



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:** DNS 16-035: DELISTING BALD EAGLES AS A STATE SENSITIVE SPECIES

**Description of Proposal:**

The Washington Department of Fish and Wildlife (WDFW) has evaluated the population status of the Bald Eagle, which is currently a state sensitive species. One rule is proposed to be amended: WAC 232-12-011. WAC 232-12-011 identifies sensitive species in Washington that are vulnerable or declining and at risk of becoming endangered or threatened in the state and are in need of recovery actions to restore populations to healthy levels. The rule also identifies species listed as threatened and species classified as protected wildlife.

Pursuant to WAC 232-12-297(6.1.1) and (6.2), WDFW is proposing to amend WAC 232-12-011 and is requesting that the Washington Fish and Wildlife Commission adopt the Department's recommendation to delist Bald Eagles as a state sensitive species. Rationale for this action are presented in the *Draft Washington State Periodic Status Review for the Bald Eagle*. The report provides an analysis of the factors cited in WAC 232-12-297(7.1.1) through (7.1.5) and considers all information relevant to the status of the species in Washington as well as in the nation.

As described in the report, Bald Eagles were first listed under the Federal Endangered Species Act in 1978. The imperiled status of the species was primarily due to the effects of the widespread use of the pesticide DDT and, to a lesser extent, habitat loss. Protection measures to recover the species have abated those threats allowing Bald Eagles to make an incredible recovery both within Washington as well as nationally. In Washington, nest density exceeded estimated carrying capacity by over 100 active territories by 2005 and indications are that the number of territories has increased by an average of 28 per year since then, adding 281 territories since the last directed state-wide survey. The total number of known territories in the state is now 1334 as of 2015 and the trend is continuing to increase. While there are still potential threats across the landscape, the preponderance of evidence suggests that the Bald Eagle population continues to grow despite those threats. It is, therefore, recommended that the designation of sensitive status for Bald Eagles is no longer appropriate and that the species be removed from the State's list of endangered, threatened, and sensitive species.

Draft versions of the *Washington State Periodic Status Review for the Bald Eagle* were evaluated by the scientific community, including both WDFW scientists and external scientists. Members of the public are also invited to review the draft periodic status review during a public comment period that extends from July 12 to October 10, 2016. After the close of the public review period, the Department will prepare the final periodic status review and delisting recommendation.

The final listing recommendation is planned to be presented to the Washington Fish and Wildlife Commission on November 4-5, 2016 and the Commission is expected to take action on the recommendation on December 9-10, 2016.

**Proponent/Applicant:** Washington State Department of Fish and Wildlife (WDFW)  
Contact: Hannah Anderson, Listing and Recovery Section Manager  
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**Location of Proposal, including street, if any:** Bald Eagles are distributed widely across North America where there are aquatic habitats including marine coasts, rivers and lakes. They are well distributed in Washington with the majority of the population west of the Cascade Range.

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

WDFW has determined that this proposal will likely not have a significant adverse impact on the environment. Therefore, state law<sup>1</sup> does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us.

We issued this DNS according to state rules.<sup>2</sup> We will **not act on this proposal for 90 days** from the date we issued the DNS. Agencies, affected tribes, and members of the public are invited to comment on this proposal or DNS. We must receive your comments within 14 days of the date of this letter. The comment period will end at **5:00 pm on October 10, 2016**.

**Method of Comment:** The following procedures shall govern the method to comment on agency SEPA proposals. Comments received through these procedures are part of the official SEPA record for this proposal.

You can submit your comments any one of the following ways:

- Email to [SEPAdesk2@dfw.wa.gov](mailto:SEPAdesk2@dfw.wa.gov)
- Online at the WDFW SEPA website comment link at: <http://wdfw.wa.gov/licensing/sepa/>
- Fax to (360) 902-2946;
- Mail to the address below.

**Responsible Official:** Lisa Wood

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

**Address:** 600 Capitol Way North, Olympia, WA 98501-1091

After the comment period closes, applicants may view the updated status of this proposal on the WDFW SEPA website: <http://wdfw.wa.gov/licensing/sepa/>. Once the status is posted as final, applicants and permittees may take action on the proposal. When a proposal is modified or withdrawn, notice will be given in accordance with state law.<sup>1</sup>

If you have questions about this DNS or the details of the proposal, contact Lisa Wood at the address, e-mail, or fax number above; you can also call her at (360) 902-2260.

**DATE OF ISSUE:** July 12, 2016

**SIGNATURE:**



Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).