



State of Washington  
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

**DETERMINATION OF NONSIGNIFICANCE (DNS)**

**Name of Proposal:** DNS 18-030: DOWNLISTING SEA OTTERS FROM A STATE  
ENDANGERED SPECIES TO A STATE THREATENED SPECIES

**Description of Proposal:**

The Washington Department of Fish and Wildlife (WDFW) has evaluated the population status of the Sea Otter (*Enhydra lutris*), which is currently a state endangered species. Two rules are proposed to be amended: WAC 220-610-010 and WAC 220-200-100. WAC 220-610-010 identifies endangered species in Washington as those that are seriously threatened with extinction in the state and are in need of recovery actions to restore populations to healthy levels. WAC 220-200-100 identifies species classified as protected, which are designated into three subcategories: threatened, sensitive, and other. Threatened species are those that are likely to become endangered within the foreseeable future.

Pursuant to WAC 220-610-110 (6.1.1) and (6.2), WDFW is proposing to amend WAC 220-610-010 and WAC 220-200-100 and is requesting that the Washington Fish and Wildlife Commission adopt the Department's recommendation to downlist the Sea Otter from a state endangered species to a state threatened species. Rationales for this action are presented in the *Draft Washington State Periodic Status Review for the Sea Otter*.

As described in the report, Washington's sea otter population has shown strong growth, averaging 9.5% per year since 1989 and has increased to a 3-year running average of 1,753 individuals from 2016 through 2017. This exceeds the downlisting objective in the 2004 Recovery Plan of 1,640 sea otters over a 3-year period. Genetic exchange with the British Columbia sea otter population is occurring, but to an unknown degree. Despite a steady increase in numbers and density, the state sea otter population remains at risk of losing significant numbers should a catastrophic event such as a large oil spill occur off Washington's coast. They remain at risk from disease, toxins, and effects of climate change. Given the steady and substantial increase in numbers and evidence of genetic exchange with the British Columbia population the sea otter no longer meets the criteria for a state endangered species. Therefore, the Department's recommendation is to list the Sea Otter as a state threatened species in Washington.

Draft versions of the *Washington State Periodic Status Review for the Sea Otter* 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 February 6 to May 9, 2018. After the close of the public review period, the Department will prepare the final periodic status review and downlisting recommendation.

The final listing recommendation is planned to be presented to the Washington Fish and Wildlife Commission on June 15, 2018 and the Commission is expected to take action on the recommendation on August 10, 2018.

**Proponent/Applicant:** Washington State Department of Fish and Wildlife (WDFW)  
Contact: Hannah Anderson, Listing and Recovery Section Manager  
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Olympia, WA 98502  
(360) 902-8403  
[Hannah.Anderson@dfw.wa.gov](mailto:Hannah.Anderson@dfw.wa.gov)

**Location of Proposal, including street, if any:** The Sea Otter occurs in the Salish Sea and outer coastal waters of western Washington in the following counties: San Juan, Island, Clallam, Jefferson, Grays Harbor, and Pacific.

**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 14 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 May 24, 2018**.

**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 Habitat Program, Protection Division

**Address:** P.O. Box 43200, Olympia, WA 98504-3200

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:** May 10, 2018

**SIGNATURE:**



Footnotes

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