



State Listing Overview

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Listed & Candidate Species in WA

State

- ▶ Endangered (36)
- ▶ Threatened (4)
- ▶ Sensitive (7)
- ▶ Other protected
- ▶ Candidate (71)

Federal (species/listed entity)

- ▶ Endangered (17/18)
- ▶ Threatened (23/33)
- ▶ Candidate (0)



Canada Lynx – FT, SE

How do
species get
state listed?



Orca - FE, SE

Authority, Rules, Policy

- ▶ RCW 77.120 - authorizes Commission to classify "wildlife" as endangered, protected
- ▶ Definition of "wildlife" specifically excludes fish and shellfish managed by former Dept of Fisheries
- ▶ WACs
 - ▶ 220-610-011 (Listing Procedures)
 - ▶ 220-610-010 (Endangered)
 - ▶ 220-200-100 (Protected – Threatened, Sensitive, Other Protected)
- ▶ Candidate species (Policy 5301)



Mardon Skipper - SE

Candidate Species *Policy 5301*

Species and subspecies that may meet the definition of endangered, threatened, or sensitive; includes fish and shellfish



Process: Candidates

- Changes proposed and reviewed by staff. Recommendations to Director for decision.
- Any citizen can submit information to support a change to the candidate list
- Candidate assessments





Listed Species Classifications and Status WAC 220-610-110

These rules are established to ensure that a consistent procedure and criteria are followed when classifying wildlife as endangered, or protected wildlife subcategories threatened and sensitive.

- ▶ Definitions, including those for the three statuses endangered, threatened, and sensitive
- ▶ Listing and delisting criteria
- ▶ Process for changing status
- ▶ Periodic Status Reviews and Recovery/management plans

Definitions

- ▶ **Endangered Species:** seriously threatened with extinction throughout all or a significant portion of its range
WAC 220-610-011
- ▶ **Protected Species:** *WAC 220-200-100*
 - ▶ **Threatened Species:** Likely to become endangered within the foreseeable future without cooperative removal of threats
 - ▶ **Sensitive Species:** vulnerable or declining and likely to become E or T in a significant portion of its range without cooperative management or removal of threats
 - ▶ **Other Protected*:** identified protected species plus all non-game and non-predatory birds, bats, cetaceans, pinnipeds



Rhinoceros auklet
Photo by Scott Pearson



Common Loon - SS

Listing and Delisting Criteria

Based on preponderance of available scientific data

If listed under the federal ESA, the agency will recommend it be listed to the commission

Listed and delisted based on population in danger of failing, declining, vulnerable, goals identified in recovery plans, and the definitions

Island Marble Butterfly – FE, SC

Listing and Delisting Process

- ▶ Listing or delisting may be initiated from agency recommendation, petition from interested party, or commission request to review
- ▶ The process involves a public notice and notification to interested parties requesting information relevant to a decision
- ▶ New listings require a status report summarizing the biological, historical, population data, etc. for the species which will be reviewed by the public and scientific community.
- ▶ Normal SEPA and rule making processes apply.



Sandhill Crane - SE

Periodic Status Reviews



Agency shall conduct a review of each listed species at least every 5 years including an update to the Status Report to determine if the status warrants reclassification



Notification to interested parties one year in advance of drafting Periodic Status Review
And includes 90-day public comment period on draft



The Agency makes a status recommendation to the commission and if warranted includes processes for changing classification via rule change

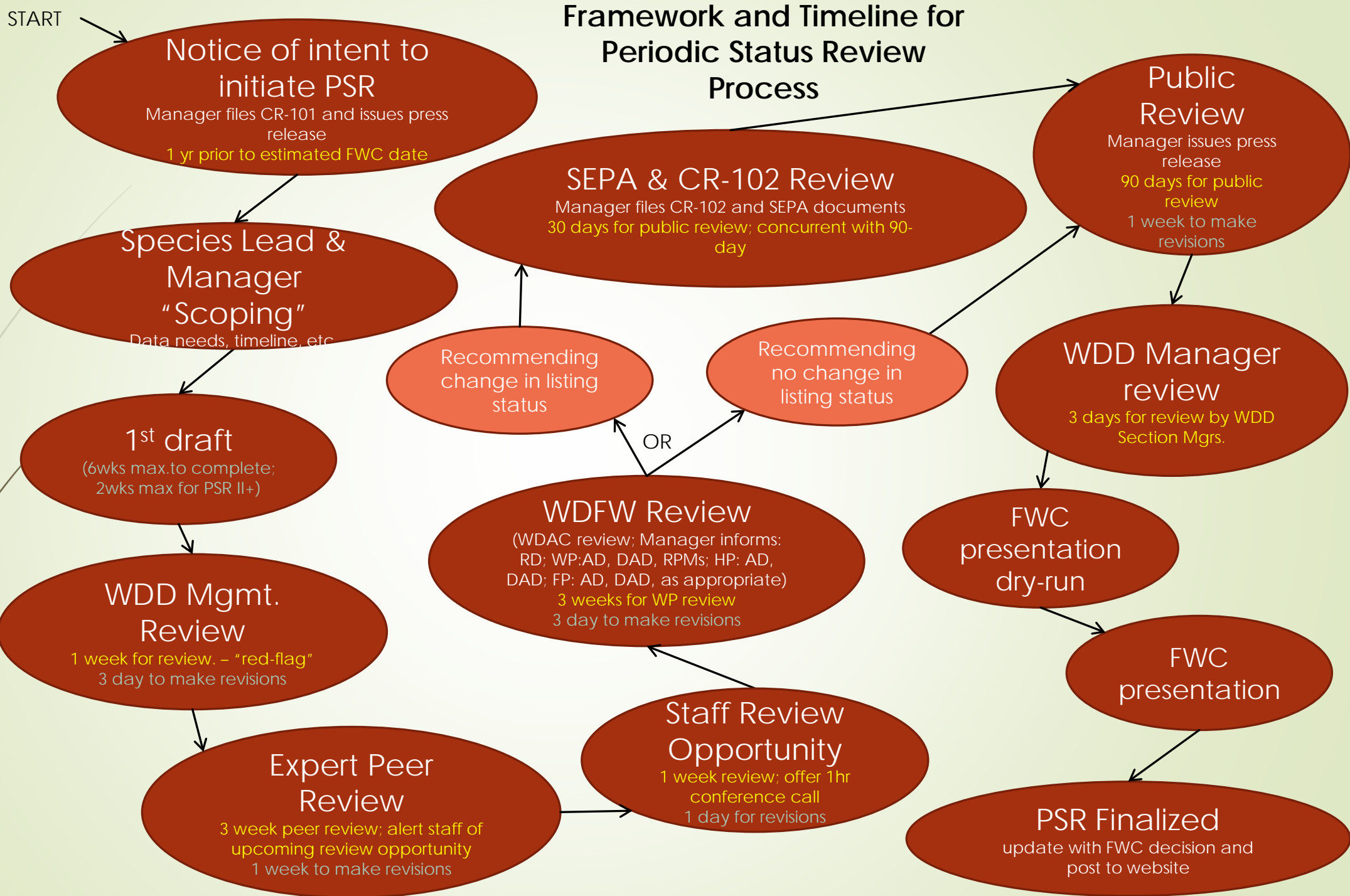


Status Report/ Periodic Status Review Contents

- Description and legal status
- Distribution
- Natural History
- Population and Habitat Status
- Factors Affecting Continued Existence
- Management Activities
- Conclusion and Recommendation

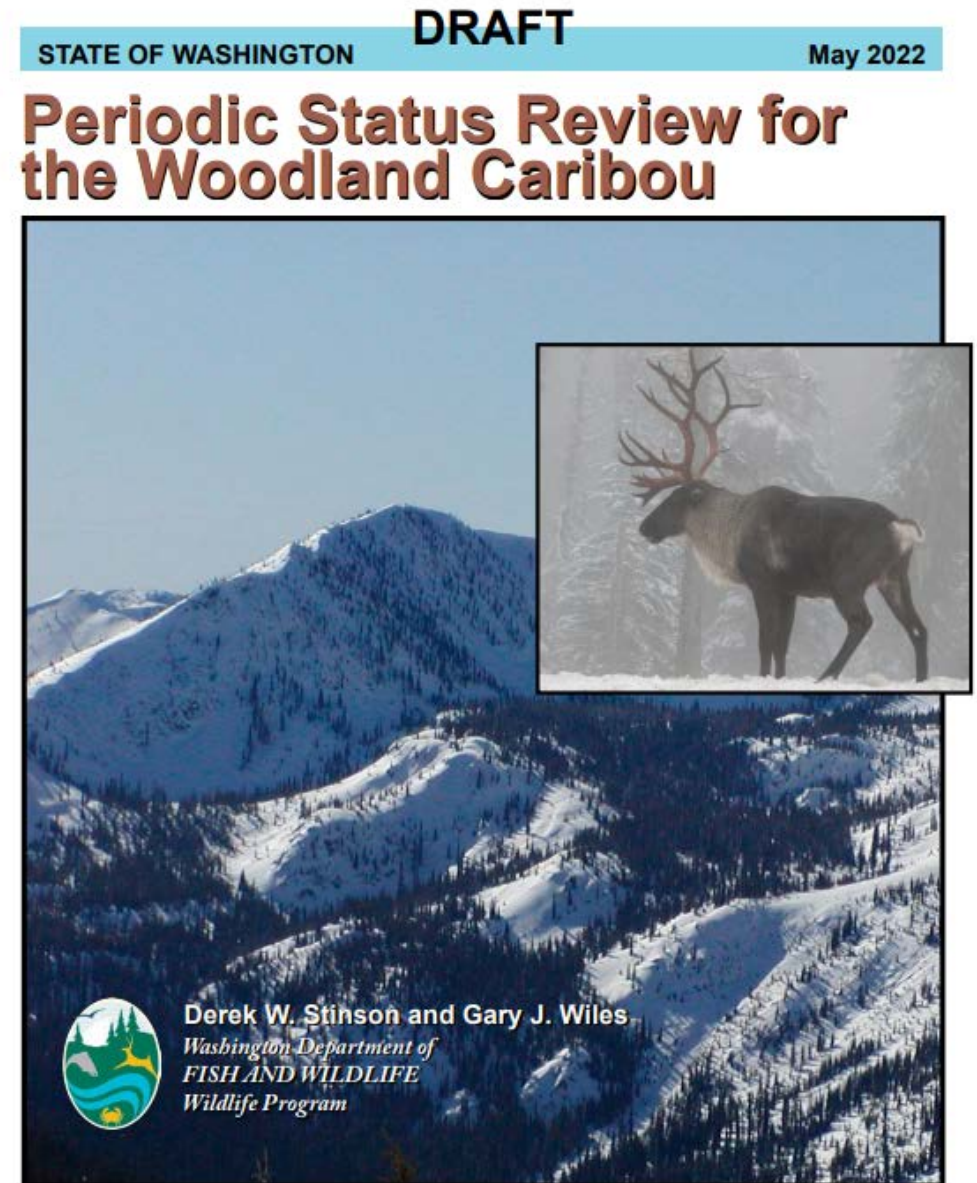


Framework and Timeline for Periodic Status Review Process



Upcoming FWC Status Decisions

- ▶ Woodland Caribou – recommended maintain Endangered
- ▶ Columbia White-tailed Deer – recommended downlist to Threatened
- ▶ Western Gray Squirrel
- ▶ Mardon Skipper
- ▶ Common Loon
- ▶ Southern Resident Killer Whale



What is the
effect of state
listing?



Greater Sage Grouse - SE



Most Impactful Effect

- Brighter spotlight on conservation need
- Listed species gain recognition by other entities for protection and funding
- Recovery actions identified and prioritized for implementation

Recovery and Management plans

- Target population objectives
- Criteria for reclassification
- Implementation plan
- Public education needs
- Monitoring plan



State Protection from Take

RCW 77.15.120 - Unlawful taking of endangered fish or wildlife

- ▶ Hunts, fishes, possesses, **maliciously** harasses or kills endangered fish or wildlife, or **maliciously** destroys the nests or eggs of endangered fish or wildlife and taking not authorized by rule of Commission
- ▶ Unlawful taking in first degree is class C felony
- ▶ Unlawful taking in second degree is gross misdemeanor

RCW 77.15.130 - Unlawful taking of protected fish or wildlife (includes threatened, sensitive, other protected)

- ▶ Unlawful taking is misdemeanor



Western Pond Turtle - SE

State Indirect Effects

Priority Habitats and Species (PHS)

- All E, T, S and Candidate species are PHS-species
- PHS is the agency's primary means of transferring fish and wildlife information to local governments, landowners, and others who use it to protect habitat.
- There are no state "PHS regulations" per se. PHS does not by itself create an obligation by the landowner
- PHS is the best available science used to inform critical area ordinances to protect habitat required by the Growth Management Act

Forest Practices

- Habitat of forest E, T, S species may become regulated by mandatory critical habitat rule or voluntary measures
- Changes in status trigger a recommendation by WDFW to WDNR on rules or voluntary measures

Focus on Recovery

Conserving state listed species can preclude the need for federal listing

Doing good things for listed species is the path to de-regulation.

More critters is better. "Butterflies fence-post to fence-post"



Taylor's checkerspot butterfly – FE, SE



f Hicker

Bald Eagle - Recovered



Wildlife Diversity Advisory Council reviewing
WAC 220-610-110

If appropriate, would brief FWC Wildlife
Committee with recommendations

Western Snowy
Plover – FT, SE

Why review now?

- ▶ It's been over 30 years since rules were adopted (6/15/1990)
- ▶ Implementation experience has led to better understanding of the current process and its strengths and challenges
- ▶ Some inefficiencies, inconsistencies, and redundancies identified
- ▶ There may be better solutions which result in the same outcome with less work



Columbia Basin Pygmy Rabbit – FE, SE



White-tailed Ptarmigan – proposed FT



Questions