

Washington Department of Fish and Wildlife Centennial Accord Implementation Plan

May 2012

Background

Procedures for implementing government-to-government policy between WDFW and the Northwest region Indian tribes related to the management of fisheries and hunting activities are well-established through decisions of the federal court, specific state-tribal understandings, agreements, and management plans. Notable examples of federal case law that provide the legal foundation for the cooperative management relationship between WDFW and the treaty Indian tribes include U.S. v Washington, U.S. v Oregon, and Hoh v Baldrige. This Centennial Accord Plan is intended to highlight existing mechanisms for effective implementation of government-to-government policy and to present the status of current policy issues to aid resolution of disputes that may arise between WDFW and the Northwest Indian tribes.

Plan

1. Programs (list of programs and services available to tribes)

Besides the routine annual government-to-government activities of WDFW and the tribes, a number of services are available to tribal members that WDFW provides to the public at large. Reference to most of these services can be found on WDFW's internet site: <http://wdfw.wa.gov/>

Contact information is also provided in Attachment 1. Some examples of these services are listed below:

- A variety of regional information on fish and wildlife population, habitat, and enforcement issues can be obtained by contacting the appropriate regional office (see Attachments 1 and 2).
- Volunteer fish culture and habitat improvement opportunities can be accessed through various WDFW sponsored activities, including co-op groups and regional fishery enhancement groups - information is available on the internet at <http://wdfw.wa.gov/about/volunteer/> or by calling Volunteer Services (Attachment 1).
- The WDFW Enforcement Program manages an on-line reporting page for fish/wildlife violations (internet address: http://wdfw.wa.gov/enforcement/reporting_violations.html). This information provides any individual, including tribal members, the opportunity to report a possible fish and wildlife rule violation. Individuals who witness and would like to report a violation can also call toll-free 1-877-933-9847. (Please note that email will only be read during regular business hours, between 8:00 a.m. and 5:00 p.m., Monday - Friday.) Violations underway and needing immediate response should be phoned in to ensure prompt response). Poaching in progress and

dangerous wildlife complaints can be reported by dialing 911. Reports are confidential and are forwarded to a WDFW Officer for investigation.

- Violator information that leads to an arrest could be eligible for a cash reward or hunting bonus points. Other WDFW enforcement information is also available at the above internet address.
- Permanent employment opportunities with WDFW are normally filled through the procedures and of the Department of Enterprise Services (internet site: <http://www.careers.wa.gov/>). Job links and employment search services also are available through the internet at: <http://wdfw.wa.gov/employment/index.htm>. Information on temporary job opportunities with WDFW can be obtained by calling WDFW's personnel office (Attachment 1).
- A variety of information on species recovery and management is available on WDFW's web site at: <http://wdfw.wa.gov/conservation/species>.

2. ***Funding Distribution*** (list of funding distribution methods currently available to tribes)

WDFW does not administer a significant array of funding assistance programs. However, with respect to implementing volunteer programs for fish culture and habitat improvement projects, the Fish Program does oversee several programs that provide some project assistance (Attachment 1). The Salmon Recovery Funding Board, on which WDFW and tribes have representation, provides significant competitive funding of salmon recovery projects. Contact information is as follows: The Recreation & Conservation Office, P.O. Box 40917, Olympia, Washington 98504-0917 (Telephone (360) 902-3000; FAX - (360) 902-3026; TDD - (360) 902-1996; email salmon@rco.wa.gov). The Board's internet address is: http://www.rco.wa.gov/salmon_recovery/index.shtml.

3. ***Consultation Process***

General

WDFW and the tribes consult through a variety of co-management forums. The Natural Resource policy leaders at each of the tribes are the best initial contacts to determine the appropriate forum or a WDFW representative to contact about any particular policy issue. Forums are as follows:

- Annual state-tribal co-management meetings between WDFW and the coastal and Puget Sound (*U.S. v. Washington; Hoh v. Baldrige*) treaty Indian tribes are typically held in late-summer or early-fall. Organizers are the Northwest Indian Fisheries Commission on behalf of the tribes and WDFW's Director's Office (list of various WDFW contacts provided below).
- A shellfish co-management meeting between WDFW and the Puget Sound treaty Indian tribes is conducted annually and scheduled at varying calendar times.
- The annual state-tribal North of Falcon planning process occurs between late February and early April each year to negotiate and agree to annual salmon

fishing seasons and management processes for the Columbia River, Coastal, and Puget Sound areas.

- WDFW also meets with tribal representatives on a regional and individual tribe basis annually to discuss wildlife and hunting issues.
- WDFW and the tribes meet in numerous regional forums to jointly develop management plans for steelhead, marine fish, and a variety of shellfish species.
- The Policy Advisory Group (PAC) on the Columbia River provides a well-established state-tribal policy communication forum among state, tribal, and federal managers as does the Columbia Basin Fish and Wildlife Authority.

A list of key contacts who can serve as communication points for various state-tribal policy issues regarding fish and wildlife and their habitats is provided in Attachment 1. A map of the various Fish and Wildlife regions is presented in Attachment 2. If any doubts exist about whom to contact regarding a state-tribal fish and wildlife issue, please call Pat Pattillo, Special Assistant to the Director and WDFW's Tribal Liaison (360-902-2705), or Nate Pamplin, Assistant Director of the Wildlife Program (360-902-2693).

Example: Implementation of Comprehensive Puget Sound Chinook Management Plan, Harvest Management Component: Centennial Accord Implementation Case Study

Since the early 1990s, WDFW and the Puget Sound Treaty Indian Tribes have been developing and implementing conservation measures directed at protection and rebuilding of depleted Puget Sound Chinook salmon. In 1999, those fish, in addition to Hood Canal and Strait of Juan de Fuca summer chum salmon, were listed as threatened under the Endangered Species Act (ESA). Changes in harvest plans that had been evolving through the 1990s became the subject of consultation under Section 4(d) ESA.

The Comprehensive Puget Sound Chinook Management Plan is one of several plans under the jointly-developed, court-filed Puget Sound Salmon Management Plan (PSSMP) that outlines the conduct of salmon co-management planning and fisheries implementation. The PSSMP includes guidance on common terminology, information sharing, general salmon stock management structure, and dispute resolution. The Plan includes specific fisheries provisions affecting Puget Sound Chinook salmon and also includes performance measures and monitoring plans.

Development and updating of this Plan begins with collation of the necessary data, design and testing of evaluation and assessment tools, and implementation of methods devised to limit fishing impacts to wild Chinook while allowing fishing access to harvestable populations and species. State and tribal staff work side-by-side to produce this co-management Plan.

Conservation objectives defined in the Plan need to meet the stringent requirements of NOAA's ESA Section 4(d) rules for conservation plans. The Plan is actually the collaborative product of top salmon scientists with knowledge specific to Puget Sound, Hood Canal, and Strait of Juan de Fuca salmon, and includes staff from

WDFW, individual tribes, Northwest Indian Fisheries Commission, NOAA, and local government.

The Chinook Plan was initially implemented for the 2001 fishing season. The co-managers revised the Plan periodically over the next several years to address improvements to conservation objectives and updates to data supporting the Plan. The current version of the Plan was approved by NOAA under procedures of the ESA to apply to fisheries through 2013.

The significance of this activity is profound. First, staffs from every Puget Sound tribe and WDFW came together with sustained focus to determine and mitigate problems with Puget Sound Chinook that are affected by actions under state or tribal authority (i.e., restrictions to fishing seasons and methods). Policy managers from the state and tribes applied their experience with implementing the initial Plan using extensive evaluation and adaptive management to shape “final” provisions of the revised Plan.

Finally, tribal and non-tribal fishers benefit from the Plan because its implementation contributes to rebuilding of Puget Sound salmon stocks and stabilization of coast-wide fishing seasons (from Washington to California).

4. *Dispute Resolution Process*

WDFW and the Northwest tribes employ a number of informal and formal dispute resolution processes. Informal dispute resolution normally entails policy-to-policy contacts, which also represent the first stage of formal dispute resolution. In the *U.S. v Washington* case area, a formal meet-and-confer provision is identified in the Puget Sound Salmon Management Plan as a dispute resolution precursor to court litigation on salmon management issues. Technical salmon management disputes may be resolved through a Fisheries Advisory Board, which has been established as a formal dispute resolution mechanism of continuing federal court jurisdiction under *U.S. v Washington*. Most state-tribal fishery management plans specifically identify dispute resolution mechanisms or processes. Incidence of formal dispute resolution relative to fishery issues, whether technical or otherwise, has decreased due mainly to the intergovernmental relationships and understanding developed through more than thirty years of cooperative management.

Attachment 1 – WDFW Contacts

GENERAL INFORMATION	Phone	FAX	E-Mail
Information and Receptionist	360 902-2200	360 902-2156	
TTY	800 833-6388		
Centennial Accord			
Pat Pattillo, WDFW Tribal Liaison	360-902-2705	360-902-2158	patrick.pattillo@dfw.wa.gpv
Angelika Hagen-Breaux, WDFW Centennial Accord Coordinator	360-902-2716	360-902-2183	angelika.hagen-breaux@dfw.wa.gov
Director's Office	360 902-2200	360 902-2947	director@dfw.wa.gov
Enforcement	360 902-2936	360 902-2155	enforcement-web@dfw.wa.gov
Fish Program	360 902-2700	360 902-2943	fishpgm@dfw.wa.gov
- Fishing Regulation Questions			fishregs@dfw.wa.gov
- Fishing Regulation Hotline	360 902-2500		
- Shellfishing Regulation Hotline	866 880-5431		
- District & Area Fish Biologists			
- Fish Management	360 902-2700	360 902-2158	
- Hatcheries	360 902-2661	360 902-2943	
- Science	360 902-2700	360 902-2944	
Fish and Wildlife Commission	360 902-2267	360 902-2448	commission@dfw.wa.gov
Habitat Program	360 902-2534	360 902-2946	habitatprogram@dfw.wa.gov
Emergency Hydraulic Project Approval Hotline	360 902-2537		
Maps & Digital Info Requests	360 902-2543		
Human Resources	360 902-2276	360 902-2392	personnel@dfw.wa.gov
Hunter Education	360 902-8111	360 902-8117	huntered@dfw.wa.gov
Legal Services			
Lori Preuss	360 902-2930	360 902-2155	Lori.Preuss@dfw.wa.gov
Debbie Rick	360 902-2222	360 902-2155	Deb.Rick@dfw.wa.gov

GENERAL INFORMATION	Phone	FAX	E-Mail
Legislative Affairs	360 902-2226	360 902-2247	LegislativeAffairs@dfw.wa.gov
License Division	360 902-2464	360 902-2945	licensing@dfw.wa.gov
Recreational License Dealer Information	360 902-2434	360 902-2466	
Public Affairs			
News Media	360 902-2250	360 902-2171	publicaffairs@dfw.wa.gov
Public Disclosure Requests	360 902-2253	360 902-2171	Carol.Turcotte@dfw.wa.gov
State Environmental Policy Act (SEPA) Coordinator	360 902-2575	360 902-2156	SEPAdesk@dfw.wa.gov
Volunteer Services	360 902-2252	360 902-2157	volunteers@dfw.wa.gov
Wildlife Program	360 902-2515	360 902-2162	wildthing@dfw.wa.gov
Website Administration	360 902-8423		webmaster@dfw.wa.gov

REGIONAL OFFICES	Phone	FAX	E-Mail
Headquarters (Olympia)	360 902-2200	360 902-2156	
Eastern - Region 1 (Spokane)	509 892-1001	509 921-2440	TeamSpokane@dfw.wa.gov
North Central - Region 2 (Ephrata)	509 754-4624	509 754-5257	TeamEphrata@dfw.wa.gov
South Central - Region 3 (Yakima)	509 575-2740	509 575-2474	TeamYakima@dfw.wa.gov
North Puget Sound - Region 4 (Mill Creek)	425 775-1311	425 338-1066	TeamMillCreek@dfw.wa.gov
Southwest - Region 5 (Vancouver)	360 696-6211	360 906-6776	TeamVancouver@dfw.wa.gov
Coastal - Region 6 (Montesano)	360 249-4628	360 249-1229	TeamMontesano@dfw.wa.gov

FIELD FACILITIES	Phone	FAX
Bellingham Harbor Mall, Suite 20, 98225-2056		
Freshwater Resources	360 676-2146	360 676-2247
Salmon Harvest Management	360 676-2146	360 676-2247
Brinnon 1000 Point Whitney Rd, Point Whitney Shellfish Laboratory, 98320-9799		
Fish Program (Shellfish)	360 796 4601	360 586-8408
Ellensburg Region 3 District Office, 201 North Pearl St, 98926		
Fish Program	509 925-4467	509 925-4702
Habitat Program	509 925-1013	509 925-4702
Wildlife Program	509 925-6746	509 925-4702
Forks North Coastal Field Station, 551 Tillicum Lane, 98331		
Fish and Habitat Programs	360 374-9440	360 374-9572
Kelso Kalama Research Team, 804 Allen St., Suite 3, 98626		
Fish and Wildlife Programs	360 577-0197	360 577-0387
LaConner 111 Sherman St., 98257 (physical) / PO Box 1100, 98257 (mailing)		
Freshwater Resources	360 466-4345 x230	360 466-0515
Marine Resources	360 466-4345 x245	360 466-0515
Habitat Program	360 466-4345 x252	360 466-0515
Wildlife Program	360 466-4345 x280	360 466-0515
Ocean Park Willapa Bay Field Station, 26700 Sandridge Rd, 98640 (physical) / PO Box 190, 98640 (mailing)		
Fish Program	360 665-4166	360 665-6716

FIELD FACILITIES	Phone	FAX
Omak		
Omak District Office, 640 Jasmine St, 98841 (physical) / PO Box 753, 98841 (mailing)		
Enforcement Program	509 826-7371	
Fish Program	509 826-7341	509 826-7340
Habitat Program	509 826-3123	509 826-6152
Lands	509 826-4626	
Pasco		
2620 N Commercial Ave, 99301		
Fish Program	509 545-2284	509 545-2229
Habitat Program	509-545-2057	509 545-2229
Wildlife Program	509 545-2201	509 545-2229
Vancouver		
2108 Grand Boulevard, Vancouver, Washington 98661		
Fish Program -- Northern Pikeminnow	360-906-6702 1-800-858-9015	
Wenatchee		
District Office, 3860 Chelan Highway N, 98801		
Cooperative Extension, Outreach and Partnerships	509 662-0452	509 662-0490
Habitat Program	509 662-0503	509 662-0490
Wildlife Program	509 665-3391 509 662-0452 509 665-3383	509 662-0490
Wenatchee		
Research Office, 3515 Chelan Highway N, 98801		
Fish Program Freshwater Resources	509 662-0481	509 662-4574
Fish and Wildlife Health	509 663-7866	509 662-6606
Hatcheries	509 664-1227	509 662-4574
Yakima		
Yakima Screen Shop, 3705 W Washington Ave, 98902-1137		
Habitat Program	509 575-2735	509 454-4139

Attachment 2 – Map of Washington Department of Fish and Wildlife Regions

