Washington Department of Fish and Wildlife

Organizational Review Final Report

Prepared for the Washington State Legislature

December 19, 2024

Prepared by the William D. Ruckelshaus Center

WASHINGTON STATE UNIVERSITY

THE WILLIAM D. RUCKELSHAUS CENTER

UNIVERSITY OF WASHINGTON

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The William D. Ruckelshaus Center is an impartial resource for collaborative problem solving in the State of Washington and the Pacific Northwest, dedicated to assisting public, private, tribal, non-profit, and other community leaders in their efforts to build consensus and resolve conflicts around difficult public policy issues. It is a joint effort of Washington State University and the University of Washington.

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The following report was prepared by the William D. Ruckelshaus Center, a joint effort of the University of Washington and Washington State University whose mission is to help parties involved in complex public policy challenges in the State of Washington and Pacific Northwest to develop collaborative, durable and effective solutions. University leadership and the Center's Advisory Board support the preparation of this, and other reports produced under the Center's auspices. However, the findings and options contained in this report are intended to reflect the opinions of the participating parties. This report provides a collective reflection of the views and opinions of over 100 participants who gave their time and talent to this inquiry. The role of the Ruckelshaus Center's Project Team was to listen to and collect multiple viewpoints with impartiality, and then to consolidate, synthesize, and communicate the array of ideas and opinions, and ultimately, options to consider for action. Those findings and options for action do not represent the views of the Center, universities, or Advisory Board members.

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WASHINGTON STATE UNIVERSITY

EVANS SCHOOL OF PUBLIC POLICY & GOVERNANCE
UNIVERSITY of WASHINGTON

Mandate of the Washington Department of Fish and Wildlife

RCW 77.04.012: Mandate of department and commission.

Wildlife, fish, and shellfish are the property of the state. The commission, director, and the department shall preserve, protect, perpetuate, and manage the wildlife and food fish, game fish, and shellfish in state waters and offshore waters.

The department shall conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource. In a manner consistent with this goal, the department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.

The commission may authorize the taking of wildlife, food fish, game fish, and shellfish only at times or places, or in manners or quantities, as in the judgment of the commission does not impair the supply of these resources.

The commission shall attempt to maximize the public recreational game fishing and hunting opportunities of all citizens, including juvenile, disabled, and senior citizens.

Recognizing that the management of our state wildlife, food fish, game fish, and shellfish resources depends heavily on the assistance of volunteers, the department shall work cooperatively with volunteer groups and individuals to achieve the goals of this title to the greatest extent possible.

Nothing in this title shall be construed to infringe on the right of a private property owner to control the owner's private property.

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EXECUTIVE SUMMARY

In 2023, the Washington State Legislature directed the William D. Ruckelshaus Center (the Center) to conduct a review of the Washington Department of Fish and Wildlife (WDFW). Per the legislation, the review "must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the goals of its mandate, and to respond to state equity principles." Per the legislative mandate, the review is to explore the following areas and recommend changes, as appropriate, based on input received from interested and affected parties:

- WDFW governance structure
- WDFW funding model
- Washington Fish and Wildlife Commission (the Commission) structure, composition, duties, and compensation
- An alignment of mandate with WDFW's responsibility as a public trustee
- WDFW's adherence to state laws, including the State Environmental Policy Act (SEPA) and the Public Records Act (PRA)
- Accountability and transparency in WDFW decision making at both the Commission and management levels
- Process by which WDFW uses science and social values in its decision making
- Influence on WDFW by special interest groups
- Outreach and involvement of Washington residents who have historically been excluded from fish and wildlife decisions, including non-consumptive users and marginalized communities
- WDFW's ability to meet threats created by climate change and biodiversity loss
- Any other related issues that arise

The proviso further states, "Based on the results of the review, the Ruckelshaus Center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife."

This report begins with an introduction and background about the review, followed by an explanation of the review process. Section III presents key findings, which is a synthesis of interviewee perspectives on the elements listed in the proviso. The last section contains options and recommendations based on what was heard and learned from the interviews. Supplemental information is provided in appendices.

> ***Note on the use of terms:*** *This report uses the terms "Agency" and "WDFW" when discussing both the department and the Commission. The term "Department" is used when discussing only the department.*

The Ruckelshaus Center's Project Team conducted more than 100 interviews with individuals representing a broad and diverse range of constituencies that have experience with WDFW and some knowledge about the governance and organizational elements of WDFW listed above. The role of the Project Team was to listen to and collect multiple viewpoints with impartiality and then to consolidate, synthesize, and communicate the array of ideas and opinions, and ultimately, options and recommendations to consider for action.

Interviewees communicated a wide range of perspectives, shared many examples of what they think the Agency is doing well, and identified areas for improvement. Altogether, the information gathered from the

interviews forms a complex and nuanced compilation of input and suggestions that can help the Agency make progress toward being more effective into the future.

To identify key findings, the Project Team paid close attention to issues, perspectives, and ideas that arose frequently across the continuum of interviews, as well as those that were less common, but provided additional insight and depth related to specific areas of the Agency's work. The findings summarized in this report stem from a wide range of responses in interviews, due to the qualitative nature of the review and the analysis process. The goal is to provide a summary of relevant findings that represent the range of views and not a list or detailed explanation of all perspectives and ideas.

Most interviewees were not aware of all aspects of WDFW's work, or their experience was limited in certain areas. Interviewees based their responses on their experiences, which may not represent the whole picture. The Project Team also observed wide variances in knowledge about the Agency. For example, some interviewees would state their understanding of the percentage of the Department's budget from hunting and fishing licenses and others would state a very different number. For this report, the Project Team decided to provide some basic context (labeled "Background") for each area of inquiry to establish a baseline of common information.

Not surprisingly, interviewees voiced passion for sustaining fish, wildlife, and their habitats, even when there were strong disagreements about how best to achieve sustainability and resilience. Asking the interviewees to envision a future for the Agency revealed commonalities among interviewees. Key themes that emerged from the responses included:

- Healthy, Thriving Fish and Wildlife Populations
- Opportunities for Future Generations to Hunt and Fish - Recreational and Commercial
- Adaptive, Ecosystem-Based Management Approaches
- Prioritizing and Restoring Biodiversity
- Serving All Washingtonians
- Increased Appreciation for the Benefits of Fish and Wildlife
- Restoring Habitats That Connect Ecosystems
- Effective Governance and Visibility as a Leader for Natural Resource Management
- Continuing to Improve and Support Co-Management and Cooperative Relationships with Tribes
- Ensuring that tribal treaty rights and co-management obligations are appropriately prioritized and upheld
- Reduced Conflict Among User Groups
- Increased Collaboration, Coordination, and Partnerships
- Broad-Based and Increased Financial Investment and Funding
- Scientific Research and Data-Driven Decisions

It is important to note that these themes are similar to the Agency's vision, articulated in its 2020-2045 Strategic Plan:

- Healthy and sustainable fish and wildlife populations
- A restored network of resilient habitats that connects ecosystems across the landscape
- Abundant recreational, stewardship, commercial, and educational opportunities available to diverse populations
- Residents with a deep appreciation of the intrinsic value of nature and the benefits of fish and wildlife

and who have a strong sense of personal stewardship and environmental responsibility

- A Department that reflects and connects with the diverse public we serve, and is a model of great governance

The Project Team designed this review to focus on the future, as opposed to focusing solely on what is or is not working currently or in the past. This future-focused approach centers on 1) what the Agency is doing well now that could contribute to a positive future, and 2) what might need to change to enhance WDFW's effectiveness going forward. Interviews started by asking people to describe their desired future for WDFW. Then, based on the vision they desired, the Project Team asked what they saw working well now to actualize their future vision, and asked what was not currently working that would need to be addressed.

Many interviewees provided ideas about how to address issues that they raised and suggestions that, in their opinion, could help maximize the effectiveness of the Agency. The wide range of ideas and perspectives shared by interviewees on the prescribed topics did not lend itself to overarching recommendations for all the topics. Some of these recommendations from the interviewees are embedded in the Findings section of the report. These ideas, taken together with the section on recommendations, can help inform the Agency's and/or state government's exploration of recommended changes. Key recommendations that emerged from the interviews include:

GOVERNANCE

There are three options to address the WDFW governance structure:

- Option 1: Maintain the status quo.
- Option 2: Establish WDFW as a cabinet agency.
- Option 3: Maintain the Commission, but address multiple significant issues with comprehensive, simultaneous reforms.

If there is not sufficient political will or interest in making comprehensive, simultaneous reforms of the Commission discussed in the full report, then Option 3 is not a viable choice. Without these reforms, the embedded dysfunctions and issues that interviewees raised would likely continue. If the Legislature wants to improve the governing structure without all the reforms to the Commission, then the optimum choice, even considering potential tradeoffs, would be to establish WDFW as a cabinet agency (Option 2). Implementation of Option 2 or Option 3 will need a thoughtful transition strategy and clear communication plan.

- Continue to strengthen and tend what interviewees stated is working.
- Work to mitigate silos within the Department and between the Department and other agencies.

WDFW MANDATE

- Work to reduce conflict and build capacity to collaborate before any public process to revise the mandate.
- Consult with tribes about whether revisions to the mandate are needed to incorporate tribal/state co-management as put forth under *U.S. v. Washington* and *U.S. v. Oregon* and describe the coordination and consultation requirements for natural resource management between federally recognized tribes and the Agency.

CHANGING CONDITIONS – CLIMATE CHANGE AND BIODIVERSITY

- Continue to allocate resources for coordination between the Department and counties and cities on local land-use planning.
- Support existing and create new strategies for wildlife and fish to adapt to changing conditions.
- Continue to support WDFW climate change and biodiversity programs and policies through ongoing and increased investments and multi-agency and tribal coordination.

FUNDING STRUCTURE

- Update (as needed) the WDFW Long-Term Funding Plan and work with the Budget Policy Advisory Group (BPAG) to continue to implement the plan.
- Increase communications about how the Agency is funded.
- Diversify funding sources.

TRIBAL COORDINATION, CONSULTATION, AND CO-MANAGEMENT

- Continue Department efforts to strengthen relationships with tribes and build additional capacity by increasing the number of tribal liaisons.
- Clarify the role of the Commission in regard to *U.S. v. Washington* and *U.S. v. Oregon*, including when and how the Commission engages with federally recognized tribes and consultation.
- Provide training on tribal sovereignty, treaty rights, co-management, and working with tribal governments, to all Department staff and for all Commissioners.

ACCOUNTABILITY, TRANSPARENCY, AND USE OF SCIENCE IN DECISION MAKING

- Complete the Department's process of developing, refining, and adopting a "Use of Science in Decision Making" Policy.
- Continue to support and invest in WDFW work to make information available.

OUTREACH AND ENGAGEMENT WITH PUBLIC AND SPECIAL INTEREST GROUPS

- Implement a process to build common understanding and find common ground among varied interests.
- Continue recent Department efforts to increase communication about WDFW's work and impact, including engaging multiple audiences, focusing on those that have not traditionally engaged with WDFW and broadcasting success stories.

The expectations of WDFW are high, as residents depend upon the Agency to serve as a trustee of the State's fish and wildlife. This begs the question: to what degree, and how, can the Agency best deliver on these expectations and make improvements in a context where there is a diversity of viewpoints, political tensions, limited resources, and significantly changing environmental and social conditions? The ideas and thoughts shared by interviewees can bring insight and motivation for WDFW to continuously improve. WDFW and State lawmakers have the opportunity to consider the information shared in this review as a learning opportunity to reflect upon and identify opportunities for change.

I. INTRODUCTION

In 2023, the Washington State Legislature directed the William D. Ruckelshaus Center (the Center) to conduct a review of the Washington State Department of Fish and Wildlife (WDFW). Per the legislation, the review "must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the goals of its mandate, and to respond to state equity principles" (Appendix A). Per the legislative mandate, the review is to explore the following areas and recommend changes, as appropriate, based on input received from interested and affected parties:

- WDFW governance structure
- WDFW funding model
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- Influence on WDFW by special interest groups
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- WDFW's ability to meet threats created by climate change and biodiversity loss
- Any other related issues that arise

Given the broad nature of the task, it is important to clarify what this review is and is not:

This Review Is:	This Review Is Not:
Nonpartisan, impartial, and independent	An agency or staff performance evaluation
Inquiry-based: does not assume there are problems to be fixed or solved	A compliance or financial audit
A qualitative, not quantitative review	A legal review
Intended to be independent of any one group or interest	Intended to advance the agenda of any one group or interest

The findings and options and recommendations contained in this report are intended to reflect the opinions of the participating parties. This report provides a collective reflection of the views and opinions of more than 100 participants who gave their time and talent to this inquiry. The role of the Ruckelshaus Center's Project Team was to listen to and collect multiple viewpoints with impartiality and then to consolidate, synthesize, and communicate the array of ideas and opinions, and ultimately, options to consider for action. Those findings and options for action do not represent the views of the universities or Advisory Board members, nor do they represent the personal views of Project Team members.

This report begins with an introduction and background about the review, followed by an explanation of the review process. Section III. presents key findings, which is a synthesis of interviewee perspectives on the elements listed in the proviso. The last section contains options and recommendations based on what was heard and learned from the interviews. Supplemental information is provided in appendices.

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A. FRAMING: ENVISION THE FUTURE

The primary purpose of this organizational review was to consider potential organizational and governance modifications and renewal to meet changing conditions. This presented an opportunity to envision a future where the Agency is best equipped to manage the land, fish, and wildlife of Washington state for resiliency, abundance, transparency, and accountability in decades to come. To manifest this future, fundamental questions need to be considered to guide the Agency to meet its potential. For example:

- What is already working well or is shifting in the right direction, and what needs to change?
- What governance structure bests support the Agency's ability to meet its potential and succeed in its mandate?
- What funding structure supports the stability and effectiveness of the Department's work?
- How are environmental and social conditions changing?
- How is the Agency transforming/changing to meet evolving environmental and social conditions?
- How can this future state fully embrace tribal treaty rights and tribal partnerships?
- What core values drive decision-making?
- How can science be best utilized to inform decision making?
- How can all users – consumptive and non-consumptive – understand, inform, support, and influence the work of the Agency?
- How can public engagement be meaningful and inclusive?
- How can the work of WDFW most effectively connect to other natural resource agencies and user groups?
- What are the impacts of population growth and land-use development and how can negative impacts be prevented and managed?

It is also important to consider the context, and environmental and political dynamics, that affect the work of WDFW. The changing environmental and social landscape increases the challenges faced by any natural resource management entity. For example, population growth, environmental degradation, siloed resource management strategies, growing uncertainty related to climate change, wildfires, and the financial cost of implementation of management strategies all contribute to the complexities of sustaining healthy ecosystems. There are a spectrum of interests and values for WDFW to consider in its management decisions and it is difficult to align or harmonize decisions across this spectrum.

The ability to manifest the above vision is also challenged by the Department's lack of control over many natural and social processes that influence the health of ecosystems including climate impacts and

individual human behavior. Also, nature does not acknowledge political boundaries. Implementation of management strategies and the ability to monitor and evaluate success takes years, making it difficult to align strategies and monitoring with short-term budget cycles. For WDFW to succeed, its work also needs to connect to other regional, state, federal agencies, and tribes, as well as private property owners and managers.

Fish and wildlife agencies across the United States are re-imagining and adapting their organizational structures and natural resource management strategies to meet today's challenges, changing conditions, and array of values and interests from residents and special interest groups. There is an increased emphasis on strategies and policies that sustain and increase biodiversity and protect habitat. This focus has become fundamental as management strategies shift from single species management to whole system approaches that recognize the interrelationships between land-use, habitat, wildlife, and people. Given the scale and complexity of natural resource management, fish and wildlife agencies' decision-making processes need to be responsive and nimble to address the significant uncertainties in natural resource management—especially given the changing environmental, regulatory, social, and economic conditions.

II. ORGANIZATIONAL REVIEW PROCESS

The Washington State Legislature directed the Center to conduct an organizational review of WDFW. The Center used an interview-based process called a situation assessment that consisted of individual interviews with representatives of interested and affected parties knowledgeable about the following organizational elements of the agency listed in the Legislative proviso:

- WDFW governance structure
- WDFW funding model
- Washington State Fish and Wildlife Commission structure, composition, duties, and compensation
- An alignment of mandate with WDFW's responsibility as a public trustee
- WDFW's adherence to state laws, including the State Environmental Policy Act and the Public Records Act
- Accountability and transparency in WDFW decision making at both the Commission and management levels
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A. GATHERING OF BACKGROUND INFORMATION

For the first phase of the project, the Center's Project Team had preliminary conversations with individuals involved in and knowledgeable about WDFW and the proviso to better understand the purpose and conditions surrounding the review. As part of this work gathering background information, the Center's Project Team learned about a number of recent organizational type reviews that had been conducted on the Agency, including an "Organizational Assessment of Operational and Management Practices" conducted in 2017-2018 by Matrix, a consulting firm. In addition, numerous documents, research articles, books, and other relevant materials were shared by a number of individuals interested in this review. These materials were reviewed by the Project Team and informed background knowledge and the process design.

The Legislative proviso listed specific topics for the Center to review; however, the proviso provided limited details about the topics and the context as to why such a review was needed on these topics at this time. For example, the proviso did not define topics such as "accountability" and "transparency," nor did it provide metrics to gauge WFDW's effectiveness in any given area.

Considering the Center is neither an expert on fish and wildlife management nor a policy think tank, the Center's role was to remain impartial in this review. The Center's Project Team decided to design a future-focused review process. Such a process focuses on what is working well now that could contribute to a positive future and what might need to change to enhance effectiveness going forward. This approach focuses on a future that maximizes the potential of WDFW, while providing insights on WDFW's current state.

Fish resources are co-managed by the State and treaty tribes. The Department also consults and coordinates with tribes on other natural resource issues. The Legislative Proviso did not include mention of the tribes nor the working relationship. Given that government-to-government consultation, and the working relationships between the Agency and the tribes is a critical aspect of the governance of the Agency and the management of fish and wildlife in the State, the Center's Project Team sought guidance from tribes on how best to engage tribes in this review. In addition, the Project Team added to the list of interviewee questions ones that asked about the Agency's engagement with tribes.

It is also important to note that a situation assessment such as this provides a reflection of views at a point in time. The circumstances that existed at the time of this assessment have the potential to impact the perspectives of both interviewees and the Project Team about the elements listed above and recommended options. Below is a brief summary of some of those circumstances. This is not meant to be an exhaustive list, but rather a sample of situations, events, and relevant information gathered by the Project Team, utilized to set the context for the interviewee reflections and potential process options described later in this report.

- **Biodiversity Funding:** In its 2023 session, the State Legislature allocated dedicated biodiversity to WDFW to support implementation of Washington's State Wildlife Action Plan (SWAP), which includes conservation actions for Priority Habitats and Species (PHS) and Species of Greatest Conservation Need (PDF) (SGCN).
- **Draft Conservation Policy:** In April 2023 the Commission drafted and sought public comment on a Conservation Policy to direct WDFW in preserving and protecting the State's fish and wildlife and their habitats by proactively addressing current and emerging conservation challenges.
- **Draft Best Available Science Policy:** In May 2024 the Commission drafted and sought public comment on a best available science policy meant to ensure that the best available science is provided to inform decision-critical questions throughout Commission decision making.
- **Centennial Accord:** In September 2024 during the Natural Resources Work Session as part of the Centennial Accord meeting, tribes communicated that the structure and mandate of the Fish and Wildlife Commission are silent on the need to co-manage under *U.S. v. Washingto*n and *U.S. v. Oregon* requested the Governor rectify this disparity by better clarifying the role of the director and the Commission in a way that is congruent with *U.S. v. Washington* and *U.S. v. Oregon*.
- **Proposed Legislation to Disband the WDFW Commission:** In January 2024, a bill was introduced to eliminate the Fish and Wildlife Commission, transfer the powers and duties of the Commission to the Director of the Department of Fish and Wildlife, and requiring the Director to be appointed by the Governor with the confirmation of both the Senate and the House of Representatives. The bill was not advanced.

The Center also received information from many individuals interested in the review, including news articles, science publications, previously conducted assessments of the agency, materials and opinion pieces from advocacy organizations, reports from the Washington Department of Labor and Industries, personnel grievances, book recommendations, and more. Given that this was a Legislatively directed review, with a specified list of areas to review, many of these resources and input provided addressed conditions, situations, and elements outside of the scope of the review. Where appropriate, the Project Team directed people to other entities that could more appropriately consider the feedback.

B. INTERVIEW PROCESS AND PROTOCOLS

The Project Team consisted of Center affiliated faculty and staff, with assistance from a consultant team. The Project Team developed and used the following criteria to create a representative list of interviewees interested in, engaged with, and affected by the management of fish and wildlife in Washington State:

- People who can speak to the governance structure and funding model of WDFW
- People who can speak to the structure, composition, duties, and compensation of the Washington State Fish and Wildlife Commission
- People knowledgeable with the WDFW's public outreach and involvement efforts, including to non-consumptive users and marginalized communities
- Representatives of tribal governments and those representing tribal interests
- Representatives of various interests and organizations impacted by the WDFW mandate
- Individuals, organizations, and agencies with knowledge about effective state fish and wildlife management approaches and strategies, including in other states and regions
- A diverse mix geographically, politically, culturally, and otherwise, to ensure a broad range of interests and perspectives are reflected and represented
- Able to fit within the time and resources allocated for the project

The Project Team used an incremental process for identifying individuals to interview, beginning with Project Team member discussions, and informed-observer input to develop a list of potential interviewees knowledgeable about the governance and organizational elements of WDFW. Given the time and resources allocated to the Center for this project, which allowed for a scope of work that could cover 80-100 interviews, the Team could not interview everyone who had an interest in WDFW or the project. To develop a list that as much as possible represented a range of perspectives, the Project Team also used a chain referral recruitment method to identify additional potential interviewees. In accordance with this method, the Project Team asked each interviewee to identify individuals, interests, or groups that would be important to interview. The Team scheduled interviews with individuals identified via this referral sampling method.

The Project Team contacted people to determine their willingness to participate and to schedule an interview. Individuals either agreed to participate, declined to participate, suggested an alternate interviewee from their organization, or did not respond to the invitation. If a given person did not respond, the team followed up with additional invitations by phone and/or email, including a final invitation near the conclusion of the interview stage of the process.

Understanding the critical role that tribes and treaty rights play in the management of fish and wildlife in Washington, the Center's director sent a letter to the chair and natural resource directors of each tribe to seek guidance on how they wanted to be involved in the review and to offer an interview.

The Project Team conducted 103 interviews with a total of 113 interviewees (some included multiple representatives of one organization) from November 2023 – August 2024. Appendix B. is the list of people interviewed and their affiliations.

Interviews lasted approximately 90 minutes and the Project Team provided a copy of the interview questions and background about the review to interviewees in advance of the interview (Appendix C.). The Project Team informed each interviewee that their participation was voluntary and that they could choose

at any time to decline to answer a question or end the interview. Interviewees were also informed that the report to the Legislature would summarize the information gathered from interviews, but not attribute any specific statements to any individuals or organizations.

C. INFORMATION ANALYSIS AND SYNTHESIS

The situation assessment process is qualitative, and the Project Team's analysis and synthesis involved identifying, organizing, and interpreting key findings from the interviews. The Project Team convened weekly for discussions regarding observations, key findings, and recommendations. The recommendations in this report are based on analysis of what was heard and learned from interviewees and the Project Team's expertise in organizational development, effective governance, and organizational systems and structures.

III. KEY FINDINGS FROM INTERVIEWEES

The Project Team asked questions in nine general areas:

1. Future Vision for WDFW
2. Changing Conditions - Climate Change and Biodiversity
3. Tribal Coordination and Co-Management
4. Governance Structure
5. Funding Structure
6. WDFW Mandate
7. Adherence to State Laws
8. Decision Making
9. Engagement with Public and Special Interest Groups

Key findings summarized in this section comprise a synthesis of what we heard from interviewees. They cover both the above general areas of inquiry and other relevant findings that arose out of the interview process. Conducting over 100 interviews with individuals knowledgeable about the organizational elements of the agency listed in the Legislative proviso provided a rich compilation of perspectives, opinions, and ideas. To identify key findings, the Project Team paid close attention to issues, perspectives, and ideas that arose frequently across the continuum of interviews, as well as those that were less common, but provided additional insight and depth related to specific areas of the Agency's work.

Most interviewees were not aware of all aspects of WDFW's work, or their experience was limited in certain areas. Interviewee responses were based on their experiences which may not be representative of the whole picture. For example, identifying a specific issue with one SEPA review by WDFW does not necessarily mean that all WDFW SEPA reviews have the same issue.

The Project Team also observed wide variances in knowledge about the Agency. For example, some interviewees would state their understanding of the percentage of the Department's budget from hunting and fishing licenses and others would state a very different number. For this report, the Project Team decided to provide some Background for each area of inquiry to establish a baseline of common information.

It is important to note that some redundancies exist among the responses in the nine general areas of inquiry. Interviewees often provided responses that covered multiple questions and would add additional nuance when addressing a follow-up question.

The key findings summarized in this report can be associated with a wide range of responses in interviews, due to the qualitative nature of the review and the analysis process. The goal is to provide a summary of key findings that represent the range of views and not a list or detailed explanation of all perspectives and ideas.

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1. FUTURE VISION FOR WDFW

Background

The Project Team designed this review to focus on the future, as opposed to focusing solely on what is or is not working currently or in the past. This future focused, appreciative inquiry approach centers on what is working well now that could contribute to a positive future and what might need to change to enhance WDFW's effectiveness going forward. Interviews started by asking people to describe their desired future for WDFW. Then, based on the vision they desired, the Project Team asked what they saw working well now that should continue to be tended and supported to actualize their future vision, and asked what was not currently working that would need to be addressed.

INTERVIEWEE PERSPECTIVES: Future Vision for WDFW

Imagine it is sometime in the future (10 years or more) and WDFW is fulfilling its obligations as a trustee of state fish and wildlife. How would you know? What specifically would you see happening or not see happening?

Healthy, Thriving Fish and Wildlife Populations

Nearly all interviewees talked about a future with thriving fish and wildlife and healthy habitats. This included seeing positive outcomes from biodiversity work happening at the Agency, and effective ecosystem-based approaches to management.

Many interviewees talked about a future where opportunities for hunting and both commercial and recreational fishing existed because there would be well-managed and abundant fish and game populations. Interviewees frequently talked about the importance of healthy habitats to sustain species populations, with some interviewees commenting that conservation and protection is in alignment with hunting and fishing, not in opposition.

Many interviewees talked about how they would see the Agency doing more to manage natural resources in a way that benefits "non-consumptive" users in addition to "consumptive" users. Examples provided included greater focus on habitat protections, increased land acquisition, securing funding for the long-term care of such lands, increased levels of protection for certain species, and more conservative harvest allocations, to name a few.

Some interviewees also talked about how all human behavior on the land is in some way "consumptive." For example, interviewees noted the number of animals killed each year by vehicles being greater in comparison to hunting. Or how people may not hunt and fish, but may be consumptive users of what the Agency manages, for example, purchasing and consuming salmon and crab harvested by commercial fishers. Also mentioned was how recreational activities have an impact on the land and wildlife. Interviewees representing tribal interests talked about the impacts increasing outdoor recreation is having on tribes and tribal treaty rights. For example, high volumes of recreators and increased visitation and noise pollution are impacting wildlife behaviors, such as elk moving to more remote areas, wildlife habitats are fragmented by hiking trails, and native plants and sensitive habitats are getting trod upon and compacted. Interviewees talked about how calling some user behaviors "consumptive" and others "non-consumptive" was misleading, or that this binary and the over-generalization of user behavior creates polarization and conflict among interest groups.

Interviewees talked about their desired future including WDFW fully implementing the State Wildlife Action Plan (SWAP) and progress on the Species of Greatest Conservation Need where species would be recovering or recovered to the point of delisting. Many talked about seeing progress on the health and protection of specific species. The most frequently mentioned were salmon, orcas, wolves, cougars, pygmy rabbits, and woodland caribou.

Opportunities for Future Generations to Hunt and Fish - Recreational and Commercial

Interviewees from multiple perspectives highlighted the importance of hunting and fishing to their way of life and commercial and recreational fishing to the economy of the state. They talked about the importance of hunting and fishing to their heritage, to their families' subsistence, to their culture and identity, and in fostering and sustaining their connection to the natural world. They expressed support for preserving fish and wildlife habitat and appreciation for the work of WDFW staff to manage hunting and fishing seasons, enforce rules, and monitor and support populations of key species. In their vision, the work of WDFW into the future sustains fish and wildlife to levels that can provide opportunities for hunting and fishing.

Adaptive, Ecosystem-Based Management Approaches

Many interviewees talked about a future where conservation and management strategies have moved away from focusing solely on population numbers of a single species to broader approaches that manage for the health of the entire ecosystem and all species within it. Many interviewees talked about the culture of the Department changing in recent years, moving away from single-species management and toward such a whole-ecosystem approach, which can be seen through the work the Department has been doing on conservation, ecosystem restoration, biodiversity, and habitat connectivity. Many talked about the recent biodiversity funding allocated by the Legislature, and the Department's biodiversity work as a step in the right direction.

While this shift towards a whole-ecosystem management approach has spread into and across many levels of the Department, interviewees talked about how it has yet to permeate the entire Agency. Thoughts varied among interviewees as to how much progress WDFW has made and how fully its leaders have embraced and prioritized the shift to ecosystem-based management. Frequently, interviewees talked about the need for the Commission to take on and endorse such whole-system management approaches, feeling that the Commission has been too narrowly focused on individual species, specifically wolves, cougars, and bears.

Biodiversity Prioritized and Restored

Many interviewees expressed concern about biodiversity loss and the negative impacts of population growth and climate change on fish and wildlife and their habitat. They talked about the need for greater focus and investment in restoring and protecting biodiversity in the future. Many cited the dedicated funding from the State Legislature in 2023 to support biodiversity work and the implementation of the State Wildlife Action Plan as positive steps forward. Interviewees talked about how continued funding and support would be critical to achieving a future where WDFW has the capacity to maintain and restore biodiversity.

All Washingtonians Served and an Increased Appreciation for the Benefits of Fish and Wildlife

Interviewees frequently talked about a future where Washington residents better understand and value the work of WDFW, and how the Agency serves everyone by protecting fish and wildlife. Most interviewees

talked about the importance of the Agency making decisions that serve the interests of all Washingtonians, yet recognized the difficulty of doing so given the diversity of values and positions among the public and interest groups. Many talked about the need to manage fish and wildlife in ways that serve both consumptive and non-consumptive users, expressing support for the Department increasing outreach to non-consumptive users about the benefits of fish and wildlife.

Some interviewees said that the Agency still primarily serves the interests of consumptive users. They talked about how most people in the State did not hunt and fish and that the Agency does not include or prioritize the values and interests of those who don't hunt or fish. These interviewees described a desired future where the agency better reflects the interests of all Washingtonians, for example, prioritizing the intrinsic value of nature and animals and protection over consumption.

Habitats that Connect Ecosystems Restored

Many interviewees talked about wanting WDFW in the future to focus more on the acquisition, restoration, and protection of key habitats. Interviewees described the importance of connected habitats to allow species to migrate between areas and the ability to relocate to healthier habitats as a critical climate adaptation strategy. They often mentioned Increased investment in habitat connectivity as something they would like to see happening in the near future.

Co-Management and Cooperative Relationships with Tribes Improved and Supported

Washington's fisheries, including salmon and steelhead, are managed cooperatively in a government-to-government relationship between the State and treaty tribes. Interviewees talked about the history of the relationship between the Department and tribes, specifically how that relationship has improved over the years. Several interviewees shared a future vision where the relationships between the Agency and tribes would continue to grow stronger.

A number of interviewees wanted to see increased collaboration between the Department and tribes on several conservation efforts including habitat restoration of freshwater and estuarine areas, species reintroductions, control of invasive species, and mitigating recreation impacts. Interviewees also talked about wanting to see increased partnering between Department biologists and tribal biologists on data collection, monitoring and research projects.

A number of interviewees also identified the need for clarity when it comes to the relationship between the Commission and tribes. These interviewees frequently noted that the structure and protocols of the Commission are unclear regarding tribal consultation and coordination, as well as co-management under *U.S. v. Washington* and *U.S. v. Oregon*.

Effective Governance and Visibility as a Leader for Natural Resource Management

Effective governance was also consistently mentioned by interviewees when asked about their vision for the Agency. While this report includes more information on interviewee perspectives on governance in the section on Governance, most interviewees stated that for the Agency to operate effectively in the future, changes to the governance structure would need to occur.

Interviewees talked about how fish and wildlife agencies across the nation have been reviewing their missions and moving away from historical roles of solely managing game and commercial species, to a more conservation and ecosystem centric focus that accounts for the benefits that fish, wildlife, and habitat provide to all people. Many interviewees described the evolution of WDFW from primarily focusing

on fish and game management to focusing on whole ecosystems. For some interviewees, this shift has or is happening, and a number of individuals talked about how Washington is seen as a national leader among fish and wildlife agencies in shifting to an ecosystem-based, conservation-first mission. For others, such a shift is not yet happening as fully or quickly as desired and is what they want to see in the near future. People often mentioned aspects of internal Agency culture that had yet to embrace the expanding scope of the Agency, and how some interviewees are concerned that greater emphasis on protection and preservation will result in greater restrictions on hunting and fishing.

Reduced Conflict Among User Groups

Many interviewees voiced a desire for cooperation among interest groups with a focus on collaboration and working together to solve problems versus division and litigation. Many talked about the core elements of the mandate — "preserve, protect, and perpetuate fish and wildlife" and "maximize hunting and fishing opportunities" — as being seen amongst interest groups as a competitive dichotomy and a major source of disruptive conflict. Several interviewees talked about how the relationship between these goals is more complex than that, and they are in fact intertwined. Interviewees described a future where people see these goals as in service of one another, with more opportunities for mutual-gains outcomes.

When asked about what would be needed to assist in reducing conflict amongst various groups, some interviewees wanted to see the Commission take a more proactive role to address tensions and disharmony resulting from Commission decisions. Decisions about cougar and wolf management and the spring bear hunt arose repeatedly as examples where more could have been done to mitigate conflicts and arguments. Interviewees talked about how public testimony at meetings on issues known to be contentious only fuels the conflict and perpetuates a perceived division of "harvest vs. protection." Interviewees desired a future with more transparency and communication around Commission decisions, specifically how commissioners use science and values to inform decisions. Interviewees also hoped to see more opportunities for dialogue and discussion among interested parties as a means of gathering input and to facilitate more tolerance and understanding among interest groups with differing values.

Increased Collaboration, Coordination, and Partnerships with Other Governments and Private Landowners

Fish, wildlife, and the ecosystems that sustain them cross land management boundaries. Interviewees envisioned a future where WDFW would consistently work across silos with federal, tribal, and local governments, state agencies, and with private landowners to advance conservation efforts. Many talked about how WDFW has a limited scope of influence to address climate change impacts and biodiversity loss, given that it is not the primary state land management agency and has limited regulatory tools. People frequently mentioned wanting to see all of Washington's natural resource agencies better coordinating and collaborating with one another, including on monitoring and data sharing. Interviewees also wanted to see better coordination with local governments to address the loss of fish and wildlife habitat due to development and population growth.

Broad-Based and Increased Financial Investment and Funding

Most interviewees' vision for the future of the Agency included increased funding and more broad sources of revenue. People often described the need for greater investment on behalf of all Washingtonians – since healthy fish, wildlife, and habitats benefit everyone. Many interviewees wanted to see increased funding from the State General Fund. People mentioned how natural resources in general are underfunded in the

state, citing that less than one percent of the Washington State General Fund goes to support all of the state's natural resource agencies combined.

Decision Making Supported by Scientific Research and Data

Interviewees often spoke highly of the biologists and scientists in the Department, and the quality of science they produce. Interviewees talked about a future in which the Department is seen as a leader in scientific research and technology. To effectively plan and manage at a landscape scale, interviewees noted the importance of having and clearly communicating the best available science and data to support decision making. Some acknowledged the inevitability of scientific uncertainty, especially given changing conditions and levels of uncertainty about climate change impacts, but that having access to the most up-to-date science and data will be even more critical for decision making under such conditions.

2. CHANGING CONDITIONS - CLIMATE CHANGE AND BIODIVERSITY

Background

The University of Washington Climate Impacts Group states, "Climate change is bringing higher temperatures, declining mountain snow, increased droughts and floods and increasing wildfires and forest mortality. Pacific Northwest landscapes, habitats and seasons are shifting as a result — affecting the plants, animals and humans who rely on them."

As the WDFW website puts it, "Climate change poses challenges to WDFW's ability to fulfill the mission to preserve, protect, and perpetuate fish, wildlife, and ecosystems while providing sustainable fish and wildlife recreational and commercial opportunities."

To understand, assess, and begin addressing these impacts, WDFW and the UW Climate Impacts Group created the Preparing Washington Department of Fish and Wildlife for a Changing Climate: Assessing Risks and Opportunities for Action Report. (PDF)." According to this report, published in 2021:

> *"Concerns regarding the projected impacts of climate change to the agency motivated the adoption of Policy #5408: Addressing the Risks of Climate Change. The purpose of this policy is to provide guidance for managing risks to WDFW investments due to current and future impacts of climate change. The policy led to the establishment of the Climate Action Team, which recently held a series of workshops which resulted in a climate risk assessment for each program within the agency."*

The Legislature took steps to address the need for agencies to coordinate their efforts to address climate in 2023 by passing RCW 70A.05.010, establishing that *"The departments of ecology, agriculture, commerce, health, fish and wildlife, natural resources, and transportation, the state conservation commission, the Puget Sound Partnership, and the emergency management division shall develop an integrated climate change response strategy to better enable the State to prepare for, address, and adapt to the impacts of climate change."* More information is available at https://ecology.wa.gov/air-climate/responding-to-climate-change/washingtons-climate-strategy.

The integrated climate change response strategy mentioned above provides a unique opportunity for the Departments of Ecology, Fish and Wildlife, and Natural Resources to work together to mitigate and adapt to climate change.

Biodiversity is the variety of life in an environment as indicated by numbers of different species of plants and animals and their interactions. WDFW works with local, state, federal, and tribal governments to restore and protect biodiversity. In the 2023 Legislative Session, the Legislature provided $31M ($15.5M per year) of the total $47M request for 2023-2025. The Agency is using this funding to implement the State Wildlife Action Plan (SWAP). The SWAP is a comprehensive plan for conserving the State's fish and wildlife and their natural habitats and is part of a nationwide effort by all 50 states and 5 U.S. territories to develop conservation action plans and participate in the State and Tribal Wildlife Grants (SWG) Program.

The SWAP includes conservation actions for Priority Habitats and Species (PHS) and Species of Greatest Conservation Need (SGCN). According to the SWAP, Washington state is home to 268 Species of Greatest Conservation Need. According to WDFW, the goal of the biodiversity funding is to vastly expand and improve the effectiveness of habitat protection and restoration efforts, implement species recovery actions, and increase knowledge about Species of Greatest Conservation Need populations to:

1. Increase the scope and scale of biodiversity recovery in Washington.
2. Prevent the need for future listings under the federal Endangered Species Act (ESA).
3. Provide scientific feedback to influence habitat protection and restoration and recovery efforts.

In addition, as part of this funding investment, WDFW recently launched a wildlife diversity grant program to create new avenues to work with partners to complete important actions for species recovery.

WDFW also works collaboratively with other state agencies, federal agencies, and tribes to improve forest health. For example, Washington State and the USDA Forest Service have a shared stewardship agreement and Good Neighbor Authority (GNA) that allow them to work together on forest restoration projects.

INTERVIEWEE PERSPECTIVES: Ability to Meet The Threats Of Climate Change and Biodiversity Loss

Given the vision you outlined, if WDFW were successfully meeting the threats created by climate change and biodiversity loss, how would you know? What specifically would you see happening (or not see happening)? What else will need to be done or addressed to ensure the future vision?

Interviewees expressed a range of views on WDFW's ability to meet the threats posed by climate change and biodiversity loss. Across more than 100 interviews, the most common observation was that the Agency is challenged to successfully meet the threats created by climate change and biodiversity loss due to constraints in its regulatory tools, the level of uncertainty of impacts, and limits on the Agency's scope of influence. This applies especially to what many described as the most pressing challenge: the loss of habitat for fish and wildlife due to development from population growth.

Improve Coordination Across Silos and Agencies

Many interviewees stated that to effectively meet the challenges of climate change and biodiversity loss, WDFW needs to work across silos with tribes, county, state, and federal agencies as well as private landowners to coordinate and collaborate on actions. WDFW manages about one million acres of land. In

contrast, the US Forest Service manages about 9.3 million acres in Washington and the Washington State Department of Natural Resources manages about 5.6 million acres. Another 4 million acres of forestland are privately owned by the members of the Washington Forest Protection Association, not to mention land owned by smaller forest landowners, land trusts, privately-owned non-forest acreage, and tribal reservations. Ecosystems, as well as fish and wildlife, cross land management boundaries. Some suggested that WDFW can bring about better outcomes for fish and wildlife by increasing trust and partnerships with private landowners.

Multiple interviewees pointed out that the three primary natural resource agencies at the state level—WDFW, the Department of Natural Resources (DNR), and the Department of Ecology (Ecology)— have different governance structures. DNR has a statewide elected Commissioner as its leader; Ecology has a Director appointed by the Governor; and WDFW has a Director appointed by the Commission. Interviewees emphasized that the State's response to the threats of climate change and biodiversity loss would be stronger if the three natural resource agencies had a shared vision and aligned leadership.

Connect Fish and Wildlife Management to Growth Management

In response to the questions on climate change and biodiversity loss, many interviewees mentioned that WDFW has no regulatory authority around one of the biggest drivers of habitat loss, local development permits. These interviewees suggested that turning the Department's technical advisory role into regulatory authority could help address habitat loss. As it stands, interviewees shared concerns that development is rapidly consuming natural areas that include important habitat with few checks and balances.

Many interviewees stated that a whole-system approach and integrated strategy among natural resource agencies and counties would improve the state's ability to address threats from climate change and biodiversity loss. An integrated strategy would need to include and align state level strategies as well as county and city comprehensive plans. Currently, WDFW only has an advisory role in local development decisions. Interviewees suggested that WDFW could and should play a more active role in working with local governments around zoning rules, development in sensitive areas, and permitting. Some interviewees' vision for the future featured a more robust partnership that includes increased technical support from WDFW to local governments. Some explicitly stated that to mitigate these threats in the future, the State—WDFW and other departments—will need to prohibit or limit development in sensitive areas.

Interviewees also suggested that the Governor and the Legislature could turn WDFW's guidance for local governments into requirements. Multiple interviewees noted that WDFW habitat manuals could be clearer or stronger in the guidance they provide to local governments. Additionally, interviewees suggested that to protect the key habitats necessary to tackle climate change and biodiversity loss, the State, land trusts, or other organizations that can benefit from conservation easements on large tracts will need to acquire or otherwise protect more lands.

Some interviewees noted that the existing "No Net Loss" of ecological function policy has not prevented major declines in biodiversity, habitat, or species populations. Those interviewees recommended that WDFW and the State adopt a "Net Ecological Gain" standard for approving actions.

Support Existing and Create New Strategies for Wildlife to Adapt to Changing Conditions

Interviewees acknowledged the scope and scale of challenges to adapt fish and wildlife management in the face of escalating climate impacts and biodiversity loss. Many interviewees commented that to sustain

and support the underlying conditions needed for natural adaptation, fish and wildlife managers and policymakers will need to be nimble in decision making and management strategies, as well as adept at making decisions with increased scientific uncertainty. Some interviewees acknowledged that increasing whole-system and landscape-scale approaches would improve the chances for wildlife adaptation. Many interviewees stated that habitat protection and restoration needs to be a high priority.

Interviewees emphasized that wildlife will increasingly depend on wildlife corridors, highway crossings, and connectivity between habitats as they strive to adapt to climate impacts; therefore, this should be a priority for WDFW as Agency leaders develop and implement strategies. Interviewees noted the need for the State to work closely with tribes to develop strategies and management for wildlife corridors. Interviewees commented that to successfully meet the threats of climate change and biodiversity loss, WDFW will need to carefully and consistently monitor impacts to species currently hunted, to ensure that the populations maintain viability, and to adapt hunting regulations to changing conditions, if needed.

Adaptively and Proactively Manage Fish and Wildlife at the Ecosystem Level for Biodiversity

When asked how WDFW might best address the threats of climate change and biodiversity loss, most interviewees responded with some version of, by managing for biodiversity, habitat connectivity, and wildlife corridors. Many went on to describe the transition this requires. They emphasized the need for the Agency to shift away from a "single-species focus" to a broader, system-level approach. Interviewees also talked about shifting away from harvest approaches that focus on how many of a given species can be taken in a certain year so that the same number can be allocated the following year and beyond, to a more system-level approach that looks to provide what is needed for the health of the whole ecosystem, species populations, and biodiversity over the long term. A number of interviewees frequently stated that species that can be fished and hunted still need intact ecosystems to live. Some interviewees stated that they would know that WDFW strategies are succeeding if they see greater focus on the range of species that make up ecosystems instead of the overabundant attention paid to cougars, bears, and wolves at the Commission level.

Others noted the need for guidelines for green energy development, for example wind farms and solar arrays, that consider the appropriate scale of projects, to minimize impacts on wildlife and fish. Some interviewees stated a desire for a compassionate conservation approach that acknowledges the intrinsic value of each individual animal. Some suggested WDFW increase its educational programs on how to live near wild animals to minimize animal/human conflicts.

Communicate, Coordinate, and Collaborate across Agencies, Industries, and Sectors

When discussing habitat connectivity and ecosystem health related to climate change, some interviewees cited the impacts of increasing wildfires on fish and wildlife. Most who did so went on to note that addressing increased wildfire frequency and intensity will require interagency coordination with the Washington Department of Natural Resources, the US Forest Service, and other large landowners and land managers. Some interviewees also emphasized the need for WDFW to work cooperatively with commercial fishery interests and shellfish growers to identify joint strategies for adaptation to changing conditions and to assess where flexibility might be needed to support adaptation.

Integrate New Information into Plans and Strategies

Interviewees talked about the importance of WDFW decisions and actions being continually informed by

the latest information and scientific research. As new information emerges, some interviewees emphasized the need for WDFW to integrate and realign plans and strategies as information expands and changes.

Increase Capacity to Enforce Regulations

Several interviewees stated that there needs to be sufficient and consistent enforcement of regulations that help protect biodiversity. Interviewees talked about there not being enough enforcement officers and enforcement resources to effectively enforce the rules and regulations for protecting fish, wildlife, and habitats.

Provide State Funding for Interagency Coordination

In addition to addressing wildfire risk and other climate change impacts, interviewees observed that to meet ecosystem health objectives, WDFW must have both the resources and leadership to work not only across land ownership and management boundaries, as mentioned above, but also with non-land-managing agencies such as the Washington Department of Ecology and the Recreation and Conservation Office. Additionally, multiple interviewees noted, WDFW will need to work with non-state governments: federal, tribal, county, and city governments, as well as private entities such as large and small timberland owners.

Partner with Private Landowners

Specific to habitat loss, whether caused by climate change or not, interviewees called for WDFW to engage more deeply with private landowners around habitat protection. Many interviewees see this engagement as vital to the recovery of Species of Greatest Conservation Need, the restoration and preservation of biodiversity, and the advancement of the mandate to "preserve, protect, and perpetuate" Washington's fish and wildlife. Interviewees also stated that there should be forums for private landowners to work cooperatively with WDFW to develop shared strategies for managing biodiversity.

Increase Funding and Capacity to Implement State Wildlife Action Plan to Recover Species of Greatest Conservation Need

Most interviewees, in response to the question about WDFW's mandate and role as a trustee of state fish and wildlife, mentioned recovery of key species that are listed as threatened or endangered. Several voiced hope that ESA-listed species could recover to the point of delisting. Specific to biodiversity loss, numerous interviewees mentioned that the WDFW State Wildlife Action Plan (or SWAP) needs full funding and implementation.

Ensure Future Effectiveness of WDFW's Biodiversity Work Through State Investment

Interviewees expressed a desire for the Governor and the Legislature to allocate WDFW and other natural resource agencies sufficient funding to address the challenges related to habitat loss, climate change, and biodiversity loss. Interviewees observed that population growth and development pressures, combined with climate change and biodiversity loss, make preserving, protecting, and perpetuating our state's fish and wildlife more challenging than ever before. Interviewees talked about how WDFW's ability to protect and improve biodiversity will require sustained robust state investment into its biodiversity and conservation work. Some suggested WDFW more boldly communicate about the funding needed to more fully meet the Agency's potential given their mandate.

Interviewees recognized that the recent increase in funding by the State Legislature for biodiversity work and to address impacts of climate change is a significant positive step toward fulfilling their vision of an

effective agency into the future. Interviewees identified a number of initiatives they see as making positive contributions to biodiversity and climate adaptation goals including: the pronghorn antelope reintroduction, reintroduction of anadromous fish above Grand Coulee and Chief Joseph Dams, habitat modeling programs, restoring fish passage to upstream habitats, and establishing wildlife crossings.

When asked to provide an example of what WDFW is already doing well to address climate change and biodiversity loss, interviewees noted that the Department has been collecting data to study how habitat ranges are shifting due to climate change. In addition to collecting the data, interviewees said the Department has been working to acquire different parcels of land to provide key habitats. Many thought that the Department is serious about addressing biodiversity and climate resilience. Some interviewees said they could see the Department as a national leader in those efforts.

3. TRIBAL COORDINATION AND CO-MANAGEMENT

Background

In the 1850's, the majority of Northwest Tribes reserved their traditional hunting and fishing rights in treaties with the United States. They have and continue to sustainably hunt, fish, and gather to maintain their way of life and play an integral role in stewardship and conservation in Washington State.

Presently there are 29 federally recognized tribal governments within Washington State, of which 21 are treaty tribes and 8 additional tribes are executive order tribes or recognized by Act of Congress. There are also three treaty tribes located outside of Washington that have off-reservation treaty rights. Also, there are a number of tribes that are currently not recognized.

Treaty rights are not rights granted to tribal nations by the United States, rather they are the inherent sovereign rights reserved by the tribes themselves. By signing the treaties, tribal nations retained those rights that they have possessed since time immemorial. As sovereigns, tribal nations have a government-to-government relationship with the federal and state governments.

Twenty-four tribes have off-reservation hunting rights in Washington. They, not WDFW, set hunting regulations for their members. Two of the tribes, the Confederated Tribes of the Umatilla Indian Reservation and the Nez Perce Tribe, are located outside of the State, but have hunting rights within Washington. Not all tribal nations signed treaties with the federal government and several of these tribes have reservations designated by executive order or other federal action. For these tribes, hunting rights are typically limited to areas on the reservation. The Colville Confederated Tribes' hunting rights extend to an area formerly part of the reservation, which is known as the "North Half." In addition, there are tribes recognized by the federal government that do not have off-reservation tribal hunting rights. Members of these tribes are subject to state hunting regulations.

WDFW and tribes cooperate, on a government-to-government basis, to manage fish populations. The relationship between WDFW and the tribes has evolved over time. In the 1960s and 1970s, the tribes demanded the federal government to uphold their fishing rights in a series of protests known as the "Fish Wars." The protests brought public awareness to state laws that criminalized off-reservation fishing, leading to litigation. The 1974 *U.S. v. Washingto*n ruling (Boldt Decision) re-affirmed the tribes' treaty-reserved fishing rights. The ruling recognized the tribes as natural resources co-managers with the State of Washington with an equal share of the harvestable number of salmon returning annually.

In 1989, leaders from federally recognized tribes and the State of Washington developed and signed the Centennial Accord. First of its kind in the nation, this formal government-to-government agreement was intended to better achieve mutual goals through an improved relationship and provide a framework for that government-to-government relationship and implementation procedures to assure execution of that relationship. The Accord "illustrates the commitment by the parties to implementation of the government-to-government relationship"...that "respects the sovereign status of the parties, enhances and improves communications between them, and facilitates the resolution of issues." In 2012, the terms of the Accord were incorporated into law (RCW 43.376), stating that state agencies must "Make reasonable efforts to collaborate with Indian tribes in the development of policies, agreements, and program implementation that directly affect Indian tribes and develop a consultation process that is used by the agency for issues involving specific Indian tribes;" RCW 43.376.010(1).

Today, the Department and the tribes cooperate to sustainably manage fish populations to provide opportunities for recreational, commercial, and ceremonial and subsistence harvest. The Pacific Fishery Management Council oversees recreational, commercial, and tribal fisheries in federal waters off the coasts of Washington, Oregon, and California. Federal, state, and tribal representatives sit on the Council and its technical committees. The Council uses a bottom-up process that involves public participation. Each year, the Council holds five meetings to discuss and recommend fisheries management actions.

Operating alongside the Pacific Fishery Management Council, the North of Falcon process provides a venue for federal, state, and tribal representatives to discuss salmon fisheries in the Pacific Northwest. During the annual process, representatives analyze management options and develop an overall management plan. This includes developing and submitting recommendations to the Secretary of Commerce regarding ocean commercial troll and recreational fishing seasons and catch limits off the coasts of Washington, Oregon and California. Federal, state, and tribal biologists provide expertise to support this process. While some North of Falcon meetings are open to the public, others are closed, considered government-to-government meetings solely between State and tribal representatives. In addition to fisheries management, WDFW and the tribes cooperate in fish habitat restoration and salmonid hatchery production.

INTERVIEWEE PERSPECTIVES: Agency/Tribal Coordination

Can you share thoughts on how WDFW partners with tribal governments to co-manage fish and wildlife resources, conservation, restoration, and other critical efforts? What does WDFW do well in this area, and what should change?

The Relationship Between the Department and Tribes

When asked about how WDFW partners with tribes, interviewees often talked about the history of the agency working with tribes, specifically mentioning the Fish Wars of the 1960's and 1970's and how the relationship has, in general, improved. Several individuals talked about how the relationship has greatly improved just within the last 5-8 years. Views about the relationship from individuals representing tribal interests that participated in this review varied, but in general most also thought that relationships have improved. Interviewees spoke of increased collaboration between the Department and tribes on a number of conservation efforts including habitat restoration of freshwater and estuarine areas, species reintroductions, and managing for recreation impacts. Interviewees also talked about increased partnerships between Department biologists and tribal biologists on data collection, monitoring, and research projects.

Interviewees frequently talked about the importance of engaging early and often with tribes and that the development of good working relationships between Department staff and tribal government staff is critical. Some noted that staff turnover at the Department presents challenges to building and maintaining trust and good working relationships.

Interviewees also talked about tribes being able to act more quickly and with greater flexibility than WDFW, or any large state agency when it comes to adaptive management strategies. One example given multiple times was of the Confederated Tribes and Bands of the Yakama Nation reintroducing pronghorn antelope onto the Yakama Reservation. The Yakama Nation and the Department together have been developing plans regarding the future management of the herd.

Interviewees gave a number of other examples to illustrate what improved and successful management partnerships with tribes look like now or could look like in the future. These included:

- Projects to restore habitat to recover salmon and steelhead in the Stillaguamish River system and elsewhere.
- Yakima Basin joint land acquisition – Springwood Ranch. WDFW and the Yakama Nation will co-own and co-manage 1165 acres of the Springwood Ranch in Kittitas County through a Memorandum of Understanding.
- Hatchery programs using "integrated broodstock" science.
- Agency participating in the state process for addressing recreation impacts to tribal treaty rights.
- Contaminant monitoring projects.
- Mitigating the spread and impacts of European green crabs.

The Relationship Between the Commission and Tribes

Interviewees expressed concerns about the relationship between the Commission and tribes. Individuals representing tribal interests frequently noted that the structure of the Commission and the mandate is unclear regarding co-management under *U.S. v. Washington* and *U.S. v. Oregon*. Both tribal and non-tribal interviewees thought it was inappropriate or problematic that many of the mechanisms the Commission uses to engage with tribes are the same as those it uses to gather input from the general public (public comments periods or requests for tribal comment). Interviewees emphasized that tribes are not stakeholders. Tribes are sovereign governments and interviewees emphasized that the proper and respectful forum for understanding tribal positions and interests is through government-to-government consultations. Interviewees noted the need for using these protocols.

Both tribal and non-tribal participants in this review talked about the Commission making decisions that do not align with the principles of tribal-state co-management under *U.S. v. Washington* and *U.S. v. Oregon*. The most frequently cited example was the Commission recently developing a draft Conservation Policy without the involvement of tribes. Interviewees talked about how conservation is defined under *U.S. v. Washington* and that it was inappropriate for the Commission to engage in the development of such a policy without initial and on-going consultation with tribes. Interviewees noted a lack of clarity on when and how the Commission engages with tribes and whether all decisions voted on by the Commission require consultation. Interviewees talked about the need for State executive guidance to clarify the role of the Commission in regard to *U.S. v. Washington* and *U.S. v. Orego*n. Interviewees suggested new Commissioners be provided training on tribal sovereignty, treaty rights, co-management, and working with tribal governments, as part of the Commission onboarding process.

4. GOVERNANCE STRUCTURE

Background

RCW 77.04.020 states, "The department consists of the state fish and wildlife commission and the director. The Commission may delegate to the director any of the powers and duties vested in the Commission." The Commission serves as the supervising authority for the Department and receives its authority from the passage of Referendum 45 by the 1995 Legislature and public at the 1995 general election.

Fish and Wildlife Commission

RCW 77.04.030: The fish and wildlife commission is a volunteer nine-member commission, appointed by the Governor's Office and confirmed by the state senate. Three members must be residents of the portion of the state lying east of the summit of the Cascade mountains, and three must be residents of the portion of the state lying west of the summit of the Cascade mountains. Three additional members must be appointed at large. No two members may be residents of the same county.

RCW 77.04.040: To be eligible for appointment to the commission one must have general knowledge of the habits and distribution of fish and wildlife and cannot hold another elective or appointive office position. When making appointments, the Governor is to seek to maintain a balance reflecting all aspects of fish and wildlife, including representation recommended by organized groups representing sportfishers, commercial fishers, hunters, private landowners, and environmentalists.

RCW 77.04.055: The duties of the commission are the following:

1) In establishing policies to preserve, protect, and perpetuate wildlife, fish, and wildlife and fish habitat, the commission shall meet annually with the Governor to:
   a) Review and prescribe basic goals and objectives related to those policies; and
   b) Review the performance of the department in implementing fish and wildlife policies.

   The commission shall maximize fishing, hunting, and outdoor recreational opportunities compatible with healthy and diverse fish and wildlife populations.
2) The commission shall establish hunting, trapping, and fishing seasons and prescribe the time, place, manner, and methods that may be used to harvest or enjoy game fish and wildlife.
3) The commission shall establish provisions regulating food fish and shellfish as provided in RCW 77.12.047.
4) The commission shall have final approval authority for tribal, interstate, international, and any other department agreements relating to fish and wildlife.
5) The commission shall adopt rules to implement the state's fish and wildlife laws.
6) The commission shall have final approval authority for the department's budget proposals.
7) The commission shall select its own staff and shall appoint the director of the department. The director and commission staff shall serve at the pleasure of the commission.

Commission members serve six-year terms and hold regular meetings and hearings around the state. One full-time WDFW staff member supports the Commission, whose members receive a stipend of $100 per workday. Members serve on committees that work with Department staff on individual issues related to fish and wildlife.

Executive and Departmental

The Department's Executive Management Team (EMT) is comprised of the Director, Deputy Director, Director of External Affairs, Chief Financial Officer (CFO), Director of Conservation Policy, Program Directors, Chief of Enforcement, Regional Directors, Deputy Program Directors, Communications and Public Engagement (CAPE) Director, Chief Information Officer (CIO), Human Resources (HR) Director, Legislative Director, and Director of Tribal Affairs.

The Director's Office provides strategic direction and operational oversight for the Agency, working to turn policies adopted by the state Legislature and the Fish and Wildlife Commission into action. The Deputy Director oversees the Department's five programs: Fish, Wildlife, Habitat, Enforcement, Capital and Asset Management (CAMP) and three divisions: Communications and Public Engagement (CAPE), Human Resources and Information Technology (IT).

To help implement the policies of the Commission, the Director supervises the six Regional Directors (RDs), Chief Financial Officer, Director of External Affairs and the Conservation Director. The Regional Director is the Director's policy representative and spokesperson for the region on specific issues and provides leadership and direction on regional issues. They are responsible for ensuring that local problems are solved, and the right staff, external partners, and stakeholders are involved. Regional Directors also represent the Director in negotiations and communications with Treaty and Executive Order tribes and serve as the main point of contact for tribes in the region.

Advisory Groups and Committees

WDFW hosts many advisory groups and committees to encourage public involvement and give the public a voice in issues such as game management, fish passage, and wildlife areas. There are more than 50 active advisory groups providing input and guidance to the Agency. Some examples of these groups include the Wolf Advisory Group, Budget and Policy Advisory Group, Coastal Dungeness Crab Advisory Group, the Wildlife Diversity Advisory Council, and the Puget Sound Recreational Crab and Shrimp Advisory Committee.

INTERVIEWEE PERSPECTIVES: WDFW Governance Structure and the WDFW Commission

Given the vision you outlined earlier, what does an effective WDFW governance structure look like? What is working with the current governance structure that supports the future vision you articulated? What is not working and how can this be addressed? What is your vision for the Commission? (What works well about the current structure, composition, duties, and compensation that should be carried forward, and what would you change?)

Elements of an Effective Governance Structure

When asked what an effective governance structure would look like, interviewees often instead talked about what they saw as not working with the current governance structure, and their thoughts and ideas for how to address those issues. Some interpreted "governance structure" to include elements more accurately

described as operational or management functions, and not necessarily related to the governance structure. This included various issues with internal management, the mission of the agency, the nature of the work the agency should or should not be doing, staff and management expertise, office culture, safety issues and Labor and Industries violations, staffing capacity, and positions on Agency decisions.

Most interviewees stated that for the Agency to operate effectively in the future, changes to the governance structure would need to occur. Interviewees described how an effective future Agency would:

- Be more adaptive and flexible when it came to decision making
- Be less caught up in politics or conflicts among interest groups and among Commissioners
- Be more accountable for the outcomes of decisions
- Provide greater transparency around decision making, communicating the information considered, and the reasons for each decision
- Reflect and serve all people in Washington
- Coordinate and collaborate regularly with other natural resource agencies
- Have strong working relationships and collaboration with tribes
- Use the best available science to guide decision making

What is working with the current governance structure that supports the future vision you articulated?

Advisory Committees

Interviewees frequently cited Advisory Committees as an element of the governance structure that works relatively well. Specifically, people mentioned the Budget and Policy Advisory Group (BPAG) and the Wolf Advisory Group as examples.

Improved Relationships with Tribes

While the Department's relationships with tribes vary from tribe to tribe, most interviewees commented that, in general, those relationships have improved over the years. Interviewees commented on how, in recent years, Department leaders and staff have shown greater willingness and commitment to working constructively with tribes and honoring treaty rights and co-management responsibilities.

Improvements in Public Outreach, Education, and Engagement

Interviewees also cited WDFW's public outreach as an area that has improved. Though many think the Department should do more outreach and engagement, interviewees noted that the Department has recently launched a number of public education and engagement efforts, hired additional staff to support this line of work, amplified efforts to reach urban residents and young people, and increased its social media presence.

Leadership and the Recent Shift to Focusing on "Conservation First" and Biodiversity

Many interviewees spoke favorably of Department leadership having prioritized conservation and

biodiversity. They often cited the Agency's 25-year strategic plan as an example of something working well. Interviewees noted that the strategic plan's timeline takes a longer view than previous plans, thus better accounting for more species' life cycles. This allows for better measurement of progress towards management goals, since it provides a more adequate timeline for habitat and biodiversity improvements to come to fruition.

What is not working and how can this be addressed?

When asked, "What about the current governance structure is not working well?", nearly all interviewees talked about the Commission. Many referred to the Commission as being dysfunctional, politically polarized, and caught up in conflict. When asked how to address these issues, some proposed eliminating the Commission and moving to an entirely new governance structure. Others favored the idea of a Commission as a governance structure, while highlighting structural and procedural elements that would need addressing if the Commission remains. Of the elements needing addressing, interviewees often mentioned the appointment process.

The Commission Appointment Process

Most interviewees listed the appointment process as an element of the governance structure currently not working and that would need to be addressed. Many talked about there being a lack of, or unclear, selection criteria and qualifications. There was not a common understanding among interviewees about the representation structure of the Commission. Some viewed the Commission as a body that was made up of individuals appointed to represent a specific interest, for example one member representing hunting interests, another member to represent commercial fishing interests another to represent recreational interests, etc. Others viewed the Commission as a body of individuals not meant to represent specific interests, but instead to represent and consider all interests, or the interests of the region where they live. Given the lack of common understanding of the representation structure, perceptions on what is not working well and suggestions for changes varied.

Multiple interviewees expressed the perception that some Commission members represent specific advocacy groups or single-issue constituencies. Several found fault with this, believing it runs counter to the original intent of the Commission design. Some pointed out that it becomes hard for the Agency to operate with a whole ecosystem approach if each Commission member represents a single constituency or issue.

Interviewees spoke of a lack of transparency in the appointment and selection process and suggested creating new mechanisms for input into the selection process from the public and departmental leaders. For example, some suggested public meetings and public hearings to gather input from interested parties during the nomination process. Others talked about the need for consultation with tribes during the appointment process.

Some wanted to see the Senate have a more engaged role in the appointment process and expressed concerns that, to date, the confirmation process has been seen as pro-forma. These interviewees cited instances where Commissioners have started service without having been officially confirmed, or times when multiple Commission seats went unfilled for long periods of time. A few interviewees offered the idea to create a bipartisan panel of Senators to fill Commission seat/s if left open for longer than an agreed upon length of time, such as three or six months.

Decision Authorities, Responsibilities, and Adhering to Rules of Procedure

Interviewees talked about there being a lack of clarity about decision-making authority – whether a given decision lies at the department/executive level or the Commission level. Others expressed confusion about how decisions get made. Many see the Commission as having too large a scope of decision-making authority and responsibilities, getting involved in program management decisions better left to Department leaders operating within a framework of high-level policies and directives the Commission would set. Many interviewees stated that the focus of the Commission should be on setting high level policy.

Many interviewees had concerns that the Commission, as a body, does not effectively follow the Commission's "Rules of Procedure," and that its group dynamics are dysfunctional, hindering the effectiveness of the Commission, wasting time, and putting significant stress on Commissioners.

Accountability Structures

Many interviewees talked about a perceived lack of clarity when it comes to accountability of the Commission. This included accountability of the Commission for the decisions it makes, as well as for individual Commissioner's actions, representation, and participation. Many were unsure whether specific mechanisms exist to hold the Commission accountable to meeting its goals and for the outcomes of its decisions, and where that authority lies.

Interviewees also perceived a lack of accountability mechanisms to evaluate whether the Commission is making decisions in alignment with WDFW's mandate. Some interviewees felt that the Commission and specific Commissioners have been making decisions aligned more towards their personal values than to the mandate, for example prioritizing non-consumptive uses over recreational opportunities for hunting and fishing. Other interviewees felt that personal values surrounding consumptive uses were driving Commission decisions, and that protection of species and preservation of habitats are not being prioritized. A few interviewees noted that lawsuits were one of the only mechanisms available to hold the Commission accountable to carrying out its statutory duties. Some pointed out that lawsuits are disruptive and that it would be better to create improved accountability mechanisms.

The Process for How Science is Used by The Commission in Decision Making

During the time of this review, the Commission drafted and put forward for comment a best available science policy to provide consistent direction to the Department and Commission on the use of and access to best available science in decision making. Many interviewees cited issues with how the Commission uses science to inform its decision making. Several felt strongly that the Commission did not value the science being produced by the Department. Some thought Commissioners prioritized or only considered science that supported their policy preferences. Others felt Commissioners have been making decisions based on professional experience and personal values instead of best available science. While multiple interviewees noted that social values and science both play a role in fish and wildlife management decisions, they expressed a desire to see Commissioners make clear and explicit the role of each in the decisions they make.

Role of the Commission in Regard to Working with Tribal Governments

Many interviewees talked about how the Commission governance structure does not account for tribal treaty rights and coordination and consultation with tribes. Interviewees described the Commission making policy decisions without tribal consultation. Frequently cited as an example was the draft Conservation Policy.

Some interviewees noted there being a lack of tribal representation on the Commission. Some gave examples of decisions and statements made by the Commission that they saw as not understanding or respecting tribal treaty rights and the Boldt Decision. Interviewees also talked about there being a lack of involvement of tribes in the Commissioner appointment process.

Silos Internally and Externally

Some interviewees focused on the organizational structure of the Department and talked about challenges due to silos between program areas. For examples, they cited competition for resources that have led to division amongst programs and a zero-sum atmosphere instead of interdepartmental cooperation and a mutual-gains focus. These interviewees suggested the Agency can benefit from fostering an internal culture of cooperation, data-sharing, and collaboration to pursue shared interests across different programs and divisions.

Some interviewees talked about wanting to see the Department develop an agency-wide culture of collaborating with entities external to the Agency. This included developing and strengthening relationships with federal agencies and other state agencies, as well as private landowners.

What is your vision for the Commission? What works well about the current structure, composition, duties, and compensation that should be carried forward, and what would you change?

As mentioned previously, when the Project Team asked about what an effective governance structure would look like, more often than not interviewees focused on governance at the Commission level. Many favored the concept of a Commission as part of a governance model, but with the caveat that the current Commission structure needs improvements and significant reforms. Interviewee perspectives on what is and is not working regarding the Commission are captured above. The paragraphs below summarize interviewees' perspectives on a vision for the Commission and what could be elements of an effective Commission structure.

A Commission Structure That Serves Broader Interests

Many interviewees theoretically favored a Commission structure as the governance model for the Agency, with the caveat that there are significant issues with the current Commission structure that need to be addressed. Interviewees talked about how important the appointment process is to ensure that the Commission is comprised of individuals with diverse backgrounds and relevant lived experience and are committed to representing the interests and concerns of all Washingtonians. Some noted that over the last decade or more, there has been a shift in people's orientation and values when it comes to wildlife, and the interests and concerns of people that the Commission now must also represent differ from those traditionally engaged with the Agency. Interviewees noted that increased diversity of interests has also led to increased polarization, which has been magnified by the current polarized nature of public policy debate in the country. A few thought it best to have a Commission made up of individuals that represented a specific interest group, to ensure all key stakeholders were being equally represented. However, the majority of interviewees thought it best that if there was a Commission it should be comprised of individuals with knowledge and understanding of fish and wildlife, but that they are not there to represent a specific interest.

Instead, the Commission, and each Commissioner is to consider the interests and concerns of all people in Washington, making decisions that are in the best interest of fish and wildlife, and without undue preference for a particular interest group.

Appropriate Role and Responsibilities Distinction

Many interviewees thought the role and responsibilities of the Commission were too large, often talking about how the time investment to serve as a Commissioner was equivalent to a full time job. Most interviewees thought the Commissioner role should remain volunteer based – that Commissioners should not receive a salary – but acknowledged that this limited who was able to serve as a Commissioner. Many thought the Commission operated too much as an operating board, in that the Commission is too involved in the tactical and operational decisions of the Department. Interviewees talked about wanting to see the Commission function more as a high level governing board, focused on overseeing high level policy direction. This was frequently suggested as a way to reduce the workload and time commitment of Commissioners, as well as a way to provide greater clarity and efficiency of roles and responsibilities between the Commission and the Department.

Minimizes the Influence of Partisan Politics

Interviewees often talked about the benefits and drawbacks of having a Commission structure as opposed to being a cabinet level agency. Many noted that a Commission structure provides greater stability during times of leadership and party change at the Executive level. Some talked about the history (the Model Game Law) and reasons for why there was a push for the creation of citizen fish and wildlife commissions, in particular as a way to minimize the impact of partisan politics. Others spoke of how it can be a benefit to be independent of the Governor's Office when it comes to Operating and Capital Budget requests to the Legislature. This included having greater flexibility to make requests, work with individual legislators, and greater involvement of public and interest groups in the development of budget priorities and funding requests.

Opportunities for Public Involvement in Decision making

Interviewees talked about the value of citizen commissions being that they allow for greater public involvement and engagement in the creation of policies and regulations. Some thought a Commission structure that functions well can allow for increased transparency around decision making and for the public to hold the Commission accountable for decisions. Interviewees frequently talked about conflict currently at Commission meetings as public testimony largely tends to be seen as coming from two positional divided camps – harvest vs. preservation. Such conflict is then often exacerbated when each side further debates in social media circles and in the press.

To improve functionality of a Commission, many wanted to see new ways of engaging these groups as well as other special interest groups and the general public that went beyond timed public comment periods at Commission meetings or requests for written comments. A frequent suggestion was to have more opportunities for dialogue and back and forth discussions.

Staffing Capacity for the Commission

Many interviewees talked about how the current Commission lacks sufficient support staff, in particular, staffing capacity surrounding public records requests. In addition to providing additional staff, suggestions also included creating a second Deputy Director position that could act as a liaison to help ensure the Commission has sufficient agency resources and support.

5. FUNDING STRUCTURE

Background

WDFW's funding comes from a variety of federal, state, and local sources. Collectively, the Department's 2023-25 operating and capital budgets total more than a billion dollars and funds more than 2,000 employees. According to information available on WDFW's website, in 2022, anglers, hunters, and wildlife watchers spent over $9 billion on equipment and trip-related expenses. This spending contributed an estimated $630 million in tax revenues to the state general fund. In 2021, Washington hunting and fishing license sales generated around $57 million in revenue. In addition, federal excise taxes on the sales of hunting equipment and fishing gear generated $8.3 million and $21 million, respectively.

WDFW manages more than 1 million acres of land, including over 30 wildlife areas and nearly 500 water access areas. In 2020, more than 31 million people visited WDFW-managed lands in 2020 alone. Public lands, including WDFW-managed lands, provide economic benefits valued between $249 billion and $298 billion per year.

DINGELL-JOHNSON

The Dingell-Johnson (16 U.S.C. 777 et seq.) Sport Fish Restoration Act, passed by the federal Legislature in 1950, provides funding to state fish and wildlife agencies to support recreational fishing. Today, the Act continues to fund land acquisition, boating access site development, research, operations, maintenance, and recreational fisheries management to support recreational fishing opportunities and leveraged with state fishing license sales, provides the backbone for recreational fishing management across the nation. Funding comes from a 10 percent excise tax on sport fishing tackle; a 3-percent excise tax on various fishing gear.

PITTMAN-ROBINSON

The Pittman-Robertson Wildlife Restoration Act (16 U.S.C.A. 669 et seq) was passed in 1937. The legislation took an existing excise tax on firearms and reallocated the proceeds to a grant fund for state wildlife agencies. As a condition of receiving funding, states were required to enact laws prohibiting the "diversion" of license fees paid by hunters for any purpose other than administration of their state wildlife agency. While this established a reliable funding source for state wildlife agencies, it also created an incentive for the agencies to maximize hunting license sales. Pittman-Robertson Act funds are derived from federal excise taxes collected from manufacturers and importers on firearms, firearm parts and accessories, ammunition, and archery equipment.

According to information available on the WDFW website during the time this review was being conducted, there are roughly 190,000 hunting license holders in the state who purchase around 225,000 licenses each fiscal year, generating $41.5M in revenue for the agency for the 2019-21 biennium. These license sales, a plus a federal excise tax on hunting equipment and ammunition (Pittman-Robertson), means that hunters contributed approximately 15% of the agency's budget for the 2019-21 biennium.

There are roughly 854,000 fishing license holders in Washington state who purchase around 963,000 licenses each year. This generated $55.9M in revenue for the agency in the 2019-21 biennium. These license sales plus a federal excise tax on fishing gear (Dingell-Johnson) means that recreational anglers contributed approximately 15% of the agency's budget for the 2019-21 biennium.

WDFW also establishes, monitors, and enforces commercial fisheries that ultimately allow for the excise tax to be collected. The application fee on a commercial license, the increases of the commercial licenses in 2017, and the additional 1% landing tax on Chinook, coho, and chum are deposited into the Fish, Wildlife, and Conservation Account. Most of the license revenue and most of the excise tax goes to the State General Fund. WDFW issues 8,000 commercial licenses per year; that generates a little over $4M per biennium.

Information about WDFW's expenditures for the 2021-2023 biennium are available on the Agency's website. This linked table includes all fund sources in the operating and capital budgets and shows the amount of funding spent during a two-year cycle within each of the major Department activities and tasks.

INTERVIEWEE PERSPECTIVES: Funding Structure

Given the vision you outlined earlier, what does a sustainable funding structure for WDFW look like? What is working with the current funding structure that supports this future vision? What is not working and how can this be addressed?

When asking interviewees about what a funding structure would look like that sustains the work of the Agency, the Project Team found that few interviewees had a clear or complete understanding of WDFW's current funding structure and sources of funding. Responses about how WDFW gets its funding, the amount of revenue from various sources, and how the Agency allocates funding varied widely. For example, some interviewees stated that most WDFW funding comes from revenues from hunting and fishing licenses. Other interviewees talked about how hunting and fishing licensing fees now only comprise a small portion of the Agency's overall budget. Responses about future funding sustainability largely centered on moving away from relying heavily on license fees, ensuring fee prices keep pace with inflation, and that future sustainability should rely on ensuring continued general fund support and contributions from all Washingtonians.

Some interviewees talked about there being little state general funding to WDFW. However, others talked about the Legislature making significant investments in the Agency in the last five years, to the point where such funding now comprise the majority of the Agency's funding. And some, in talking about how the majority of the Agency's funding comes from consumptive users, pointed out the necessity of contributions from non-consumptive users for future sustainability.

Increased Breadth of Revenue Sources

Many interviewees expressed the sentiment that because healthy fish and wildlife benefit everyone in Washington state, all Washingtonians should contribute financially. Interviewees talked about restrictions on the use of funds from hunting and recreational fishing license fees and how those revenues should supplement general funds and other sources of funding. Many mentioned an increase in general funds over the last few biennia, asserting that WDFW's current funding structure is much improved over historical funding models. However, many interviewees noted that increased general funds does not necessarily provide sustainability, since such funding is subject to legislative budget cuts when recessions hit.

Some interviewees suggested generating additional revenue through taxes targeted towards non-consumptive users. This included taxes on recreational gear, such as backpacks, and on specific recreational activities.

Licenses and Fees Adjusted for Inflation

Multiple interviewees suggested that user fees and licenses should be tied to a cost-of-living adjustment. This would allow fees and licenses to increase incrementally over time and better respond to the rising cost of providing services. Interviewees also suggested connecting funding to more regularly and commonly used fees such as driver's license or motor vehicle fees. This would connect fees to cost-of-living adjustments that already exist, and more evenly distribute the costs of managing fish and wildlife by collecting small portions of existing fees from the majority of Washingtonians who already pay them.

Increased General Funding and Non-Restrictive Funding Sources

Interviewees noted that WDFW often collects revenues from license fees that come with restrictions such that those funds must be used for a specific species or purpose. They talked about how restricted funds inhibit the Agency's ability to address climate change and biodiversity loss, when restricted funding cannot be used for broader conservation efforts.

Interviewees mentioned that the Budget and Policy Advisory Group (BPAG) is effective in recommending to the Legislature that WDFW receive adequate funding to carry out key actions. Interviewees noted that the BPAG's diverse membership and transparency mechanisms make it especially effective. Other interviewees noted a need for more transparency around WDFW's budget.

Several interviewees suggested that the Agency could more effectively recover key species if it had significantly more sustained funding. Some specifically asserted that WDFW currently has about five percent of the funding it needs to adequately address the more than 200 Species of Greatest Conservation Need in Washington.

A few interviewees perceived that the Agency dedicates what they viewed as a disproportionately large amount of funding and staff resources to fish, hatcheries, and salmon species. Interviewees also noted that a large portion of the funding for fish, hatcheries, and salmon species comes from federal sources and not necessarily from Washington state. Some also pointed out that part of the significant funding dedicated to fish, hatcheries, and salmon species stems from Washington State Supreme Court-mandated culvert replacement work.

Dedicated, Long-Term Project Funding

Interviewees described the funding that WDFW receives as unstable, citing the likelihood of the Legislature reducing general funds from WDFW in times of recession or when state revenues drop. This makes building up multi-year programs or planning future spending difficult for WDFW. Other interviewees shared concerns that some individual legislators might propose funding reductions from certain WDFW programs when the Agency's viewpoint does not align with theirs.

Interviewees also noted that it takes time to measure the success of conservation strategies and that fish and wildlife programs need to be durable over several years to have the desired positive impacts. They observed that nature's timelines do not align with the two-year state budget cycle. Because of this, interviewees noted the need for long-term, flexible funding to meet existing challenges, as well as the challenges that will inevitably develop during conservation efforts.

6. WDFW MANDATE

Background

As stated at the beginning of this report, the mandate of WDFW Department and Commission RCW.77.04.012, is as follows:

> *Wildlife, fish, and shellfish are the property of the state. The commission, director, and the department shall preserve, protect, perpetuate, and manage the wildlife and food fish, game fish, and shellfish in state waters and offshore waters.*
>
> *The department shall conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource. In a manner consistent with this goal, the department shall seek to maintain the*

economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.

The commission may authorize the taking of wildlife, food fish, game fish, and shellfish only at times or places, or in manners or quantities, as in the judgment of the commission does not impair the supply of these resources.

The commission shall attempt to maximize the public recreational game fishing and hunting opportunities of all citizens, including juvenile, disabled, and senior citizens.

Recognizing that the management of our state wildlife, food fish, game fish, and shellfish resources depends heavily on the assistance of volunteers, the department shall work cooperatively with volunteer groups and individuals to achieve the goals of this title to the greatest extent possible.

Nothing in this title shall be construed to infringe on the right of a private property owner to control the owner's private property.

INTERVIEWEE PERSPECTIVES: WDFW Mandate

What elements of the current mandate are important and support the future vision you described? Based on the future vision you described earlier, are there any changes or revisions to the mandate that would be needed?

To gauge levels of knowledge of the mandate, the Project Team asked interviewees to describe it. Many stated some version of, "To preserve, protect, and perpetuate fish and wildlife while maximizing hunting and fishing opportunities." Some interviewees had no knowledge of the mandate, while others expressed the basic ideas of the mandate, but did not know its verbiage. Interviewees pointed out that one problem with the mandate is the lack of definitions for terms, which leaves room for different interpretations of the terms and subsequently the mandate itself.

Some interviewees commented that the mandate's charge is extensive and aspirational, but that there are not the financial resources to fully manifest this charge. Some interviewees thought that elements in the mandate are contradictory. Others shared that although they appreciate the spirit of the mandate, it is difficult to implement since WDFW does not have all the authorities needed to affect what wildlife and fish need to thrive. Some suggested acknowledging that interdepartmental collaboration and coordination will be needed for WDFW to meet the mandate.

Some interviewees thought that the mandate is outdated and said it should better reflect present-day threats to the environment. They cited the need to address ecological integrity, biodiversity, climate adaptation, resilience, prioritization of native species and historic ecological function, and the intrinsic value of nature. Some suggested that the mandate should state that the Department's work needs to benefit both current and future generations. Interviewees also pointed out that the mandate does not include anything about tribal coordination and consultation or the state/tribal co-management relationship; nor does it acknowledge that *U.S. v. Washington* and *U.S. v. Oregon* are laws and that treaty rights are not discretionary. It was noted that the first sentence of the mandate that talks about fish and wildlife as property of the state overlooks the tribal co-management relationship and tribal treaty rights, which procede the formation of the state. Interviewees also noted there is no inclusion of tribal ecological knowledge.

What elements of the current mandate are important and support the future vision you described?

Preserve, Protect, Perpetuate, and Manage Fish and Wildlife

Some interviewees stated that these values should be the top priority for fish and wildlife management, with maximizing fishing and hunting opportunities as secondary. Others viewed these two aspects of the mandate as compatible, pointing out that conservation and habitat protection is essential if there are to be opportunities for fishing both commercial and recreational, and hunting. Some interviewees commented that although these elements are part of the mandate, WDFW can't actually fulfill the mandate since they don't have authority to protect much of the habitat that fish and wildlife exist in. Overall, interviewees tended to see the two core elements of the mandate as important for defining the mission of WDFW, even though some commented that the mandate should clearly state the Agency's commitment to sustaining biodiversity and habitat protection.

Maximize Fishing and Hunting Opportunities for All

Interviewees had varied interpretations of this element of the mandate. Some interpreted this element as saying it emphasizes allowing as much hunting and fishing as feasible given the resources. Some of those interviewees thought that the mandate overly emphasizes maximizing hunting and fishing. Others advocate that animals have intrinsic value, suggesting that hunting and fishing should be minimized. Some interpreted this element as emphasizing that opportunities should be maximized for all residents to be able to hunt and fish, not that hunting and fishing should be maximized in fish and wildlife management. This interpretation focuses the intent on inclusivity and increasing access to more people for hunting and fishing, for example hunting days specific to seniors or youth. Those interviewees that support responsible hunting and fishing thought that this element is important to maintain, especially considering the tribal/state co-management responsibilities and tribal treaty rights.

Conserve Fish and Wildlife in a Manner that Does Not Impair the Resource

Generally, interviewees interpreted this as basic to effective fish and wildlife management. Some interviewees may have different interpretations of what "not impairing" the resource might mean.

Based on the future vision you described earlier, are there any changes or revisions to the mandate that would be needed?

When asked if there were any changes or revisions needed to the mandate, many interviewees said no changes would be needed to support their future vision and that the mandate is relevant and adequate enough in its current form. Some interviewees saw the mandate as sufficiently comprehensive and that WDFW has a balancing act to effectively implement all its aspects. Some interviewees felt strongly that the mandate should be changed. Many interviewees offered ideas for changes or revisions even if they thought there was no need to make changes. And many thought the conflict during any process to change it would not be worth the benefit of doing so. Interviewees stated that any process to change the mandate would need to be well facilitated, clear, intentional, limited in scope, and inclusive of tribes.

For the many interviewees that either thought that the mandate needed changing, and/or offered ideas for revisions, most thought that the process to make any changes to the mandate would be too politically contentious and would exacerbate current tensions. Instead of going through a lengthy and conflictual update process, many interviewees thought that WDFW could operationally manifest and reflect the suggestions for revision through strategic plans, programs, and decisions. This could include:

- Effectively coordinate and co-manage with the tribes
- Direct resources to climate adaptation strategies and address biodiversity and habitat integrity
- Establish wildlife corridors to increase connectivity and adaptation
- Take action to recover Species of Greatest Conservation Need
- Increase engagement and planning with local governments around development projects that would threaten or eliminate important habitat and/or have adverse impacts on fish and wildlife

Include Tribal/State Relationships and Co-Management

Some interviewees found it problematic that the mandate omits state/tribal relationships and co-management and any mention of tribes in the mandate. They suggested these revisions include acknowledgement of *U.S. v. Washington* and *U.S. v. Oregon* as law, description of state/tribal relationships, co-management, and shared priorities and values. Even if no broad effort to revise the mandate occurs, both interviewees representing tribal interests and other interviewees emphasized that, at a minimum, the mandate could be amended to add the tribal component. There were suggestions for government-to-government processes with the tribes to discuss appropriate revisions.

Clarify in the Mandate that, in Order to Maximize Hunting and Fishing Opportunities, There Needs to be Healthy Habitats and Ecosystems

Many talked about there being a perceived conflict between "Preserve, Protect, and Perpetuate" and "Maximize Hunting and Fishing Opportunities." However, other interviewees offered alternative perspectives on this juxtaposition. Some noted that if the Agency can successfully "preserve, protect, and perpetuate" fish and wildlife, it will result in sufficient populations of key species to sustain both commercial and recreational fishing and hunting opportunities. Interviewees suggested revisions to clarify in the mandate that in order to provide hunting and fishing opportunities, WDFW needs to restore and protect healthy habitats and ecosystems.

Emphasize Conservation

A few interviewees pointed to the difference between the words "preserve" and "conserve," seeing "conserve" as more appropriate in this context. Multiple interviewees suggested that to meet the threats of biodiversity loss, climate change, and habitat deterioration and elimination, lawmakers should establish a clear prioritization between the two potentially conflicting parts of the mandate, placing the importance of the first element, whether "preserve" or "conserve" along with "protect and "perpetuate", over all mentions of hunting and fishing. Also, if the mandate is to prioritize or emphasize conservation, interviewees felt that the term needs to be defined, noting multiple definitions for conservation.

Address Climate Change and Biodiversity

As noted, some interviewees stated that while the mandate may have been effective in the past, climate change, biodiversity loss, and other changing conditions may require new ways of thinking. Several suggested updates to the mandate such as:

- Mentioning climate change adaption, biodiversity protection, and habitat restoration and preservation
- Acknowledging the importance of ecosystem services
- Stating that WDFW shall "preserve, protect, perpetuate, and manage" fish and wildlife for both current and future generations
- Focusing on habitat connectivity and ecosystem-scale management
- Preserving the integrity of native flora and fauna

7. ADHERENCE TO STATE LAWS

Background

State Environmental Policy Act (SEPA)

Enacted in 1971, SEPA requires state and local governments to identify and analyze environmental impacts associated with their decisions. As part of its responsibilities under SEPA, WDFW reviews proposed projects and identifies and analyzes potential impacts to fish and wildlife. The Department "serves as the lead SEPA agency for fish and wildlife management activities" and for activities on WDFW-owned lands. SEPA requires WDFW to:

- "Utilize a systematic, interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the environmental design arts in planning and decision making which may have an impact on the environment."
- "Identify and develop methods and procedures, in consultation with the Department of Ecology and the Ecological Commission, which will ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations."
- "Include in every recommendation or report on...actions significantly impacting the environment a detailed statement by the responsible official on the environmental impact of the proposed action; any adverse environmental effects which cannot be avoided should the proposal be implemented; alternatives to the proposed action; the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity; and any irreversible and irretrievable commitments of resources which would be involved in the proposed action."

Public Records Act (PRA)

Passed in 1972 by a citizens' initiative, the Washington State Public Records Act (PRA) requires state and local governments to make their records available to the public. Records include documents, photos, videos, emails, voicemails, text messages, and other writings that contain information about government conduct or performance. Some records, such as sensitive fish and wildlife data (or sensitive information such as personnel data), are exempt from the PRA. Members of the public can make records requests through the WDFW website. The Department responds to records requests by taking one or more of the following actions:

- Sending the records
- Requesting clarification about the records
- Providing an estimate of the time it will take to produce the records
- Denying the records when legal exemptions apply

INTERVIEWEE PERSPECTIVES: Adherence to State Laws - SEPA and Public Records Act

Given the future vision you described, how can WDFW best assure adherence to state laws, including the State Environmental Policy Act and the Public Records Act? What does WDFW do well in this area, and what would need to change?

When asked these questions about State Environmental Policy Act (SEPA) and the Public Records Act (PRA), many interviewees said they do not have sufficient familiarity with these laws or WDFW's adherence to respond to the question. For those interviewees that did have familiarity, many stated that WDFW complies adequately with state laws, specifically SEPA and PRA. While the Project Team asked interviewees about WDFW's adherence to state laws, some interviewees instead voiced concerns about specific Department policies and protocols: enforcement protocols, wolf-livestock protocols, and safety protocols and procedures, to name a few.

Despite a few interviewees perceiving shortcomings (listed below), most interviewees had no issues with WDFW's compliance to state laws, viewing WDFW's compliance positively. Some suggestions to support compliance emerged, including:

- Limiting SEPA to proposed projects in environmentally sensitive areas
- Allocating more resources (staff, funding, etc.) to respond to public records requests
- Sharing more information about why certain records are exempt from the PRA
- Providing training to Commissioners in the PRA, Open Public Meetings Act (OPMA), and best practices for managing records

Adherence to SEPA and Hydraulic Permit Approval (HPA) Process

Some interviewees expressed concerns and specific issues related to SEPA, and those participants held strong views. Some found issues with SEPA compliance, stating that WDFW sometimes complies with SEPA superficially or poorly, or they disagreed with WDFW's findings under the SEPA process. Others said that WDFW fails to address violations of the terms of hydraulic permits that it has approved, despite strong language on the WDFW's website that threatens civil or criminal enforcement action.

Adherence to PRA and OPMA

Some interviewees expressed concern about WDFW's PRA process and timeline, stating that some records requests can take months or years to fill. Some attributed this lengthy response time to staffing shortages, although a number of interviewees stated that response time has improved. A few interviewees expressed issues with PRA compliance, stating that they believe the Agency intentionally withholds information or delays fulfillment of records requests.

Some interviewees voiced concern about the Commission's compliance with public records laws, questioning whether Commissioners are trained in, and fully adhere to, the PRA and the Open Public Meetings Act (OPMA). Their concerns included the use of personal devices to conduct official business, the lack of resources necessary to manage Commission records and respond to records requests, clarity about compliance with OPMA, and the lack of recordkeeping for Commission committee deliberations.

8. DECISION MAKING

Background

Defining Accountability and Transparency

The legislative proviso that tasked the Ruckelshaus Center with conducting this review did not define accountability or transparency. Thus, the Project Team did not provide a definition of either term to interviewees, thinking that allowing them to interpret "accountability" and "transparency" in their own way could provide valuable information.

Use of Science in Decision Making

During this review, the Commission released a draft policy to provide direction to WDFW on the use of and access to best available science and to help inform the Commission decision-making process. More information on this topic is below.

INTERVIEWEE PERSPECTIVES: Accountability, Transparency, and Science in Decision making

Given your vision for the agency, what would accountability, transparency, and the use of science in WDFW decision making look like? How would you measure it? What is currently working when it comes to accountability, transparency, and the use of science in decision making? What is not working and would need to be addressed under the future vision you described?

Accountability and Transparency at the Department Level

Interviewees view the Department and the Commission differently when asked about accountability and transparency in decision making. While a few stated that the Department is neither accountable or transparent, the majority of interviewees viewed the Department in general as accountable and transparent.

Many thought that Department staff did their best to be transparent with their science, noting challenges to communicate scientific nuance to a public audience, and at times the Commission. Several cited the annual "Status and Trends" report as providing good, transparent information about Department activity. Others noted the plethora of information on a broad range of topics available on the WDFW website. Interviewees also saw the BPAG and other advisory groups as providing a high level of transparency.

Some interviewees shared concerns about the Department's accountability and transparency in its decision making. Some talked about how the Department has made progress engaging with tribes on policies and plans. However, some noted, that there are still times where decisions are made that affect tribes, yet tribes are not consulted or engaged in the decision-process or provided with an explanation or reasons behind the decision.

Some thought the Department could better communicate the rationale for the decisions it makes. Others noted the challenges and limitations that exist around communicating decision making in the multitude

of areas in which WDFW works—especially given what people described as WDFW's lack of resources and capacity.

Some commented that the Department made decisions that inequitably favored the interests of hunters and fishers without transparency around the rationale for such decisions. Others commented that the Commission has been making decisions that inequitably favor the interests of non-hunters and fishers and animal rights groups without transparency around the rationale.

Use of Technology to Increase Transparency

Interviewees noted that WDFW's use of technology has helped to increase the Department's and the Commission's accountability and transparency. For example, livestreaming Commission meetings increases public access and helps keep people better informed on decision making. Nonetheless, interviewees noted opportunities for the Department and the Commission to further increase accountability and transparency through technology. One suggested that WDFW could provide real-time, online dashboards for fish runs, noting that while this would take a lot of work, it could be done with sufficient funding and staff resources and the benefits would be worth it.

Department's Use of Science in Decision Making

Most interviewees spoke favorably about the quality of science produced by Department staff, and felt the Department uses it appropriately to inform decision making. Some noted that the Department does a decent job communicating what science or data informed specific actions or decisions, but could do a better at showing what social and economic factors informed decisions. Some wanted to see data and science produced and used by tribal scientists and tribal natural resource managers considered alongside the Department's data in Agency decisions.

A few interviewees with concerns about the Department's use of science to inform decision making shared perceptions that Department leaders at times disregard or selectively present their staff's scientific findings to the Commission. Some perceived that Department scientists cannot operate completely independently from Agency politics, and therefore, the Department selectively uses science at times to support favored policies.

Accountability and Transparency of the Commission

Many interviewees stated that the Commission can improve accountability and transparency in its decision making. They often mentioned that few or no structures exists to hold the Commission accountable or that the Commission is not transparent in its subcommittees or its development of policy proposals, seeing it as unclear which interest groups Commissioners are working with and taking input from in the crafting of such policies. People frequently mentioned a lack of transparency when crafting the draft Conservation Policy. Interviewees also noted the lack of mechanisms, including a process for removal, to hold individual Commissioners accountable when they do not adhere to procedures or act in ways that are solely representing the positions of one special interest group.

The Commission's Use of Science for Decision Making

Many interviewees raised concerns about the Commission's use of science to inform decision making. They asserted that Commissioners either dismiss or undervalue the science conducted by Department staff and instead selectively use external science to justify individual values and positions. These interviewees frequently cited the spring bear hunt decision, where they believed the Commission disregarded Department science and recommendations, and relied on external scientific perspectives to support a predetermined outcome.

Some interviewees stated that the Commission's actions and decisions prioritize social values over scientific data from Department staff. They were particularly concerned that this approach undermines the integrity of science-based decision-making processes and can lead to less effective outcomes for resource management. Some interviewees thought the Commission lacks transparency around its use of social science in decision making.

Some interviewees thought the Commission at times too strongly favors a precautionary approach to decision making, and requires an unrealistic level of scientific certainty to make decisions. They suggested that such an approach overly delays decisions and at times exacerbates disharmony and conflict amongst interest groups.

Many interviewees stated that the Commission disproportionately focuses on a few high-profile species—namely wolves, bears, and cougars—while overlooking or discounting the management of other species. Interviewees felt that this narrow focus neglects other important species and broader ecological issues.

9. ENGAGEMENT WITH THE PUBLIC AND SPECIAL INTEREST GROUPS

Background

WDFW has a Communications and Public Engagement (CAPE) work unit, based in the Director's Office and led by the Director of External Affairs. The Communications Division includes communications managers, graphic designers, the web team, and the publications coordinator. The Public Engagement Team includes five work units focused on getting people to care about conservation and connect with nature.

The Commission holds regular webinars, web conferences, and in-person meetings around the state. The Commission meetings are open to the public and live-streamed and allocate time for public comment. The Commission also provides opportunities for the public to submit written input on draft policies and plans via public comment periods.

WDFW hosts 54 advisory groups that provide input on a variety of topics, including game management, budgeting, enforcement, wolves, and wildlife areas, to name a few. According to WDFW, these advisory groups consist of volunteers that provide their knowledge and expertise. WDFW also hosts workshops and meetings with special interest groups and the general public, as well as soliciting input from the public and special interest groups on plans, strategies, and policies.

Opportunities have emerged for WDFW to improve engagement with underserved communities, including the possibility of joining the seven state agencies that comply with the Healthy Environment for All (HEAL) Act passed by the Legislature in 2021. The HEAL Act is the first statewide law to create a coordinated and collaborative approach to environmental justice, making environmental justice a priority for key state agencies. The law requires the signatory agencies (the state departments of Agriculture, Commerce, Ecology, Health, Natural Resources, Transportation, and the Puget Sound Partnership) to identify and address environmental health disparities in overburdened communities and vulnerable populations.

Even if WDFW does not join with the other agencies complying with the HEAL Act, the Department has an opportunity to gain input from the Environmental Justice Council, which advises state agencies on incorporating environmental justice into their activities. An example of the Agency's increased outreach to underserved communities includes translating materials into nearly thirty different languages.

In addition, the CAPE team is developing a comprehensive community and public engagement plan and strategies to implement the plan. As part of this initiative the Department is conducting a "functional assessment of WDFW's communication, outreach, and engagement capacity" and recommending improvements. WDFW is also developing a communication and outreach plan that will allow WDFW to achieve the "Engaging Communities through Conservation and Stewardship" strategy identified in the 25-Year Strategic Plan.

INTERVIEWEE PERSPECTIVES: Engagement with Public and Special Interest Groups

The legislative proviso directed this review to include "...outreach and involvement of Washington residents who have historically been excluded from fish and wildlife decisions, including non-consumptive users and marginalized communities," as well as influence on WDFW of special interest groups.

The legislative proviso did not define "nonconsumptive users," "marginalized communities," or "special interest groups," nor did it specify what constituencies or people "have historically been excluded from fish and wildlife decisions." Without such guidance, our team asked interviewees to provide input on the Agency's outreach and involvement of Washington residents as well as describing the Agency's engagement with special interest groups. The interviewees could define those terms however they chose to. The Project Team opted to use the term "underserved communities" after hearing from interested parties that some people view the term "marginalized" as problematic.

Interviewees often differentiated between the outreach and engagement efforts of the Department and the outreach and engagement efforts of the Commission.

Given your vision for the agency what does effective outreach and involvement of Washington residents about decision making look like? What does the agency do well, and what should change?

At the Department Level Continue to Increase and Tailor Education and Outreach, Especially to Underserved Communities

Characteristics of interviewees' positive future visions for the Department regarding outreach and engagement of Washington residents include:

- The public, lawmakers, and other parties know about, understand, and appreciate what WDFW does.
- The Department has easily accessible, clear dashboards or other indicators so the public can see how key species and habitats are faring.
- There is increased communication and coordination to advance shared interests:
    - Internally across the Department
    - With the Legislature
    - With Washington residents

- With local, state, federal, and tribal governments
- With special interest groups and other stakeholder organizations

While broad variation emerged in perceptions of how well WDFW conducts outreach and engagement, many interviewees stated that WDFW and Washington residents could benefit from increased outreach and engagement overall. Many interviewees believed that many members of the public have little awareness of the Agency or its activities. Several interviewees saw WDFW as not telling its story well, suggesting that WDFW could more proactively tout the Agency's accomplishments, not only to the general public but also to legislators. Many interviewees stated that the Department's outreach and engagement has improved greatly in recent years and commended them for their current efforts.

A number of interviewees responded to questions on outreach and engagement by pointing out that in 2022 the Department established its CAPE program, and prioritized hiring people to bolster the CAPE team and its outreach efforts. Relatively recent steps WDFW has taken, as described by interviewees, include hiring young staff members for the CAPE team, translating fish consumption warnings into 38 different languages, increasing social media outreach, conducting Spanish radio programs in the Yakima area, and focusing on communicating with residents of urban areas. Interviewees commented that these efforts have significantly improved WDFW's outreach and engagement, especially to underserved communities. Interviewees also pointed out that WDFW's website includes lots of valuable and interesting educational resources.

In terms of areas for improvement, some interviewees thought WDFW could include more education on the intrinsic value of nature and animals. Others noted that WDFW sends many automated emails with announcements. While this effort may fulfill a minimum level of outreach, those who mentioned this explained that automated emails do not constitute real engagement. Some interviewees also noted that WDFW should expand its overall outreach and education on the Agency's work as well as the impacts that recreation has on wildlife, fish, and their habitats. Some interviewees stated that the Department could benefit from improving how it communicates to the public by providing answers more readily to public inquiries and working to build relationships with entities that it has had strained (or no) relationships with in the past or with entities who feel their interests could benefit from more engagement by the Department.

At the Commission Level Enhance Opportunities for Public Outreach and Involvement in Decision Making

Most interviewees who mentioned outreach and engagement of the public in decision making by the Commission brought up the three-minute public comment periods at Commission meetings. Interviewees saw these comment periods as a double-edged sword, some cited them as an important mechanism to provide people a voice to the Commission. Others viewed them as a polarized setting with "both sides" rallying as many speakers as possible in an escalating battle. Overall, interviewees tended to think that the three-minute public comment periods are no longer an effective way to engage the public and special interests in decision making. Multiple interviewees shared concerns that the Commission does not respond to verbal and written comments, or fully consider them in decision making.

Some interviewees stated that they would like to see the Commissioners engage with them or their organization more directly and build stronger relationships with entities impacted by their decisions. Some interviewees stated that the Commission should meet more often in urban areas, to increase the Agency's visibility with city dwellers.

A number of interviewees thought that the Department and the Commission could improve how they

communicate decisions to affected parties by articulating the reasons for a decision and the information used to inform the decisions. Some interviewees stated that, to increase transparency, Commissioners should list the special interests they engaged with in any given decision-making process.

Numerous interviewees stated that the Commission, if significantly reformed, could play a vital role in representing diverse constituencies, serving as a conduit for public opinion, and providing opportunities for public input to inform policies around fish and wildlife. They suggested designing and implementing more effective public engagement processes as well as changing the role of the Commission to serve only as an advisory body that focuses on more strategic public engagement.

Interviewees described special interest groups in a number of ways, including constituencies directly impacted by the regulations, policies, and programs of WDFW such as hunters, commercial and recreational fishers, shellfish growers, ranchers, and private landowners. They also defined special interests as non-governmental organizations, non-profits, associations, and groups focused on specific issues.

How would you describe WDFW's engagement with special interest groups? What does the agency do well, and what should change?

Engagement of Special Interest Groups

While multiple interviewees expressed appreciation for how WDFW has built good relationships with groups of various types, using and maintaining those relationships well, others expressed concern that certain interest groups have more significant influence in decision-making than others. However, perceptions varied as to which interest groups have undue influence. Those groups with opposing viewpoints tend to see the opposing group as having more influence, with different constituencies seen as having disproportionate influence at the Commission level than the Department level.

At the Department level, multiple interviewees stated that WDFW has a history of allowing hunting and fishing (especially recreational fishing) interests to have undue influence over its management decisions. Some interviewees believe this tendency is still in strong effect. Others believe that a conscious shift in the Agency's culture has created a more balanced approach that both considers the interests of hunters and fishers along with other interests.

At the Commission level, numerous interviewees believe that animal rights groups currently have undue influence over multiple Commissioners, pointing to recent decisions on issues such as the spring bear hunt, wolf downlisting, and cougar harvest levels. Other interviewees stated that the Commission agenda focuses too narrowly on the interests of some special interest groups. They cited the amount of time spent on large predator species such as wolves, bears, and cougars. Multiple interviewees voiced concerns that some of the Commission's decisions are based more on the perspectives of special interest groups than Department scientists.

Several interviewees see WDFW as working closely with interest groups with which it has established relationships and not as well with others. Interviewees suggested that this can have both benefits and drawbacks: it can mean deep and authentic engagement with various interests on key issues, bringing healthy dialog and thoughtful decisions—or it can be seen as favoritism and leaving other organizations out.

Some interviewees stated that smaller organizations, due to capacity constraints, have a more difficult time engaging with the Agency. They would like WDFW to more proactively reach out and engage them. Others expressed similar views regarding improving the tenor of engagement with rural communities as well as engaging industries as a resource. Some interviewees noted the importance of WDFW focusing on rebuilding relationships where they are strained.

Multiple interviewees suggested that WDFW tends to go to the same special interest groups for input repeatedly, with others not receiving the same level of engagement. Those interviewees tended to see so-called "non-consumptive" user groups as receiving less attention from the Department. Interviewees mentioned positive examples of WDFW working closely with nonprofits. Some interviewees observed that WDFW can never make all the special interest groups happy. They expressed support for Agency leaders taking the bold steps to make difficult decisions even in the face of anticipated blowback.

A number of interviewees emphasized the need to bring diverse special interest groups together to develop shared understanding, identify common goals, establish innovative partnerships, and decrease conflict. These interviewees stated that to face the emerging challenges to wildlife and fish and their habitats there needs to be more collaboration and less fighting, not only to improve outcomes, but to not waste time.

Use of Advisory Groups

Many interviewees stated that WDFW Advisory Groups are a positive way for WDFW to engage with special interest groups. Interviewees tended to see advisory groups as providing the Agency with effective opportunities to foster relationships with diverse interest groups and build bridges in a collaborative approach. However, a few interviewees noted that some advisory groups work better than others. Some interviewees noted that the Wolf Advisory Group had significant conflict at first, but made significant progress engaging diverse viewpoints after training in Conservation Conflict Transformation.

Several interviewees also praised the BPAG as valuable for engaging around the budget priorities of the Agency and providing important guidance and input. However, some thought that the Department could involve the BPAG more on the front end of developing budget priorities.

A small number of interviewees, while recognizing that some advisory groups are relatively robust, see other advisory groups as less effective. Those interviewees mentioned that some advisory groups do not meet often, if at all.

IV. OPTIONS AND RECOMMENDATIONS

The Legislative proviso directing the Ruckelshaus Center to conduct this review of WDFW states that the review must explore and recommend changes, as appropriate, based on input received from interested and affected parties on the following areas:

- WDFW governance structure
- WDFW funding model
- Washington State Fish and Wildlife Commission (the Commission) structure, composition, duties, and compensation
- An alignment of mandate with WDFW's responsibility as a public trustee
- WDFW's adherence to state laws, including the State Environmental Policy Act and the Public Records Act
- Accountability and transparency in WDFW decision-making at both the Commission and management levels
- Process by which WDFW uses science and social values in its decision-making
- Influence on WDFW by special interest groups
- Outreach and involvement of Washington residents who have historically been excluded from fish and wildlife decisions, including non-consumptive users and marginalized communities
- WDFW's ability to meet threats created by climate change and biodiversity loss
- Any other related issues that arise

The proviso further states, "Based on the results of the review, the Ruckelshaus Center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife."

The Ruckelshaus Center's Project Team conducted more than 100 interviews with individuals knowledgeable about the governance and organizational elements of WDFW listed above. The role of the Project Team was to listen to and collect multiple viewpoints with impartiality and then to consolidate, synthesize, and communicate the array of ideas and opinions, and ultimately, options and recommendations to consider for action.

Interviewees communicated a wide range of perspectives, shared many examples of what they think the Agency is doing well, and identified areas for improvement. Altogether, the input from the interviews forms a complex and nuanced compilation of perspectives that can help the Agency home in on and make progress toward being effective into the future.

Not surprisingly, interviewees voiced passion for sustaining fish, wildlife, and their habitats, even when there were strong disagreements about how best to achieve sustainability and resilience. Asking the interviewees to envision a future for the Agency revealed commonalities among interviewees. Key themes that emerged from the responses included:

- Healthy, Thriving Fish and Wildlife Populations
- Opportunities for Future Generations to Hunt and Fish

- Adaptive Ecosystem-Based Management Approaches
- Prioritizing and Restoring Biodiversity
- Serving All Washingtonians
- Increased Appreciation for the Benefits of Fish and Wildlife
- Restoring Habitats That Connect Ecosystems
- Continuing to Improve and Support Co-Management and Cooperative Relationships with Tribes
- Effective Governance and Visibility as a Leader for Natural Resource Management
- Reduced Conflict Among User Groups
- Increased Collaboration, Coordination, and Partnerships
- Broad-Based and Increased Financial Investment and Funding
- Scientific Research and Data-Driven Decisions

It is important to note that these themes are similar to the Agency's vision, articulated in its 2020-2045 Strategic Plan:

- Healthy and sustainable fish and wildlife populations
- A restored network of resilient habitats that connects ecosystems across the landscape
- Abundant recreational, stewardship, commercial, and educational opportunities available to diverse populations
- Residents with a deep appreciation of the intrinsic value of nature and the benefits of fish and wildlife and who have a strong sense of personal stewardship and environmental responsibility
- A Department that reflects and connects with the diverse public we serve, and is a model of great governance

Many interviewees provided ideas about how to address issues that they raised and suggestions that, in their opinion, could help maximize the effectiveness of the Agency. The wide range of ideas and perspectives shared by interviewees on the prescribed topics did not lend itself to overarching recommendations for all the topics. Some of these recommendations from the interviewees are embedded in the Findings section of this report. These ideas, taken together with this section's recommendations, can help inform the Agency's and/or state government's exploration of recommended changes. The recommendations provided in this section focus on key issues raised in this review and those areas articulated in the proviso where clear guidance was requested from the Legislature.

The expectations of WDFW are high, as residents and constituents depend upon the Agency to serve as a trustee of the State's fish and wildlife. This begs the question: to what degree, and how, can the Agency best deliver on these expectations and make improvements in a context where there is a diversity of viewpoints, political tensions, limited resources, and significantly changing environmental and social conditions? The ideas and thoughts shared by interviewees can bring insight and motivation for WDFW to continuously improve. WDFW and State lawmakers have the opportunity to consider the information shared in this review as a learning opportunity to reflect upon and identify opportunities for change.

A. GOVERNANCE

All the interview participants had knowledge of and experience with WDFW. Participants in the review shared a wide range of perspectives and identified a spectrum of ideas for changes that in their view would contribute to maximizing WDFW's future effectiveness via its governance structure. The Project Team generated the recommendations in this section by synthesizing what we heard and learned from interviews and our expertise in effective collaborative governance and organizational systems and structures.

Maximizing the full potential and effectiveness of WDFW needs to unfold as an ongoing process, with the Agency regularly adapting to conditions that evolve over time. It also will require integrated approaches with tribes, natural resource managers at various governments and NGOs, and policymakers. To enhance effectiveness, it is suggested that state elected officials discuss and consider these recommendations with WDFW leaders, provide engagement opportunities around potential changes, and implement changes based on those discussions.

Several strong themes emerged from the 100+ interviews, and even though differences arose about how to address issues raised, nearly everyone agreed that the governance structure, particularly regarding the Commission, needs reform. The following are a few key themes that stood out:

- The current governance structure, particularly related to the Commission, has dysfunctional elements.
- The Commission has a lack of accountability under the current structure for behavior, results of decisions, representing the broad interests of the public, and following public disclosure and open public meeting standards.
- The sheer size and scope of Commission responsibilities presents an unmanageable overall body of work for a group of volunteers to handle.
- The Commission structure and its internal workings, including the decision-making and appointment processes, have consequential flaws including not accounting for tribal treaty rights and the needs and interests of tribes.
- Given that fish and wildlife face increased stress from changing environmental and social conditions, including population growth and development, and that the complexity of the issues requires whole system approaches, the governance structure will need to be nimble and flexible to engage in adaptive management.
- There is no perfect governance structure. Tradeoffs exist with different approaches.

RECOMMENDATION

Three options to address the WDFW governance structure are outlined below. If there is not sufficient political will or interest in making comprehensive, simultaneous reforms of the Commission discussed in Option Three (to maintain the Commission, but address several issues), then Option Three is not a viable choice. Without these reforms the embedded dysfunctions and issues that interviewees raised would likely continue. If the Legislature wants to improve the governing structure without all the reforms to the Commission, then the optimum choice, even considering potential tradeoffs, would be to establish WDFW as a cabinet agency (Option Two). Implementation of Option Two or Option Three will need a thoughtful transition strategy and clear communication plan.

Options and Considerations: Role of the Commission

Three primary options emerged for the governance structure, specifically regarding the Commission. Within these options lie many nuances and details shared by interviewees, which can be found in the Findings section of this report.

Option 1: Maintain the Status Quo

This option would make no change to the governance structure, or minor changes that only work on the periphery of the serious issues that exist. This option would not fully address the issues interviewees raised and may limit the Agency's ability to maximize its effectiveness into the future.

Option 2: Establish WDFW as a Cabinet Agency

This option would eliminate the Commission and have the Governor appoint the WDFW director. This would establish clear lines of accountability, strengthen the government-to-government relationships and consultation with tribes via Governor's Office of Indian Affairs and the department consulting and engaging with tribes directly, and enable the Agency to act more nimbly and adaptively.

If this change occurred, it would support the important work needed to build strong relationships among the state's natural resource agencies and to establish specific mechanisms for those agencies to align and collaborate on natural resource management strategies and policies—specifically on climate change impact mitigation and adaptation, maintaining and strengthening biodiversity, and protecting habitat.

This option could include reinventing the Fish and Wildlife Commission to focus solely on public engagement activities and/or to act as an advisory commission on overall policy issues. If lawmakers establish an advisory commission, it would be important to include tribal representation on the advisory commission.

Examples of tradeoffs interviewees expressed included:

- Not having the Commission structure could lose some element of representation of multiple constituencies unless the Department implemented additional and meaningful engagement mechanisms;
- It could make the Agency more directly subject to the politics of the Governor's Office, potentially resulting in changes to policies or priorities following a change in Governor; and
- The Department would have to compete with other cabinet agencies in the Governor's budgeting process.

Option 3: Maintain the Commission, but Address the Following Issues with Comprehensive, Simultaneous Reforms

In this option, a series of interrelated comprehensive reforms would address major issues in the governance structure. Due to their interdependence, these reforms would need to occur simultaneously and sooner than later. These reforms include:

1. **Reform and simplify the Commission's function and "Rules of Procedure." Update written governing policies, as needed, to clarify and reflect changes.**
    a. Clarify, modify, and re-establish the Commission role to provide overall governing direction

on high level policy and Agency goal setting and not engage in day-to-day operations or decisions on implementation. Hone the Commission's role in identifying policies that define the desired results for the Agency, not on management decisions regarding agency operations or how a program or project gets implemented. Specifically, the Commission would not set or change regulations or approve specific program plans. The role of the Commission would, in this case, be to consider whether the regulations or program plans align with the overall defined policies and goals for the Agency.

Review the Operating Principles in the "Rules of Procedure" and develop a transition process that determines which decisions consist of the high-level policy and Agency goal setting that belong within the Commission role, and what issues and decisions belong within the Department role. Update the existing RCWs to reflect any changes to the Commission's role, once delineated more appropriately.

b. Clearly define roles and levels of authority among the Commission, director, and Department staff including whether individual Commissioners have any level of individual authority and how these authorities relate to overall governing and decision-making processes.

c. Establish and implement written processes for mediating and resolving conflicts between Commissioners and among Commissioners and Department staff.

d. Establish accountability mechanisms that ensure that written protocols that guide communication between the Commission, individual Commissioners, and the Department director and staff are followed. Reinforce what is acceptable communication and what is not. For example, consider whether: Commissioners can make direct requests for information from staff; Commissioners are not allowed to direct staff to do specific work; individual Commissioners cannot request the Department director to fulfill individual preferences for action; the Commission should provide collective direction to the Department director, who would decide how the requests should be handled. Acceptable communication should include establishing protocols for how Commissioners communicate and treat staff in public as well as private meetings and vice versa.

2. **Implement Commission mechanisms, policies, and protocols that establish accountability to the tribes and tribal interests: tribal sovereignty, treaty rights and co-management relationships, consultation processes, and earlier and greater engagement with tribes. Establish these mechanisms and protocols (for example on the role of tribes in the Commissioner appointment process) in partnership with tribes.** This could also include creating processes for the Commission to work with tribal commissions, including the Northwest Indian Fisheries Commission, Columbia River Intertribal Fish Commission, and Upper Columbia United Tribes to jointly develop policies or plans.

3. **Strengthen criteria for the makeup of the Commission to ensure Commissioners see their role as representing all interests in the state vs representing special interests.**

4. **Change the Commissioner appointment process.** Establish stronger criteria. There are many ideas on how to do this. One is to establish a bipartisan legislative committee that vets and either appoints Commissioners or provides candidates to the Governor to select for legislative confirmation. Another is to have elected representatives from each region of the state agree upon and put forward a candidate that then gets approved by the Legislature. Establish criteria that help ensure candidates

represent broad interests, in order to better follow the "Rules of Procedure" that specify that the Commission is to represent and balance all interests in the state. Align public and special interest engagement strategies to meet that policy.

5. **Establish accountability mechanisms for Commissioners.** This would include enforcing criteria for removal, identifying a designated authority who has responsibility for removal, and establishing a clear pathway to remove a Commissioner. Establish mechanisms to hold Commissioners accountable to a code of ethics and behavior that is already stated in the "Rules of Procedure."

6. **Improve the functioning and effectiveness of the Commission by providing additional staff support; creating a second deputy director who acts as the liaison between the Department and the Commission; and providing training to Commissioners on conservation conflict resolution, communication skills, governing, and tribal history and law, along with the co-management relationship.**

7. **Strengthen and enforce norms and rules of engagement and operational and governance protocols for Commission meetings and decision-making processes.** This includes norms for respectful behavior, recusal processes for perceived or real conflicts of interest, intervention processes for offending behavior, establishing sufficient time for discussion and consideration of proposals, and opportunities for dialog and discussion with the public. Include requirements and accountability mechanisms that assure adherence to the Open Public Meeting Act and public records requirements.

8. **Establish agreement on decision-making processes and the use of Department and outside science in decision-making.** Establish an option and criteria for utilizing an independent science review board or a peer science review mechanism.

9. **Do not change the compensation provided to Commissioners.** Although increasing the stipend for Commissioners may seem like it would help address issues such who can volunteer to be a Commissioner, it does not resolve the tension between the vast amount of knowledge and responsibilities the Commission role currently requires. It is more important to reform their function to be more doable and accountable than to pay Commissioners more. Also, paying Commissioners more raises issues around equity related to paying those who serve on other state boards and commissions.

10. **Utilize a third party facilitator for Commission and subcommittee meetings** who has the authority to maintain meeting and behavior protocols.

11. **Provide training to build the skills and capacity for collaboration within the Commission.** While the Commission has received some training in communicating difficult issues, the group could still benefit from conservation conflict transformation training, fundamentals of interest-based negotiation, and other topics to enhance its ability to navigate the tensions among user groups and around social values, using science in decision making and reaching consensus.

12. **Design new public engagement strategies, beyond the public hearing style engagement, that provide more opportunities for discussion, dialogue, and deliberation versus simply debate, and broaden participation of the public and special interests.**

ADDITIONAL GOVERNANCE RECOMMENDATIONS

Continue to Strengthen What Interviewees Stated is Working

1. Continue to utilize advisory committees for guidance on specific issues. Identify and implement improvements to how advisory committee guidance is considered in decision-making by the Commission, if the Commission continues to exist, or by Department staff.

2. Continue to prioritize strengthening relationships with tribes, including communication and protocols around consultation. Make available training on tribal engagement, law, and history to all relevant WDFW employees, contractors, and Commissioners, if the Commission continues to exist.

Work to Mitigate Silos within the Department and Between the Department and Other Agencies

A frequently raised non-Commission organizational issue focused on silos within the different programs of WDFW and between the Department and other government entities. To address the concerns, WDFW could make a concerted effort to explore the issues related to silos (discussed in the Findings section) and to identify potential improvements to the organizational structure and culture that cultivate collaboration and communication across regions, divisions, and programs.

B. WDFW MANDATE

As discussed in greater detail in the Findings section of this report, interviewees highlighted the tension between the dual requirements to "...preserve, protect, [and] perpetuate..." and "...maximize the public recreational game fishing and hunting opportunities of all citizens....." A wide range of opinions emerged about whether the mandate should be changed, and if so, what those changes might be. Many interviewees offered ideas for changes or revisions even if they thought there was no pressing need to make changes to the mandate.

Many thought the conflict that would likely arise during any process to change the mandate would not be worth the benefit of doing so and could amplify existing divisions and exacerbate existing conflicts. Interviewees stated that any process to change the mandate would need to be well facilitated, clear, intentional, limited in scope, and inclusive of tribes.

That does not mean there were not reasons expressed by interviewees to update the mandate, just that the time is not right. If the Legislature determines that needs and circumstances warrant revising the mandate, any process to revise the mandate would be best approached thoughtfully and deliberately, and in consultation with tribal nations.

RECOMMENDATIONS

Work to Reduce Conflict and Build Capacity to Collaborate before Any Public Process to Revise the Mandate

Conditions do not currently support going through a process to revise the mandate. The present intensity and polarized nature of the public discourse related to fish and wildlife would make any effort to update the mandate politically contentious and would likely exacerbate current tensions among interested parties. If lawmakers were or are considering a collaborative effort to do so, it is worth pointing out that the conditions

favorable to a collaborative process include a shared recognition that the issue on the table is a pressing problem for all/multiple interested and affected parties. Based on those that participated in this review, the mandate is not the most pressing problem. If a climate more conducive to developing shared interests develops, for example via building common ground among varied interests (as mentioned below), state lawmakers can revisit whether the mandate needs revision.

Consult with Tribes About Whether Revisions to the Mandate are Needed to Incorporate Tribal/State Relationships

One element that should be considered sooner rather than later is discussion with tribes on whether revisions are needed to incorporate tribal/state co-management as put forth under *U.S. v. Washington* and *U.S. v. Oregon*, and describe the coordination and consultation requirements for natural resource management between federally recognized tribes and the Agency. Discussions should also include whether to acknowledge traditional ecological knowledge in the mandate. Even if no broad effort to revise the mandate occurs, at a minimum, the mandate could be amended to incorporate state/tribal relationships.

C. CHANGING CONDITIONS - CLIMATE CHANGE AND BIODIVERSITY

As noted by interviewees, the Agency faces many challenges to successfully meet the threats created by climate change and biodiversity loss. These include but are not limited to: constraints in its regulatory tools, the relatively small amount of land WDFW manages, the level of uncertainty around impacts, and the limits on the Agency's scope of influence. One of the most pressing challenges identified by interviewees is the loss of habitat for fish and wildlife due to development from population growth.

A few key themes emerged from the interviews, which lead to three recommendations. These recommendations are intended to highlight actions that WDFW can consider to increase its effectiveness as it navigates its role in meeting the threats of climate change and biodiversity loss.

RECOMMENDATIONS

Continue to Allocate Resources for Coordination Between the Department, and Counties and Cities on Local Land-Use Planning

Based on interviewee input that local land-use decisions make it challenging to preserve key habitats and species, there is a need for stronger interface between WDFW and counties and cities around local land-use planning, permitting, and development. To address the loss of habitat due to population growth and development, WDFW will need strong regulatory tools, improved opportunities to provide technical assistance, and strategic partnerships with local and regional governments. Although recent biodiversity funding provided by the Legislature provided some additional resources to address this issue, integrated strategies that align state level policies along with county and city comprehensive planning need to be developed, specifically regarding development in sensitive areas, permitting, habitat protection, and preservation of wildlife corridors.

Support Existing and Create New Strategies for Wildlife and Fish to Adapt to Changing Conditions

Many interviewees commented that to sustain and support the underlying conditions needed for natural adaptation, fish and wildlife managers and policymakers will need to be nimble in decision-making and management strategies, as well as adept at innovating and making decisions within a context of increased scientific uncertainty. Wildlife will likely depend on wildlife corridors, highway crossings, and connectivity between habitats as they strive to adapt to climate impacts and habitat loss; therefore, this should be a priority for WDFW as Agency leaders develop and implement strategies. Successful implementation will require collaboration and coordination across boundaries with other agencies, tribes, and private land owners to address, for example, ecosystem-scale restoration, species' ranges shifting north, migration corridors overlapping private property boundaries, and restoring and maintaining habitat connectivity. Consistent monitoring of wildlife and fish, which may require additional investments by the Legislature, will be needed to understand new conditions and impacts.

Continue to Support WDFW Climate and Biodiversity Programs and Policies through Ongoing and Increased Investments and Multi-Agency and Tribal Coordination

Stable funding will be required to sustain biodiversity and to address changing conditions due to climate change. Undoubtedly, new challenges will arise and conditions will continue to change, requiring new policies, strategies and investments by the State.

Multiple interviewees pointed out that WDFW would benefit from federal, state, and tribal coordination on whole system and landscape-scale approaches and aligned strategies. This work has already begun among multiple state agencies for addressing climate change with the passing of RCW 70A.05.010, referenced in the Findings. This approach could also be established to coordinate and align strategies to address biodiversity loss. Coordination efforts and partnerships could also include private and non-profit landowners. WDFW's efforts would also benefit from increased funding for interagency coordination to successfully address issues that arise due to climate change and biodiversity loss.

D. FUNDING STRUCTURE

To maximize the potential and effectiveness of WDFW in the future, interviewees commented on the need to have sufficient funding to achieve results as well as a more sustainable funding structure that better reflects contributions by all who benefit from the work of the Agency. Since interviewees had widely varying understanding of WDFW's current funding structure and sources of funding, it could be beneficial for WDFW to more effectively communicate to the public the sources of revenue and their uses. Based on comments from interviewees, the Agency could better communicate its accomplishments as well as how their work benefits Washington residents to strengthen commitment to their mandate and support for their work.

Some interviewees emphasized that it takes time to measure the success and see the results of conservation strategies and that fish and wildlife programs need to be durable over several years to have the desired positive impacts, and conditions change over time. Nature's timeline does not align with the two-year state budget cycle. Therefore, interviewees expressed a need for a funding structure that focuses on the long-term and provides flexible funding to maximize adaptive strategies.

RECOMMENDATIONS

Update (As Needed) the WDFW Long-Term Funding Plan and Work with the Budget Policy Advisory Group (BPAG) to Continue to Implement the Plan

The 2017 legislature adopted a proviso in the 2017-19 operating budget directing WDFW to conduct a performance review and a zero-based budget analysis and develop a long-term funding plan. WDFW established the BPAG, a group of relatively diverse parties, at that time and worked with those parties to develop a long-term funding plan, online at: https://wdfw.wa.gov/publications/02014. In keeping with input from interviewees in this review, the plan centers on the idea that most funding for fish and wildlife should come from broad-based sources of revenue because the health, wellbeing, and economic benefits of fish, wildlife, and natural lands are broadly felt by all Washingtonians, and because the protection of fish and wildlife resources is held by the state as a public trust and responsibility.

The long-term funding plan lays the groundwork for establishing a more stable and sustainable funding structure for WDFW by transparently outlining the Agency's funding needs and how funding would be used. WDFW can continue to gain important legislative allocations, such as the 2023 biodiversity funding package, by engaging with the BPAG to advance the plan in years to come, updating it as needs and circumstances dictate. This not only increases transparency about the work WDFW is doing but, with the input and guidance of the parties on the BPAG, can serve as a strong advocacy tool that WDFW can use when requesting funding from the Legislature. Updating and continuing to advocate for the long-term funding plan will also help educate incoming legislators about the instability and/or inadequacy of WDFW's current funding and serve as a good starting point for identifying how more sustainable funding sources could benefit the Agency.

Increase Communication about How the Agency is Funded

This review uncovered misconceptions about which sources provide funding for WDFW—and how much funding they provide. Greater public clarity of funding sources and expenditures can provide a baseline of shared understanding among different constituencies.

WDFW has already taken steps to separate accounts into non-restricted and restricted funding sources to track expenses and revenues more easily. However, based on the confusion about WDFW's funding sources, it is recommended that the Department invest in publicly available materials that clearly outline 1) where dedicated and general fund revenues come from, and 2) how dedicated and general fund money is spent. This should help mitigate the differing perspectives from specific constituents.

Diversify Funding Sources

Since WDFW's mandate benefits all Washingtonians, the cost of the Department's effort to "preserve, protect, perpetuate, and manage" fish and wildlife and the habitats they depend on could be more equitably shared by all "users." Interviewees presented several different funding options that might establish a more stable, diversified, and sustainable funding model for WDFW. These included:

- *Sales Tax Revenue* Several participants pointed to Missouri, citing a 0.0125% sales tax dedicated solely to the state fish and wildlife agency (Missouri Constitution Article IV - Executive Department Section 43(a) Sales tax, use for conservation purposes). These interviewees saw a dedicated sales tax as the "gold standard" for dedicated revenue sources. WDFW could explore the financial impact that a 0.125% sales tax could have on department financial sustainability and programs and, if it looks

promising, evaluate the feasibility of working with the Legislature to achieve a dedicated sales tax revenue source.

- *Biodiversity Credits* Interviewees suggested the idea of "biodiversity credits" which would operate similarly to the Cap-and-Invest "carbon credits" program. Real estate developers above a certain parcel size would purchase these "biodiversity credits" when buying and developing land. Each prospective land parcel would be assessed with predetermined metrics to gauge the level of impact new development would have on biodiversity. These real estate developers would then need to purchase "biodiversity credits", to offset their impact on biodiversity. This "biodiversity credit" system could largely mimic the Department of Ecology's in-lieu fee program or the existing "carbon credits" system in functionality.
- *A Dedicated General Fund for Natural Resource Agencies* WDFW could consider working with other natural resource agencies to request the Governor and Legislature establish an independent, dedicated fund, for example, 1.5% general fund, to fund all state natural resources agencies.
- *Across-the-Board User-Fee Increases* Because of the rising cost of living and the recent impacts of high inflation, many interviewees supported across-the-board user fee increases to adequately support WDFW's operations and programs. Many of these user fees have not been updated in some time and have been outpaced by inflation. At a minimum, this means putting measures in place to have user fees increase with inflation, accompanied by a one-time increase in user fees to reestablish an appropriate baseline. This could include discounts for members of certain user groups, to maintain accessibility and address potential equity issues.

E. TRIBAL COORDINATION AND CO-MANAGEMENT

WDFW and Northwest Tribes work together in many ways, including habitat restoration, hatchery management and production, hunting coordination and game management, wildlife recovery, scientific research, data collection and monitoring, wildlife enforcement, and co-management of treaty fisheries. When asked about the Agency's relationship with tribes, most interviewees thought that relationships are more collaborative today than in the past and have continued to improve in recent years. Concerns expressed by interviewees primarily had to do with the relationship between the Commission and the tribes, primarily that the structure and protocols of the Commission are unclear in regard to whether decisions voted on by the Commission require consultation with tribes, and how to incorporate co-management under *U.S. v. Washington* and *U.S. v. Oregon*.

RECOMMENDATIONS

Continue Department Efforts to Strengthen Relationships with Tribes and Build Additional Capacity by Increasing the Number of Tribal Liaisons

As described in more detail in the Findings section of this report, interviewees talked about how the relationship between the Department and tribes has improved in general. Interviewees also stressed the importance of engaging early and often with tribes and the critical nature of developing good working relationships between Department staff and tribal government staff. Interviewees frequently cited limited staff capacity and staff turnover at the Department as challenges to building and maintaining trust and good working relationships.

Clarify the Role of the Commission in Regard to U.S. v. Washington and U.S. v. Oregon, Including When and How the Commission Engages with Federally Recognized Tribes and Consultation

During the review, individuals representing tribal interests frequently noted that the structure and mandate of the Commission is unclear regarding co-management under *U.S. v. Washington* and *U.S. v. Oregon* Interviewees noted a lack of clarity on when and how the Commission engages with tribes and whether all decisions voted on by the Commission require consultation. If a Commission structure of governance is to continue, state executive guidance will be needed to clarify the role of the Commission in regard to *U.S. v. Washington* and *U.S. v. Oregon*.

Provide Training on Tribal Sovereignty, Treaty Rights, Co-Management, and Working with Tribal Governments, to all Department Staff and for all Commissioners

As recommended by interviewees, continuing to provide and prioritize training for Department staff and Commissioners on working with tribes is essential to building relationships, trust, and working more effectively with tribal governments.

F. ACCOUNTABILITY, TRANSPARENCY, AND USE OF SCIENCE IN DECISION-MAKING

Interviewees expressed a range of opinions about transparency and accountability in decision-making. This is in part because the legislative proviso authorizing this review did not specifically define "accountability" and "transparency." Without clear guidance from the legislation, the Project Team allowed interviewees to interpret these terms in their own way. If this is a priority, it could be beneficial for WDFW to define these terms and establish methods for them to track, measure, and/or communicate accountability and transparency. Generally, the majority of interviewees viewed the Department as accountable and transparent. Most of the improvements suggested to improve accountability and transparency related to Commission decision-making can be found in the Findings section, as well as in the Recommendations section regarding Governance.

For the use of science in decision-making, during the time of this review, the Department and Commission were developing and advancing a draft "Science in Decision Making" guidance document. The document incorporates the issues that interviewees thought should be addressed around how to use science in decision-making.

RECOMMENDATIONS

Complete the Process of Developing, Refining, and Adopting a "Use of Science in Decision-Making" Policy

The Department and Commission should continue the ongoing process to define how science is used in the Commission's decision-making process. The Department and the Commission should follow through on this process and formally adopt a policy. The policy should make clear how the Department and Commission will be held accountable in instances where either body does not adhere to the policy.

Continue to Support and Invest in WDFW Work to make Information Available

WDFW has a wealth of information on its website, for example its strategic plan to an explanation of tribal

sovereignty and its climate change and biodiversity initiatives. However, based on interviewee responses, the opportunity exists to improve transparency and accountability by putting more information online in an easy-to-find, cloud-based data system that updates as new information becomes available. For example, information about species population information for species listed under the ESA and Species of Greatest Conservation Need. This will take additional investment by the State. WDFW has taken significant efforts to implement new online public engagement tools and this recommendation supports those efforts, acknowledging the importance of information sharing.

G. OUTREACH AND ENGAGEMENT WITH PUBLIC AND SPECIAL INTEREST GROUPS

Many interviewees stated that WDFW and Washington residents could benefit from increased outreach and engagement. Interviewees suggested that WDFW be more proactive in touting its accomplishments. Many noted that the Department's outreach and engagement has improved greatly in recent years, specifically through the CAPE program, and they encouraged continued efforts to engage a wider audience.

As interviewees discussed their vision for an effective Agency in the future, their opinions on the ability of WDFW to meet the threats of climate change and biodiversity loss, and what elements of the current mandate are important, shared interests and values became evident. Many commonalities emerged around the need to address ecosystem integrity, habitat protection, prioritization of native species and historic ecological function, resilience, and climate adaptation, and conservation, to name a few. In some cases, fundamental differences became clear around underlying values on wildlife management and tactics and strategies to meet the mandate.

Interviewees from across diverse sectors and constituencies displayed a shared recognition that time is of the essence and that the impacts especially of climate change, development, and human population growth need to be both urgently addressed and consistently, if not increasingly, mitigated over time.

The interviews shone a light on the tensions and controversies that exist among varied interests and the ways that these tensions may inhibit the ability of the Agency to act in a timely manner. Diversity of interests and opinions can be a strength in public policy decision-making, as it is important to consider decisions from multiple viewpoints, as long as there is constructive engagement. Many interviewees expressed a need to reduce conflict among interests, move away from either/or solutions, and find ways to build relationships that support finding common ground.

RECOMMENDATIONS

Implement a Process to Build Common Understanding and Find Common Ground Among Varied Interests

A strong theme that emerged from the interviews was a widely shared interest in creating more opportunities to find common ground and identify ways to decrease the tensions among the varied interests, to help WDFW become even more effective. Based on this, it is recommended that WDFW design and implement a series of convenings among the wide diversity of interests, key Department staff, and Commissioners with the following objectives:

- Strive toward shared understanding of the diversity of interests and values related to fish and wildlife management

- Promote constructive dialogue to increase the effectiveness of WDFW
- Decrease conflict and tension among the range of interests
- Strive towards identifying shared interests and to build constructive relationships

This would not be a decision-making process, but rather would focus on relationship building. One possible design for the convenings could be a series of two all-day, in-person sessions per region, facilitated by an impartial facilitator. An aspect of the convenings would be to increase the capacity of participants who represent different interests to constructively communicate and address conflicts.

Continue Recent Efforts to Increase Communication About WDFW's Work and Impact. Engage Multiple Audiences, Focusing on Those that Have Not Traditionally Engaged with WDFW. Broadcast Success Stories.

WDFW can help connect more Washingtonians with the natural resources of our state by continuing to expand and complement its current and ongoing efforts to communicate with the various segments of the public about the broad, extensive work it does all over Washington State. Support efforts to tailor engagement initiatives to diverse and underrepresented audiences to increase awareness and engagement with the natural world. Highlight success stories from the Department's work and the positive impacts that work has for the public. By focusing on highly visible and relevant work, WDFW can better garner public support for the Department.

Several interviewees pointed out that advisory groups provide a good mechanism for WDFW to engage in dialogue with various constituencies. WDFW can benefit by continuing to utilize established advisory groups that provide clear and ongoing dialogue with representatives of organizations and constituencies who can advocate for WDFW or provide guidance to the Agency.

increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands.

(32)(a) $8,000,000 of the general fund—state appropriation for fiscal year 2024 and $15,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, $300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

(i) The department's ability to meet threats created by climate change and biodiversity loss;

(ii) An alignment of mandate with the department's responsibility as a public trustee;

(iii) The department's governance structure;

(iv) The department's funding model; and

(v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by June 30, 2024.

(33) $125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) $310,000 of the general fund—state appropriation for fiscal year 2024 and $160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, $160,000 in fiscal year 2024 and $160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

Appendix B.
Interview List

Name	Affiliation
Jim Anderson	Washington Department of Fish and Wildlife Commission
Phil Anderson	Washington Department of Fish and Wildlife (Former)
Kurt Anderson	Washington Association of Fish and Wildlife Professionals
Alex Baier	Rocky Mountain Elk Foundation
Barbara Baker	Washington Department of Fish and Wildlife Commission
Steve Bear	Washington Department of Fish and Wildlife
Dylan Bergman	Jamestown S'Klallam Tribe
Kevin Bixby	Wildlife for All
Kadi Bizyayeva	Stillaguamish Tribe of Indians
Brian Blake	Washington State House of Representatives (Former)
Brendan Brokes	Washington Department of Fish and Wildlife
Kathleen Callaghy	Defenders of Wildlife
Jason Callahan	Washington Forest Protection Association
James Capurso	United States Forest Service
Margen Carlson	Washington Department of Fish and Wildlife
Isabel Carrera Zamanillo	Front and Centered
Brian Crossley	Spokane Tribe of Indians
Kelly Cunningham	Washington Department of Fish and Wildlife
Claire Davis	Washington Wildlife First
Jeff Davis	Colorado Parks and Wildlife
Tom Davis	Washington Forest Protection Association
Kate Dean	Puget Sound Partnership
Larry Delgado	Washington Department of Fish and Wildlife
Tom Dent	Washington State House of Representatives
Cody Desautel	Confederated Tribes of the Colville Reservation
Bill Dewey	Taylor Shellfish
Bryce Divine	Pacific Fishery Management Council
Mark Elbroch	Panthera
Joe Fitzgibbon	Washington State House of Representatives
Jeff Flood	Stevens County Sheriff's Office
Leonard Forsman	Suquamish Tribe
Mitch Friedman	Conservation Northwest
Eric Gardner	Washington Department of Fish and Wildlife
Ron Garner	Puget Sound Anglers
Bart George	Kalispel Tribe of Indians
Chelsea Hajny	Washington Cattleman's Association

Lucas Hall	Long Live the Kings
Hansi Hals	Jamestown S'Klallam Tribe
George Harris	Northwest Marine Trade Association
Elaine Harvey	Columbia River Inter-Tribal Fish Commission
Jessica Helsley	Wild Salmon Center
Emma Helverson	Wild Fish Conservancy
Brock Hoenes	Washington Department of Fish and Wildlife
Andy Hover	Okanogan County
Candace Hultberg (Bennett)	Washington Association of Fish and Wildlife Professionals
Andrea Imler	Washington Trails Association
Deb Jensen	Audubon Washington
Eric Johnson	Washington Association of Counties
Ed Johnstone	Northwest Indian Fisheries Commission
Fred Koontz	Washington Department of Fish and Wildlife Commission (Former)
Mike Kuttel, Jr.	Washington Department of Fish and Wildlife
Russ Ladley	Puyallup Tribe
John Lehmkuhl	Washington Department of Fish and Wildlife Commission
Ryan Lewis	Snoqualmie Indian Tribe
Molly Linville	Washington Department of Fish and Wildlife Commission
Mike Livingston	Washington Department of Fish and Wildlife
Brian Lynn	Sportmen's Alliance
Andrea Lyons	United States Forest Service
Jaime Martin	Snoqualmie Indian Tribe
Irene Martin	Commercial Fishing Industry
Kent Martin	Commercial Fishing Industry
Nick Martinez	Washington State Sheep Producers
Rob Masonis	Trout Unlimited
Dave Mastin	Association of Washington Business
Rob McCoy	Makah Tribe
Bob McCoy	Mountain Lion Foundation
Peter Murchie	Environmental Protection Agency
Ruth Musgrave	Office of the Governor
Ron Muzzall	Washington State Senate
Woody Myers	Washington Department of Fish and Wildlife Commission
Scotty Neilsen	Cattle Producers of Washington
Marie Neumiller	Congressional Sportsmen's Foundation
Nora Nickum	Seattle Aquarium

Tom O'Keefe	American Whitewater
Elaine Oneil	Washington Farm Forestry Association
Deane Osterman	Kalispel Tribe of Indians
Nate Pamplin	Washington Department of Fish and Wildlife
Steve Parker	Washington Department of Fish and Wildlife Commission
Dan Paul	Humane Society
Larissa Pfleeger	Shoalwater Bay Indian Tribe
Larry Philips	American Sportfishing Association
Margaret Pilaro	Pacific Coast Shellfish Growers Association
Jennifer Quan	National Oceanic and Atmospheric Administration
Tim Ragen	Washington Department of Fish and Wildlife Commission
Mindy Roberts	Washington Conservation Action
Ezekiel Rohloff	Snoqualmie Indian Tribe
Christine Rolfes	Kitsap County; Washington State Senate (Former)
Melanie Rowland	Washington Department of Fish and Wildlife Commission
Carl Schroeder	Association of Washington Cities
Curt Smitch	Fish Northwest
Lorna Smith	Washington Department of Fish and Wildlife Commission
Butch Smith	Coho Charters
Cindy Spiry	Snoqualmie Indian Tribe
Morgan Stinson	Washington Department of Fish and Wildlife
Jonathan Stumpf	Trout Unlimited
Robert Sudar	Columbia River Commercial Fishing Advisor
Kelly Susewind	Washington Department of Fish and Wildlife
Kerston Swartz	Woodland Park Zoo
Brad Thompson	United States Fish and Wildlife Service
Hannah Thompson-Garner	Northwest Animal Rights Network
Kim Thorburn	Washington Department of Fish and Wildlife Commission (Former)
David Troutt	Nisqually Indian Tribe
Bob Vadas	Washington Department of Fish and Wildlife
Kevin van Bueren	Methow Valley Fly Fishing
Kevin Van De Wege	Washington State Senate
Mary Verner	Snoqualmie Indian Tribe
Valentino Villaluz	Swinomish Indian Tribal Community
Dan Wilson	Backcountry Hunters and Anglers
Lisa Wilson	Lummi Nation
Josh Wilund	Backcountry Hunters and Anglers

Amy Windrope	Washington Department of Fish and Wildlife
Lance Winecka	South Puget Sound Recovery Group

Appendix C.
Interview Questions

WASHINGTON STATE UNIVERSITY

THE WILLIAM D. RUCKELSHAUS CENTER

UNIVERSITY OF WASHINGTON

Washington Department of Fish and Wildlife Organizational Review
Interview Questions

Background

In its 2023 session, the Washington State Legislature directed the William D. Ruckelshaus Center (the Center) to conduct a review of the Washington State Department of Fish and Wildlife (WDFW). Per the legislation (a proviso to WDFW's budget), the review must focus on the Department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the goals of its mandate, and to respond to state equity principles. The primary purpose is an organizational review to consider potential organizational and governance modifications and renewal to meet changing conditions. This is an opportunity to envision a future with the agency equipped to manage the land, fish, and wildlife of Washington state for resiliency, abundance, transparency, and accountability in decades to come.

The Center is conducting the review using an interview-based process, which consists of individual and group interviews with representatives of interested and affected parties knowledgeable about the issues below. The Center will synthesize and summarize perspectives into a report to the Legislature that outlines common themes, areas of agreement and disagreement, and options and recommendations. As outlined in the legislation, the Center will review and report on the following areas and any other related issues that arise during the review:

- WDFW governance structure
- WDFW funding model
- Washington State Fish and Wildlife Commission (the Commission) structure, composition, duties, and compensation
- An alignment of mandate with WDFW's responsibility as a public trustee
- WDFW's adherence to state laws, including the State Environmental Policy Act and the Public Records Act
- Accountability and transparency in WDFW decision-making at both the Commission and management levels
- Process by which WDFW uses science and social values in its decision-making
- Influence on WDFW by special interest groups
- Outreach and involvement of Washington residents who have historically been excluded from fish and wildlife decisions, including non-consumptive users and marginalized communities
- WDFW's ability to meet threats created by climate change and biodiversity loss

The Center is conducting the assessment as an independent third party – neither it nor the interviewers have a stake in the outcome.

The William D. Ruckelshaus Center

Overview of Interview Process

The Ruckelshaus Center intends to interview a diverse set of actors interested in, engaged with, and affected by the management of fish and wildlife in the State of Washington. This includes:

- People who can speak to the governance structure and funding model of WDFW
- People who can speak to the structure, composition, duties, and compensation of the Washington State Fish and Wildlife Commission
- People knowledgeable with the WDFW's public outreach and involvement efforts including to non-consumptive users and marginalized communities
- Tribal governments
- Representatives of various interests and organizations impacted by the WDFW mission and mandate
- Individuals, organizations, and agencies with knowledge about effective state fish and wildlife management approaches and strategies including in other states and regions
- A diverse mix geographically, politically, culturally, and otherwise, to ensure a broad range of interests and perspectives are reflected and represented
- Able to fit within the time and resources allocated for the project

We acknowledge more people will likely wish to be interviewed than the scope of the project will allow due to time and resource limitations.

As an individual or representative of an entity with a particular role or interest in, or knowledge of WDFW's governance, mandate, funding, structure, management, and/or policy functions, you have been identified as a candidate for an interview. We hope you will agree to either participate yourself or assist by identifying the most appropriate person(s) to speak with us.

Interviews take approximately 90 minutes. A copy of the interview questions is provided in advance of the interview (see below). Participation in the interview is voluntary. Interviewees can choose at any time during the interview to decline to answer a question or end the interview. The information gathered from interviews will be summarized in a report to the Legislature that outlines common themes, areas of agreement and disagreement, and options and recommendations. The report will not attribute any specific statements to individual interviewees or organizations, unless an interviewee specifically requests that the Center does so and the Center agrees that doing so would add value to the report. A list of names of individuals interviewed and that participated in the review will be provided as an appendix to the report. Participation in an interview is not contingent on having one's name published in the final report (an interviewee can request to not have their name listed). The report will be available to all who participated in the interview process.

More information about the Center is available at: https://ruckelshauscenter.wsu.edu/

Interview Questions

Background

1. Please tell us about your background, affiliation, involvement, and interests with respect to WDFW, as well as to fish and wildlife in the state of Washington.
2. Imagine it is sometime in the future (10 years or more) and WDFW is fulfilling its obligations as a trustee of state fish and wildlife. How would you know? What specifically would you see happening or not see happening?

Changing Conditions

3. Given the vision you outlined, if WDFW were successfully meeting the threats created by climate change and biodiversity loss, how would you know? What specifically would you see happening (or not see happening)?
4. What is WDFW currently doing to adapt to these changing conditions that is working well?
5. What else will need to be done or addressed to ensure the future vision?

Tribal Governments

5. Can you share thoughts on how WDFW partners with tribal governments to co-manage fish and wildlife resources, conservation, restoration, and other critical efforts? What does WDFW do well in this area, and what should change?

Governance Structure

6. Given the vision you outlined earlier, what does an effective WDFW governance structure look like?
    a. What is working with the current governance structure that supports the future vision you articulated?
    b. What is not working and how can this be addressed?
7. What is your vision for the Commission? (What works well about the current structure, composition, duties, and compensation that should be carried forward, and what would you change?)

Funding Structure

8. Given the vision you outlined earlier, what does a sustainable funding structure for WDFW look like? What is working with the current funding structure that supports this future vision? What is not working and how can this be addressed?

Mandate

9. Please describe for us WDFW's mandate. What elements of the current mandate are important and support the future vision you described?
    a. Based on the future vision you described earlier, are there any changes or revisions to the mandate that would be needed?

10. Given the future vision you described, how can WDFW best assure adherence to state laws, including the State Environmental Policy Act and the Public Records Act?
    a. What does WDFW do well in this area, and what would need to change?

Decision-Making

11. Given your vision for the agency, what would accountability and transparency in WDFW decision-making look like? How would you measure it?
    a. What is currently working when it comes to accountability and transparency in decision-making? Can you give a specific example or two?
    b. What is not working and would need to be addressed under the future vision you described? Can you give a specific example or two?

Engagement with the Public, Special Interests

12. Given your vision for the agency what does effective outreach and involvement of Washington residents about decision making look like?
    a. What is currently working well?
    b. What is not working and would need to be addressed under the future vision you described?
13. How would you describe WDFW's engagement with interest groups? What does the agency do well, and what should change?

Wrap-up

14. Is there anyone in particular you think it is important we interview? Why is it important to speak to them?
15. What should we have asked that we did not?
16. Do you have any questions for us?