

WDFW RESPONSES TO SEPA AND PSR PUBLIC COMMENTS

WDFW responses to public comments received during the 90-day concurrent public review periods for the draft *Periodic Status Review for the Bald Eagle in Washington* conducted from July 12, 2016, to October 10, 2016. The comments presented here are summaries of the remarks provided by one or more people or organizations.

Report Section	Comment and Response
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Population and Habitat Status	1. The population of Bald Eagles in Washington has recovered and should be delisted.
	<i>We agree with this comment.</i>
	2. We don't have a true count of the number of Bald Eagles in Washington.
	<i>This is correct, and is true for nearly every wildlife species in every state. Obtaining actual counts of every individual in a population would be prohibitively expensive, impractical, and would be essentially impossible for most species. Given the discontinuation of post-delisting monitoring by the U.S. Fish and Wildlife Service, we relied on information from Stinson et al. (2007) to inform about vital rates, WDFW's Washington Survey Data Management database to calculate the number of new territories established or documented since 2007, and the Breeding Bird Survey to evaluate trends in abundance.</i>

Data on Bald Eagle population performance at a national level is important to understand for context, and we included a summary of that information in the status review. The emphasis of the status review is the population in Washington, and the status review included a brief summary of the trend data reported in Stinson et al. (2007). To respond specifically to the two statements above, we note the second comment is correct. The website that was referenced with respect to the first statement contains summary information and state-by-state tallies of eagle abundance through 2006. It is noteworthy, however, that the level of survey activity across states declined substantially after 2000; some states did not conduct surveys between 2000 and 2006 which means that tallies were incomplete in those years. Without a complete data set to make comparisons we think the dramatic difference between 2005 and 2006 counts noted by the commenter was likely influenced to some extent by different levels of survey coverage in those years and does not represent an almost 40% increase in population size in one year. Nonetheless, we agree that the population is strongly increasing in Washington and across North America.

We agree with this statement.

Report Section	Comment and Response
	<p>5. In 1980, there were only 105 occupied Bald Eagle nests in the state. This number increased by around 30 per year, so that by 2005 Washington supported over 840 breeding pairs, which was 12% of the entire Bald Eagle population in the lower 48 states.</p>
	<p><i>In 1980, there were 104 occupied Bald Eagle territories documented in Washington and this number increased to 840 by 2005 (Stinson et al. 2007). The tally of Bald Eagles in Washington in 2005 was about 12% of the total national count from 2005; note, however, that the national tally from 2005 did not include data from all states and likely underrepresented the abundance of Bald Eagles in North America (see response to comment 3).</i></p>
<p>Factors Affecting Continued Existence</p>	<p>6. Retain the Bald Eagle as a listed species, because they are recovering slowly due to factors like habitat loss and vehicle collisions; they are still vulnerable to a precipitous decline.</p>
	<p><i>The Bald Eagle is currently considered a sensitive species. This status applies to “any wildlife species native to the state of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a significant portion of its range within the state without cooperative management or removal of threats” (WAC 232-12-297). The population of Bald Eagles in Washington is healthy and survey data indicate the number of Bald Eagles is continuing to increase. Therefore, it is no longer vulnerable or declining and is not likely to become endangered or threatened, in part because of the effectiveness of other existing regulations. For these reasons, the Bald Eagle population in Washington no longer meets the definition of a sensitive species. The recovery of the Bald Eagle is a tremendous success story, both in Washington and across North America.</i></p>
	<p>7. Bald Eagles are protected by federal laws.</p>
	<p><i>This is correct. Bald Eagles are protected under three federal laws: the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and the Lacey Act.</i></p>
	<p>8. Numerous federal laws provide ample protection and make Washington’s state listing redundant and ultimately meaningless.</p>
	<p><i>The purpose of this document is to provide a technical briefing to the Fish and Wildlife Commission that will inform their subsequent decision about the status of the Bald Eagle. Consequently, this particular public comment is beyond the scope of the document.</i></p>
<p>Conclusion and Recommendation</p>	<p>9. The state-level listing of a stable, healthy, and thriving population is not consistent with the language and purpose of Washington’s ESA.</p>
	<p><i>The Bald Eagle was listed in Washington at a time when its population was dramatically depressed and the species was doing poorly. The population has now clearly recovered, and with regulatory mechanisms in place to provide continued protection the time has come to delist the species. Our recommendation to the Fish and Wildlife Commission is to delist the Bald Eagle as it no longer meets the definitions of Sensitive, Threatened, or Endangered as defined in WAC 232-12-297.</i></p>