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**Agriculture & Natural Resources  
Committee**

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**SSB 5583**

**Brief Description:** Providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senator Dandel).

**Brief Summary of Substitute Bill**

- Directs the Fish and Wildlife Commission to consider petitions for changing the classification of an endangered, threatened, or sensitive terrestrial mammal species on a regional basis based on the biological status of the species in the proposed region and not on the region's contribution to overall statewide recovery.
- Requires any updated management plans or rules to give deference to the customs and cultures of local communities over statewide recovery goals for any regionally delisted species and be developed jointly and in coordination with any interested county legislative authorities.

**Hearing Date:** 2/23/16

**Staff:** Jason Callahan (786-7117).

**Background:**

The Washington Department of Fish and Wildlife (WDFW) operates under a legislative mandate to preserve, protect, perpetuate, and manage the state's wildlife. Wildlife is defined as all species of the animal kingdom whose members exist in Washington in a wild state. This includes mammals, birds, reptiles, amphibians, fish, and invertebrates.

The Fish and Wildlife Commission (Commission) has the authority to identify species that are seriously threatened with extinction and designate those species as endangered. Such a species

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classification must be requested by the Director of the WDFW (RCW 77.12.020). The Commission may only list a species as endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered. This decision must be based on the preponderance of scientific data. Species may be classified when populations are in danger of failing, declining, or are vulnerable (WAC 232-12-297).

Once listed, the Commission must also rely on the preponderance of available scientific data when making delisting or reclassification decisions. A species may be delisted from endangered, threatened, or sensitive only when populations are, solely on the basis of the biological status of the species being considered, no longer in danger of failing, declining, are becoming vulnerable. A delisting process may be initiated by the WDFW directly or by a petition to the WDFW by an interested person that sets forth the scientific data and specific evidence supporting the delisting of the species (WAC 232-12-297).

The listing of a species by the Commission requires the creation of a management plan for the species. The management plan must identify target population objectives, reclassification criteria, an implementation plan, public education, and a species monitoring plan (WAC 232-12-297).

To date, there are 47 terrestrial mammals, including bats, which are listed by the Commission as endangered, threatened, or protected or identified as a species of concern.

#### **Summary of Bill:**

If funding is provided, the Commission is directed to consider petitions for changing the classification of an endangered, threatened, or sensitive terrestrial mammal species on a regional basis. In determining the validity of petitions for regional classification changes, the Commission must consider the biological status of the terrestrial mammal species in the proposed region identified in the petition and not on the region's contribution to overall statewide recovery. The ultimate decision by the Commission must be based on the preponderance of the scientific information available and the species' status under the federal Endangered Species Act. The Commission may not use any pre-existing management plans as a basis for determining the regional biological status of the species.

A regional change in the classification of a species requires the Commission to amend any statewide management plans or administrative rules for the species. The updated plans or rules must provide for a balance of management outcomes that considers the regional management needs of the species, how the management of the species affects overall wildlife management of all species in the region, and how the management of both the species in question and all other species in the region affects the customs and cultures of the local community.

The WDFW must give deference to the customs and cultures of local communities over statewide recovery goals for any regionally delisted species. To capture those customs and cultures of a community, the WDFW must develop species management plans or rules jointly and in coordination with any interested county legislative authorities.

Although the Commission is given the authority to delist terrestrial mammal species on a regional basis, all new listing of species may only occur on a statewide basis.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.