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November 20, 2008

Lee Folliard
U.S. Fish and Wildlife Service
2600 SE 98th Avenue, Suite 100
Portland, OR 97266

Re: Comments on the Proposed Elliott State Forest HCP

Dear Mr. Folliard

On behalf of the Pacific Seabird Group (PSG), we are providing comments on the proposed Oregon Department of Forestry's (ODF) Elliott State Forest HCP with respect to the federally threatened Marbled Murrelet (*Brachyramphus marmoratus*). We express concern over the proposal to eliminate known occupied sites and unsurveyed, suitable habitat of this species, and further fragment remaining potential habitat. PSG is an international, non-profit organization that was founded in 1972 to promote the knowledge, study, and conservation of Pacific seabirds. It has a membership drawn from the entire Pacific basin, including Canada, Mexico, Russia, Japan, China, Australia, New Zealand, and the USA. Among PSG's members are biologists and scientists who have research interests in Pacific seabirds, government officials who manage seabird refuges and populations, and individuals who are interested in marine conservation. For two decades, PSG has taken an active lead in resolving many scientific aspects of the biology and conservation of Marbled Murrelets. PSG has served as an unbiased forum for government, university, and private sector biologists to discuss and resolve such issues.

The Marbled Murrelet was listed as threatened under the Endangered Species Act (ESA) in 1992 primarily because of significant losses of nesting habitat through logging and development in coastal forests of Washington, Oregon, and California (USFWS 1992). An objective of the Marbled Murrelet recovery plan (USFWS 1997) is to stabilize the population at or near current levels by maintaining and/or increasing productivity, and removing and/or minimizing threats to survivorship. In addition, protecting terrestrial habitat, including maintaining occupied sites, minimizing the loss of suitable but unoccupied habitat, creating and maintaining large blocks of contiguous forest cover, and maintaining and enhancing buffer habitat, are cited as essential for the long-term recovery of this species (USFWS 1997; 131-146). The planning area for this HCP is primarily in the Oregon Coast Range Recovery Zone, designated as Zone 3 in the Recovery Plan.

Within this zone, non-federal lands are identified as being critical to the survival and recovery of local and region wide murrelet populations, and the Elliott State Forest is noted as having large areas of suitable nesting habitat (USFWS 1997). This HCP, with its proposed logging of occupied and unsurveyed, suitable habitat and fragmentation of older forests, combined with already declining populations and significant habitat loss in the Oregon Coast Range (see below), will negatively affect the survival and recovery, and increase the risk of extinction, of this seabird.

Marbled Murrelet Habitat Continues to Decline

Despite the listing of the Marbled Murrelet as threatened in 1992 and the implementation of the Northwest Forest Plan in 1994 (NWFP; USDA and USDI 1994a,b), the amount of suitable murrelet habitat has continued to decline throughout their range. The loss and degradation of habitat has resulted from: (1) harvesting on private and state lands; (2) federal/private land exchanges; (3) thinning in suitable and occupied habitat, and buffers to suitable habitat; (4) habitat conservation plans; (5) fragmentation effects from adjacent harvests and thinnings; and (6) natural and anthropogenic causes including fire, windthrow, and disturbance. The total loss of suitable nesting habitat between 1992 and 2003 was estimated to be about 10% or 226,000 acres of the estimated of 2.2 million acres of suitable habitat (2003 estimate; McShane et al. 2004). Of this habitat, most was lost as a result of actions taken following formal consultations with the USFWS (92%), 80% on private land (71% on lands covered by HCPs) and 17% (34,951 acres) on federal land. More than 7,370 acres of occupied habitat were lost, and thousands of additional lost acres, which were not surveyed, likely contained murrelets. Under the NWFP, HCPs, and other habitat management plans, new murrelet habitat will not be suitable for 50-200 years. The inability to create new murrelet habitat in the short term combined with the continued harvesting of occupied and suitable habitat ensures a downward trend in suitable murrelet habitat and populations into the future.

The amount of mature and old-growth habitat suitable for murrelet nesting in coastal areas is significantly below historic minimums. For example, using a model based on historic fire size and historic fire frequency, Wimberly et al. (2000) estimated the mean percentage of old growth and late successional forest in the Oregon Coast Range during the last 3000 years. At the province scale, the mean percentage of old growth and late successional forest in the Oregon Coast Range was estimated at between 39 and 55%, and 66 and 76%, respectively. Currently the entire Coast Range province contains only approximately 5% old growth and 11% late successional forests.

The proposed BLM Western Oregon Management Plan (WOPR) will add significantly to the logging and fragmentation of murrelet habitat. The WOPR lands are immediately adjacent to the Elliott State Forest to the south and east. The murrelet population cannot sustain the logging proposed in either plan much less both combined together. We oppose the HCPs preferred alternative to increase logging by 75% in mature forests (including murrelet suitable and potential habitat) and increase clearcutting by 60%. This drastic reduction and fragmentation of older forests will be detrimental to this threatened species. Because of the continued decline of murrelet habitat and the paucity of large blocks of suitable habitat in the Oregon Coast Range, all remaining occupied and unsurveyed, suitable habitat on the Elliott State Forest is essential to the survival and recovery of the Marbled Murrelet in Oregon and should not be logged. In addition, every attempt should be made to buffer this habitat and create large, contiguous blocks of habitat in the future to improve habitat conditions for this species in the Oregon Coast Range. Creating Advance Structure Habitat as proposed in the HCP will not be valuable to murrelets if it is not adjacent to and

contiguous with current occupied sites as these birds have high site fidelity and may not move across the landscape just because new habitat has been created (McShane et al. 2004).

Marbled Murrelet Populations Continue to Decline

The Washington, Oregon, and California murrelet population is estimated to be 22,000 birds (McShane et al. 2004). Population modeling indicates that this population is declining and will be extinct in Oregon and California within 100 years without changes in the amount and quality of nesting habitat, and in demographic trends (McShane et al. 2004). Current population estimates based on at-sea surveys also show a downward trend, especially in Oregon and California (USFWS Effectiveness Monitoring under the NWFP). Low fecundity levels across Washington, Oregon, and California as measured by nest success indicate a population that cannot currently maintain itself (McShane et al. 2004, Beissinger and Peery 2003). Lower nest success is caused primarily by nest predation, which in turn is affected by forest fragmentation and proximity to human developments (McShane et al 2004, Raphael et al. 2002). Thus, in order to diminish the threat of nest predation and increase murrelet reproduction, the forest landscape and its surroundings must be protected to provide large, contiguous blocks of suitable nesting habitat.

The murrelet Recovery Plan recommends the following for recovering and maintaining populations: (1) maintain currently occupied sites and minimize the loss of suitable unoccupied habitat on non-federal lands; (2) maintain potential and suitable habitat in larger blocks, while maintaining north-south and east-west distribution of habitat; (3) maintain and enhance buffer habitat surrounding occupied habitat; (4) minimize nest disturbances to increase reproductive success; (5) increase the amount and quality of suitable nesting habitat; (6) decrease fragmentation by increasing size of suitable stands for interior habitat; and (7) protect "recruitment" nesting habitat. We recommend that all occupied and suitable murrelet habitat be maintained on the Elliott State Forest and managed in a way to create large blocks of nesting habitat into the future.

Specific Edits

Under 4.2.3 Management Status, change the following sentence in the first paragraph: "Marbled murrelet populations in Alaska are not regarded as threatened" to "Marbled murrelet populations in Alaska are currently not listed as threatened, but are declining in many areas of the state (Piatt et al. 2006)". The sentence as written is technically correct, but is misleading to the reader and disregards the best available science on the subject.

Summary

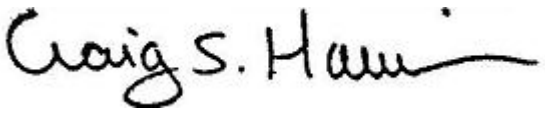
In summary: (1) murrelet populations continue to decline through low fecundity and high predation rates; (2) even with the current system of reserves (NWFP) and critical habitat, loss of occupied and suitable murrelet habitat is continuing; and (3) murrelet habitat declines will accelerate in the future with proposed changes to the NWFP (e.g., BLM WOPR) and other HCPs. Continued habitat loss and the continued fragmentation of habitat will increase the risk of extinction of this unique seabird. We agree with the Evaluation Report on the 5-Year Status Review for the murrelet that "It is unrealistic to expect that the species will recover before there is significant improvement in the amount and distribution of suitable nesting habitat" (McShane et al. 2004: 6-34).

Critical review of the ecology, demography, population trends, and requirements of the murrelet has been ignored in the development of this HCP. New research by Peery et al. (in review) highlights

the fact that the movement of individuals among populations is *per se* no cure against endangerment and ultimately extinction. Management agencies should routinely monitor the recruitment of immigrants into threatened populations to detect declines in local resident populations early enough to effectively implement conservation measures. Population numbers, recruitment levels, cumulative impacts of habitat loss and fragmentation, and many other critical data have not been assessed in development of this HCP. Without these assessments, it is impossible for ODF or USFWS to say that they are meeting the requirements of the ESA.

We believe that Oregon Department of Forestry's (ODF) proposal to eliminate Marbled Murrelet occupied and unsurveyed, suitable habitat and fragment older forests is inappropriate considering the current status of the population and the multitude of threats posed to the species at this time (including at-sea threats). Therefore, in order to ensure the survival and recovery of the Marbled Murrelet, it is essential that ODF modify their HCP to protect the murrelet, including maintaining all occupied and suitable habitat and minimizing older forest fragmentation. Without protection from further loss of occupied and suitable habitat, the Marbled Murrelet is likely to become extinct in Oregon in the foreseeable future.

Sincerely,



Craig S. Harrison
Vice-Chair for Conservation

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