



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Washington Department of Fish and Wildlife

**Subject of possible rule making:** The department is considering the removal of Brown Pelican from the state's endangered species list. Delisting criteria are described in WAC 232-12-297(4.1) and (4.2). The agency is initiating the delisting process in accordance with WAC 232-12-297(6.1.1).

**Statutes authorizing the agency to adopt rules on this subject:** RCW 77.04.012, 77.04.055, 77.12.020, and 77.12.047.

**Reasons why rules on this subject may be needed and what they might accomplish:** The department has reviewed all relevant data pertaining to the population status of Brown Pelican in Washington. These data show a steady increase in Brown Pelican numbers in Washington from 1987-2011. Although the recent breeding failures, unprecedented ocean warming, toxic algae blooms, and climate change present uncertainty about the future trend in Brown Pelican populations, robust numbers (>10,000) still occur seasonally in Washington, and they are not immediately threatened. This information indicates that the species is no longer in decline or at risk of becoming endangered.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The U.S. Fish and Wildlife Service federally delisted Brown Pelicans in the Gulf of Mexico and Pacific coasts, including the California Brown Pelican in 2009. The Washington Department of Fish and Wildlife has conducted its own review of the status of Brown Pelicans in Washington and finds that the species should be delisted at the state level as well.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

Contact: Nate Pamplin, Wildlife Program Assistant Director  
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Olympia, WA 98501-1091

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Contact by: January 29, 2016. Expected proposal filing on or after February 5, 2016.

**DATE**  
December 23, 2015

**NAME (TYPE OR PRINT)**  
Joanna Eide

**SIGNATURE**

**TITLE**  
Rules Coordinator

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**DATE: December 23, 2015**

**TIME: 9:32 AM**

**WSR 16-01-193**