



State of Washington

## DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N - Olympia, Washington 98501-1091 - (360) 902-2200, TDD (360) 902-2207  
Main Office location: Natural Resources Building - 1111 Washington Street SE - Olympia, WA

### DETERMINATION OF NONSIGNIFICANCE (DNS)

**Name of Proposal:** RECLASSIFICATION OF THE BALD EAGLE FROM STATE ENDANGERED TO STATE SENSITIVE SPECIES (PROTECTED WILDLIFE) (WAC 232.12.011).

**Description of Proposal:** The Washington Department of Fish and Wildlife (WDFW) is evaluating the Bald Eagle for possible down-listing from a state threatened to a state sensitive species. WAC 232.12.011 identifies threatened and sensitive species in Washington which are in need of special management consideration to keep them from becoming endangered or threatened. The proposed amendment to WAC 232.12.011 would reclassify the Bald Eagle from a state threatened species to a state sensitive species.

Listing of species is based solely on the biological status of the species. The first step in the process is to develop a preliminary species status report. The report includes a review of information relevant to the species' status in Washington and addresses factors affecting its status including, but not limited to: historic, current, and future species population trends, natural history including ecological relationships, historic and current habitat trends, population demographics and their relationship to long term sustainability, and historic and current species management activities.

The procedures then provide for a 90-day public review opportunity for interested parties to submit new scientific data relevant to the draft status report and classification recommendation. The 2001 Status Report for the Bald eagle was reviewed by researchers and state, provincial, and federal agencies, and was then subject to a 90-day public comment period from 1 July – 30 September 2001. It was reviewed by bald eagle specialists in Washington Department of Fish and Wildlife and external experts, and will be subject to a 30-day public review. During the 90-day review period, the Department may hold public meetings to take comments and answer questions. The WDFW held three public meetings on this issue during the review period in Olympia (August 7, 2001), Yakima (August 8, 2001), and Mill Creek (August 14, 2001). At the close of the comment period, the Department completed the final status report. The final report and recommendations are then released 30 days prior to the Commission presentation for public review. However, the recommendation to down-list the species to sensitive was postponed until the species was removed from the federal list of threatened species. The U.S. Fish and Wildlife Service removed the bald eagle from the federal list of threatened and endangered species in August 2007. Bald eagles and their nests are still protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. The Bald and Golden Eagle Protection Act also prohibits disturbance or molesting of eagles.

The 2001 status report has now been updated and the report and recommendation for downlisting will be presented to the Washington Fish and Wildlife Commission. The Department will present this status review and a recommendation to down-list the bald eagle to the Fish and Wildlife Commission at the 8 December meeting in Port Angeles. The Commission is then expected to take action on the proposal at the 10-12 January 2008 meeting.

Draft and final status reports were prepared for the species proposed to be reclassified. The Draft Status Report was available for a 3-month public review (July 1 – 30 September 2001). The Final Status report (<http://wdfw.wa.gov/wlm/diversty/soc/concern.htm>) has been updated and a public comment period is planned from 31 October to 30 November 2007.

**Proponent/Applicant:**

Endangered Species Section Manager  
Washington Dept. Fish and Wildlife  
600 Capitol Way N  
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**Location of Proposal, including street, if any:** Statewide, Washington, All Counties; WM

**Lead Agency:** Washington Department of Fish and Wildlife (WDFW)

WDFW has determined that this proposal will have no probable significant adverse impacts on the environment. Therefore, an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). We made this determination of nonsignificance (DNS) after review of the environmental checklist and other information on file with us. This information is available to the public on request.

Agencies, affected tribes and members of the public are invited to comment on this proposal.

We issued this DNS under WAC 197-11-340(2). We will **not act on this proposal for 14 days** from the date of issuance of this DNS. If you have comments about this DNS or this proposal, we must receive your comments by **November 19, 2007**.

When you send us your comments, please provide the name of proposal in your comment letter and mail it to:

**Responsible Official:** Teresa A. Eturaspe

**Position/Title:** SEPA/NEPA Coordinator, Regulatory Services Section

**Address:** 600 Capitol Way North, Olympia, WA 98501

You can also send your comments via email to: [SEPAdesk@dfw.wa.gov](mailto:SEPAdesk@dfw.wa.gov)

You can also send you comments via fax to: (360) 902-2946.

If you have questions about this action, please contact:

Teresa A. Eturaspe **Phone:** (360) 902-2575 **Fax:** (360) 902-2946 or  
**email:** [SEPAdesk@dfw.wa.gov](mailto:SEPAdesk@dfw.wa.gov)

**DATE OF ISSUE:** November 2, 2007 **SIGNATURE:**

