will be meeting with tribal entities to discuss the proposal and convening a working group of mining and other stakeholders to explore ways to amend rules to achieve the rulemaking objectives. A briefing is planned with the Fish and Wildlife in Commission in early October to update you on progress and describe draft rule changes. If all proceeds according to plan, draft rules

(CR-102 Notice of Proposed Rule Making) will be filed with the code reviser in November, thus starting the formal public comment period on the proposed rules, and a public hearing would be held by the Commission on December 15, 2018. Rules could be adopted by the Commission in January-March 2019, with implementation planned for May 2019.

ShoreFriendly and Armor Removal Program

Reducing shoreline armor in Puget Sound creates healthy beaches that provide spawning habitat for forage fish, which are at the heart of the Puget Sound food web. Particularly, forage fish are an important prey species for migrating juvenile Chinook salmon. Loss of forage fish spawning habitat contributes to diminished growth and survival of juvenile salmonids. Because Chinook survival is critical to prey availability for Southern Resident Killer Whales (Southern Residents), reducing shoreline armoring is a priority for Southern Resident recovery efforts. Shoreline Armor reduction via local “ShoreFriendly” education and incentive programs, technical support, and small grants is a successful and regionally supported tactic for reducing armor and improving shoreline habitat.

The Puget Sound Ecosystem Coordination Board is formally recommending that the Department serve as a state lead for the ShoreFriendly program: creating and supporting local ShoreFriendly programs, coordinating technical support, and passing through grants for local armor removal/prevention programs. The Department is a clear fit for the role and has already been performing it in a limited fashion. Conversations are ongoing within the Department, PSP, RCO, and the Orca Task force to determine the best way to enhance budget resources as necessary to facilitate ShoreFriendly and larger-scale armor removals identified through the ShoreFriendly programs. The Department leading in ShoreFriendly will move the dial on shoreline armor reduction in Puget Sound, leading to increased Chinook survival and thus, prey availability for Southern Residents.

Fish Program

Wynoochee Mitigation

Staff from the Quinault Nation and the Department met to discuss next steps to utilize the funding held in trust by Tacoma Power for the Wynoochee mitigation. Without an acknowledgement of support of the dam(s) operation, the Quinault Nation has agreed to move forward to develop a joint co-manager package, meeting the requirements of the mitigation. Once developed we will meet with community partners that have been patient over the decades to assure we are meeting the intent. We hope to have a package agreed to by the end of the month.