

Concise Explanatory Statement

Rules amended as part of this rulemaking:

WAC 220-200-100 Wildlife classified as protected shall not be hunted or fished.

WAC 220-610-010 Wildlife classified as endangered species.

Reasons for adopting these rules:

The department has reviewed all relevant data pertaining to the population status of Columbian sharp-tailed grouse and sea otter in Washington.

The Columbian sharp-tailed grouse historically was the most abundant and important game bird in eastern Washington during the 1800's. It was found throughout the grassland and shrub-steppe areas of eastern Washington, but was probably most abundant in Palouse prairie. They are now restricted to parts of Douglas, Okanogan, and Lincoln counties, and the Colville Reservation. The 2017 statewide population estimate based on lek counts was 608 birds.

The Columbian sharp-tailed grouse was state-listed as threatened in 1998, and a state recovery plan was completed in 2012. Habitat quantity, quality, and fragmentation limit Columbian sharp-tailed grouse populations. Historically, the highest densities of Columbian sharp-tailed grouse were in relatively moist grassland and steppe vegetation types, with creeks that have deciduous trees and shrubs that provide berries, buds, and catkins for winter habitat. The remaining local populations of Columbian sharp-tailed grouse in Washington are small, relatively isolated from one another, and may not persist unless they increase in size. Wildfires have had a short-term and unknown impact and habitat connectivity continues to diminish. For these reasons, it is recommended that the Columbian sharp-tailed grouse be reclassified to state endangered in Washington.

Sea otters in Washington historically ranged from the Columbia River to Port Angeles. The species was exploited during the heyday of the fur trade and was extirpated in the state by 1910. Sea otters were reintroduced to Washington in 1969 and 1970. Washington's current sea otter population is restricted to a roughly 130-kilometer stretch of outer coast along the Olympic Peninsula. There is no consensus on why sea otters are not clearly expanding into available habitat. The population has shown strong growth and in 2017 exceeded the downlisting criteria outlined in the 2004 Recovery Plan of 1,640 sea otters over a 3-year period.

Despite a steady increase in numbers and density, the Washington sea otter population is at risk of losing significant numbers should a catastrophic event such as a large oil spill occur off Washington's coast. Sea otters also remain at risk from disease, toxins, and effects of climate change. The sea otter has been classified as a state endangered species in Washington since 1981. Given the steady and substantial increase in numbers and evidence of genetic exchange with the British Columbia sea otter population, it is recommended that the sea otter be reclassified to state threatened in Washington.

Differences between the proposed rule and the rule as adopted:

None.

Comments received during the official public comment period:

There were no public comments.