**Concise Explanatory Statement**

**Periodic Status Review: Western Gray Squirrel**

**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.

**Rules repealed as part of this rulemaking:**

N/A

**Rules created as part of this rulemaking:**

N/A

1. **Background/Summary of Project:**

The Western Gray Squirrel is one of three native tree squirrel species in Washington. It was historically distributed at low elevations from Pierce County southward to Clark County, through the Columbia River gorge, and in low to mid-elevations along the eastern Cascade Mountains from Klickitat to Okanogan counties. Current distribution in the state is now primarily limited to three areas: the Klickitat region (Klickitat, southern Yakima, and southeastern Skamania counties); the North Cascades (Okanogan and Chelan counties); and the southern Puget Trough (Joint Base Lewis-McChord and small areas off-base in Pierce and Thurston counties).

Although not well documented, Western Gray Squirrels were probably once uncommon to locally common across much of their range in Washington. The species was in decline by the late 1800s and was considered rare by 1970. In 2007, the statewide population was estimated to be between 468 and 1,405 squirrels (937 ± 50%) based on data from 1994-2005. Populations have not been estimated since, but occupancy surveys were conducted 2018-2020 to establish a baseline for monitoring trends in coming years.

In the past decade, the southern Puget Trough population may have increased somewhat due mainly to habitat work and augmentation of the squirrel population on Joint Base Lewis-McChord (JBLM) in 2007-2012. Research and local surveys in the North Cascades since that time suggested the population was higher than the 2007 estimate, but likely declined following wildfires in 2014, 2015, and 2021. An assessment of change in availability of Western Gray Squirrel primary habitat between 1993 (listing) and 2017 found gains from successional processes (e.g., tree recruitment and tree growth) did not compensate for habitat loss. Estimated net loss of habitat totaled 20.8% for the North Cascades and 21.2% for the South Cascades (Vander Haegen and others 2022). Wildfire was the dominant disturbance in plots examined in the North Cascades while timber harvest predominated in the South Cascades.

1. **Reasons for adopting the rule:**

Because of the species’ relatively small total population size throughout the state, isolation of the three populations, continuing threats of wildfires and timber harvest, and a likely decline in primary habitat of >20% in both the North Cascades and Klickitat regions, it is recommended that the Western Gray Squirrel be uplisted to endangered in Washington. Endangered Wildlife is defined as likely to become extinct in all or a significant portion of its range in Washington without management action.

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

None

1. **Public comments, response to comments, and consideration of comments**

Department staff have summarized all comments received regarding the proposed rule and responding to the comments by category or subject matter, indicating how the final rule reflects agency consideration of the comments, or why it fails to do so per RCW 34.05.325(6)(a)(iii).

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| **Origin** | **Category** | **Form** | **Result** |
| CR 102 | Support uplisting, due to limited number of animals and limited range. | Form Letter | Reflected in the recommendation. |
| CR 102 | Support uplisting, concerned about threats from nonnative squirrels, or other threats to the species. | Written Comment, and email | Reflected in the recommendation. |
| CR 102 | Did not support the uplisting due to squirrels being abundant.  | Written Comment | It’s not always clear in these comments whether they are referring to eastern gray squirrels or western gray squirrels. Localized abundance may be real for either and does not change the recommendation. |
| CR 102 | Unclear if they are commenting on eastern or western gray squirrels, or the proposed rulemaking. | Written Comment | No change to the rule making recommendation. Have begun conversations with our communications staff to improve awareness. |
| CR 102 | General comments and observations, or support for habitat. | Written Comment and email | Not always clear what squirrel species they are referring to. Voiced support for western gray squirrel habitat in some cases. |
| CR 102 | Suggest cooperative conservation will be hindered by an uplisting and encourage WDFW to focus on that first. Suggest additional science needed before making a decision. | Written and email | WDFW have presented the best available science at this time and addressed technical comments into the Periodic Status Review as appropriate. |
| CR 102 | Voluntary measures are not adequate. | Written | Addressed in the Periodic Status Review. |
| SEPA | Support recommendation. | Written | Reflected in the recommendation. |
| SEPA | Comments are on eastern gray squirrels. | Written | Not the subject of rulemaking. |