



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 14-22-088 filed 11/3/14; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) The department is considering adding the Tufted Puffin to the state endangered species list in WAC 232-12-014. Listing criteria are described in WAC 232-12-297(3.1) through (3.4). The agency is initiating the listing process in accordance with WAC 232-12-297(5.1.1).

Hearing location(s):
Natural Resource Building, Room 172
1111 Washington Street Southeast
Olympia, Washington 98501

Date: February 6-7, 2015 Time: 8:00 AM

Date of intended adoption: On or after March 20, 2015
(Note: This is NOT the effective date)

Submit written comments to:
Name: Wildlife Program Commission Meeting Public Comments
Address: 600 Capitol Way North
Olympia, WA 98501
e-mail Wildthing@dfw.wa.gov
fax (360) 902-2162 by (date) January 14, 2015

Assistance for persons with disabilities: Contact
Tami Lininger by January 21, 2015
TTY (800) 833-6388 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposal will add tufted puffin to WAC 232-12-014, Wildlife classified as endangered species. Listing the tufted puffin as endangered in Washington will promote a healthy population in the future.

Reasons supporting proposal: The department has reviewed all relevant data pertaining to the population status of tufted puffins in Washington. These data show that the population has strongly declined in recent decades, both in numbers of birds present and in numbers of active breeding sites. This information indicates that if the current rate of decline continues, the species is at serious risk of extirpation in Washington over the next few decades. Thus, tufted puffins should be added to the state's endangered species list.

Statutory authority for adoption: RCW 77.04.012, 77.04.055, 77.12.020, and 77.12.047.

Statute being implemented: RCW 77.04.012, 77.04.055, 77.12.020, and 77.12.047.

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 19, 2014

TIME: 4:40 PM

WSR 15-01-140

DATE
December 19, 2014

NAME (type or print)
Joanna Eide

SIGNATURE

TITLE
Rules Coordinator

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington Department of Fish and Wildlife

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Nate Pamplin	1111 Washington Street SE, Olympia, WA 98501	(360) 902-2515
Implementation....	Nate Pamplin	1111 Washington Street SE, Olympia, WA 98501	(360) 902-2515
Enforcement.....	Steven Crown	1111 Washington Street SE, Olympia, WA 98501	(360) 902-2373

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

This proposal does not impact small business.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: This proposal does not involve hydraulics.

WAC 232-12-014 Wildlife classified as endangered species. Endangered species include:

Common Name	Scientific Name
pygmy rabbit	<i>Brachylagus idahoensis</i>
fisher	<i>Martes pennanti</i>
gray wolf	<i>Canis lupus</i>
grizzly bear	<i>Ursus arctos</i>
sea otter	<i>Enhydra lutris</i>
killer whale	<i>Orcinus orca</i>
sei whale	<i>Balaenoptera borealis</i>
fin whale	<i>Balaenoptera physalus</i>
blue whale	<i>Balaenoptera musculus</i>
humpback whale	<i>Megaptera novaeangliae</i>
black right whale	<i>Balaena glacialis</i>
sperm whale	<i>Physeter macrocephalus</i>
Columbian white-tailed deer	<i>Odocoileus virginianus leucurus</i>
woodland caribou	<i>Rangifer tarandus caribou</i>
American white pelican	<i>Pelecanus erythrorhynchos</i>
brown pelican	<i>Pelecanus occidentalis</i>
sandhill crane	<i>Grus canadensis</i>
snowy plover	<i>charadrius alexandrinus</i>
upland sandpiper	<i>Bartramia longicauda</i>
spotted owl	<i>Strix occidentalis</i>
western pond turtle	<i>Clemmys marmorata</i>
leatherback sea turtle	<i>Dermochelys coriacea</i>
mardon skipper	<i>Polites mardon</i>
Oregon silverspot butterfly	<i>Speyeria zerene hippolyta</i>
Oregon spotted frog	<i>Rana pretiosa</i>
northern leopard frog	<i>Rana pipiens</i>
Taylor's checkerspot	<i>Euphydryas editha taylori</i>
Streaked horned lark	<i>Eremophila alpestris strigata</i>
<u>Tufted puffin</u>	<u><i>Fratercula cirrhata</i></u>