

**Concise Explanatory Statement
Periodic Status Review: American White Pelican**

Rules amended as part of this rulemaking:

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

Rules repealed as part of this rulemaking:

N/A

Rules created as part of this rulemaking:

N/A

1. Background/Summary of Project:

This rule reclassifies the American white pelican within WAC 220-200-100 “Wildlife classified as protected shall not be hunted or fished” from a threatened to a sensitive classification. This rule change communicates a lower level of conservation concern for the species and advancement towards their recovery. WAC 220-610-110(11.1) guides WDFW to draft a management plan for sensitive species, rather than a recovery plan. The white pelican is downlisted to sensitive species within WAC 220-200-100.

2. Reasons for adopting the rule:

The western population of white pelicans has recovered substantially and given the size of the Badger Island colony and number of non-breeding white pelicans in Washington during the past several years, the agency downlisted the species.

The species remains somewhat vulnerable, however, as only the single colony regularly forms in Washington, and white pelican colonies are highly sensitive to disturbances; adults will desert and/or leave eggs leaving their young exposed to predation following disturbances.

3. Differences between the text of the proposed rule and the rule as adopted:

None.

4. Public comments, response to comments, and consideration of comments

We received 13 total comments on the Periodic Status Review, rulemaking, and during the public hearing.

Comment:

WDFW had multiple comments to approve of the recommendation to downlist from a threatened to a sensitive classification including the Columbia River Inter-tribal Fish Commission.

WDFW Response:

WDFW Staff proceeded to ask the Fish and Wildlife Commission to approve the decision to downlist.

Comment:

WDFW Wildlife Diversity Advisory Council opposed the downlisting on the basis of there only being a single reliable and vulnerable nesting colony and numbers leveling off.

WDFW Response:

WDFW met and discussed the White Pelican Periodic Status Review and recommendation with the Wildlife Diversity Council in detail. We also agree that the single colony is vulnerable and needs protection, however the colony is over 3,000 birds and managed by the USFWS. Because of this fact, WDFW feels the definition of a Sensitive species is more appropriate than Threatened.

Comment:

There were comments expressing concerns for fisheries and the impacts pelicans are having on fisheries, particularly salmon and steelhead on the Columbia River.

WDFW Response:

These comments are not specifically addressing the topic of a status change, but this topic was discussed in the Periodic Status Review and incorporated as part of the presentation to the commission.

Comment:

Disapproved of hazing of pelicans at dams also with no comment on the status of the species.

WDFW Response:

These comments are not specifically addressing the topic of a status change, but this topic was discussed in the Periodic Status Review and incorporated as part of the presentation to the commissions. Both Sensitive and Threatened species are Protected Wildlife and a downlisting to sensitive does specifically allow for additional take without the same process and consideration as necessary for Threatened wildlife.