

Pacific Seabird Group



DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

Doug Forsell
Chair
Point Arena, CA
djforsell@aol.com

Stanley Senner
Vice-Chair for Conservation
Portland, OR
ssenner@oceanconservancy.org

Joanna Smith, PhD
Chair-Elect
Smithers BC
josmith@birdsmith.ca

October 18, 2013

The Honorable Barack Obama
President of the United States
The White House
Washington D.C. 20500

Re: Increased Protections Needed for the Threatened Marbled Murrelet

Dear President Obama:

On behalf of the Pacific Seabird Group (PSG), I am writing this letter to make you aware of the plight of the Marbled Murrelet (*Brachyramphus marmoratus*), a small, unique seabird on the west coast that is currently listed as threatened under the federal Endangered Species Act (ESA). The entire range of the Marbled Murrelet is on the North Pacific coast of the United States and Canada; hence the U.S. bears a high level of responsibility for the future of this species.

Unfortunately, we have a high level of concern about current proposals to increase logging in western forests, where the cumulative impacts of the patchwork landscape could exacerbate problems already faced by Marbled Murrelets. Of immediate concern is H.R. 1526, which would establish a timber trust on Oregon and California Railroad ("O&C") lands currently managed by the Bureau of Land Management. With the proposed timber trust, federal lands would essentially be managed as private industrial lands to maximize tax revenues for local counties. Impacts on the Marbled Murrelet could be severe, because the lands that likely would be logged and fragmented include active murrelet nests and surrounding forest habitats.

The PSG is an international, non-profit organization that was founded in 1972 to promote the knowledge, study, and conservation of Pacific seabirds. Our 460 members—from 20 nations—include biologists and scientists who have research interests in Pacific seabirds, government officials who manage seabird refuges and populations, and representatives of nongovernmental organizations and individuals who are interested in marine conservation. For more than two

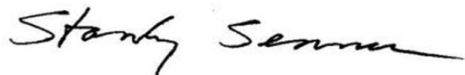
decades, PSG has provided a forum where government, academic and private-sector biologists and resource managers can discuss and resolve scientific issues related to the biology and conservation of Marbled Murrelets.

We were pleased to see the recent statement from your administration's Office of Management and Budget indicating that they would recommend a veto of legislation, H.R. 1526, which includes the O&C Trust, Conservation, and Jobs Act. If this legislation were to reach your desk, PSG also would urge your veto. In addition, we respectfully request that you:

- Ask your natural resource departments, especially Interior and Agriculture, to review and modify their management of O&C lands to ensure the long-term conservation of Marbled Murrelets and to maintain large contiguous blocks of habitat across as much of this landscape as possible.
- Work with Senator Wyden, Chairman of the Senate Committee on Energy and Natural Resources, to craft legislation that provides an effective long-term solution that will protect habitat for the murrelet and provide a means for their recovery. Such a solution should rest on environmental protections provided under existing law and also safeguard wildlife habitat, wilderness character, water quality, and recreational opportunities.

We thank you for your leadership. The PSG and its many experts on Marbled Murrelets stand ready to assist in formulating an effective strategy for long-term conservation and management of O&C lands. The attached document provides additional details on our concerns and recommendations.

Thank you,



Stanley Senner
Vice Chair for Conservation

cc:

Sally Jewell, Secretary of the Interior
Tom Vilsack, Secretary of Agriculture
Representative Peter Defazio, Oregon
Representative Kurt Schrader, Oregon
Representative Greg Walden, Oregon
Senator Ron Wyden, Oregon
Ann Acheson, Center on Environmental Quality
Paul Souza, Deputy Assistant Director, Ecological Services, USFWS
Butch Blazer, Deputy Undersecretary, Natural Resources, USDA
Michael Bean, Counselor to the Assistant Secretary for Fish, Wildlife and Parks, USDI
Paul Henson, USFWS Portland

Ken Berg, USFWS Olympia
Bridgette Tuerler, USFWS Portland
Deanna Lynch, USFWS Olympia
Gary Falxa, USFWS Arcata
Jerome Perez, BLM Oregon State Director
Bruce Hollen, BLM Portland
Rex McGraw, BLM Coos Bay
Carol Hughes, USFS Portland
Elaine Rybak, USFS Portland

Marbled Murrelet Habitat Requirements and Conflicts with Current Logging Proposals

Prepared by the
Marbled Murrelet Technical Committee of the Pacific Seabird Group¹
October 2013

The Marbled Murrelet is a small diving seabird (Family Alcidae) that breeds in older-aged coastal forests from Alaska to central California, but also nests on the ground and on rock ledges in parts of Alaska and British Columbia (Nelson 1997). Murrelets in the genus *Brachyramphus* (i.e., Marbled *B. marmoratus*, Kittlitz's *B. brevirostris*, and Long-billed *B. perdix*) have a breeding strategy unique among alcids. While most alcids breed nearshore in large colonies, *Brachyramphus* murrelets fly long distances inland to their solitary nests (generally up to 40 km). Marbled Murrelet populations have declined over much of their range due primarily to current and historic loss and fragmentation of older-aged forest breeding habitat (USFWS 1992, Nelson and Hamer 1995, Burger 2002, McShane et al. 2004, Peery et al. 2004, Becker and Beissinger 2006, Piatt et al. 2006, Hébert and Golightly 2007, Lynch et al. 2009, Miller et al. 2012). Despite being listed as threatened under the Endangered Species Act (ESA) in California, Oregon, and Washington in 1992 (USFWS 1992, 1997) and implementation of the Northwest Forest Plan (NWFP; USDA and USDI 1994a, b), populations in the U.S. Pacific Northwest have continued to plummet (Miller et al. 2012). While issues at sea, such as changes in prey populations, are likely also impacting murrelet populations, the primary reason for declines continues to be sustained low recruitment from the loss of quality nesting habitat and increases in predation at nest sites (McShane et al. 2004, Lynch et al. 2009, USFWS 2012).

Marbled Murrelet Populations Continue to Decline

The Washington, Oregon, and California murrelet population is estimated to be 16,000-26,000 birds (Miller et al. 2012, Falxa et al. 2013). Population modeling indicates that this population is declining and will be extinct in parts of Washington, Oregon and California within 100 years without positive changes in the amount and quality of nesting habitat and in demographic trends (McShane et al. 2004). Low fecundity levels across Washington, Oregon, and California, as measured by nest success, indicate a population that cannot currently maintain itself (Beissinger and Peery 2003, McShane et al. 2004). In addition to the serious habitat loss that has occurred, murrelets are also experiencing poor nest success due primarily to nest predation, which in turn is significantly affected by forest fragmentation and proximity to human developments (Raphael et al. 2002, McShane et al 2004). Thus, in order to diminish the threat of nest predation and increase

¹ For more information, see: <http://www.pacificseabirdgroup.org/index.php?f=committees&t=Committees&s=1>

murrelet reproduction, the forest landscape and its surroundings must be protected to provide as much suitable nesting habitat in large, contiguous blocks as is possible. This means ensuring that remaining occupied and unoccupied murrelet habitat is protected and habitat is enhanced to create larger blocks of suitable habitat.

Continued Loss of Marbled Murrelet Nesting Habitat

The amount of mature and late-seral habitat suitable for murrelet nesting in coastal areas is significantly below historic minimums. Old-growth forests have been reduced by more than 72% in the U.S. Pacific Northwest (Booth 1991, Strittholt et al. 2006) and 96% in coastal California (Larsen 1991) from pre-logging levels. Despite the listing of the Marbled Murrelet as threatened in 1992, the amount of suitable murrelet habitat has continued to decline. The loss and degradation of habitat has resulted from: (1) logging on private, state and federal lands; (2) ill-advised federal/private land exchanges; (3) logging (including selective logging and thinning) in suitable habitat and in buffers to suitable habitat; (4) inadequate habitat conservation plans; (5) fragmentation effects from adjacent logging and thinning; and (6) a variety of natural and anthropogenic causes, including fire, windthrow, and disturbance. Under the current NWFP (USDA and USDI 1994a & b), habitat conservation plans, and other habitat management plans, new murrelet habitat will not be suitable for 50 to 200 years or more because it will take that long for the growing trees to reach sufficient size and maturity. The near-term inability to create new murrelet habitat combined with the continued harvesting of occupied and unoccupied habitat ensures a downward trend in suitable murrelet habitat into the future. For these reasons, it is imperative that all current and potential nesting habitats be conserved.

An objective of the Marbled Murrelet recovery plan (USFWS 1997) is to stabilize and then recover the population by maintaining or increasing population productivity and removing or minimizing threats to survivorship. Protecting occupied and unoccupied terrestrial habitat, including maintaining nesting habitat, protecting and enhancing as large blocks of contiguous forest cover as possible, and maintaining and enhancing buffer habitat, is essential for the long-term recovery of this species (USFWS 1997:131-146). In fact, because so much murrelet habitat has been lost or depleted, remaining suitable habitat (mature and old-growth forests) is critically important, regardless of its size, if murrelets are to have a good chance of surviving over the next 100 years.

Suitable habitat should be well distributed to reduce the probability that natural or human-caused catastrophe will threaten the survival of the species (USFWS 1996, 2006). Additionally, large contiguous blocks of nesting habitat are important for minimizing the effects of predation and windthrow. While large contiguous blocks are the best habitat, however, remaining unoccupied habitat is important, regardless of its size, in light of the fact that so little old-growth remains. Moreover, without a long-term integrated strategy for Marbled Murrelet habitat conservation on federal, state and private lands, the demise of the murrelet population will likely be accelerated. Allowing projects in suitable but presently unoccupied habitat to proceed will result in unacceptable habitat losses, which will hinder the recovery of the murrelet.

Plans for the Oregon and California Railroad Lands

Oregon Representatives Peter Defazio, Kurt Schrader, and Greg Walden have proposed allocating federal lands to a “timber trust” on Oregon and California Railroad (“O&C”) lands currently managed by the Bureau of Land Management. With the proposed timber trust, federal lands would essentially be managed as private industrial lands and logged to maximize tax revenues for local counties (O&C Trust, Conservation and Jobs Act, H.R. 1526). If enacted, this legislation would bypass the safeguards in place under the ESA and other environmental laws, and compromise the system of reserves established under the NWFP. Much of the habitat affected by the House bill is suitable murrelet habitat, which is critical for murrelet recovery and NWFP integrity. This plan would devastate murrelet populations and be contrary to the murrelet recovery plan (USFWS 1997), which calls for more and better habitat on the landscape, not less and more fragmented habitat. The House bill is not sustainable in the long term for the environment, murrelets, owls, salmon, drinking water, forest health, or the counties involved.

Senator Ron Wyden recently introduced a legislative framework that would allow a substantial proportion of O&C lands to be harvested. While the proposal might include keeping some environmental safeguards in place, this legislation would still have a significant negative impact on murrelets and habitat critical to their survival. We urge the Administration, Senator Wyden, and other decision-makers to work with scientists to create a new plan for federal lands in coastal Oregon. This plan should provide adequate safeguards for listed species and the environment and create means other than resource extraction to meet the economic needs of the affected counties. The plan must be comprehensive if it is to successfully provide a long-term solution to the issues at hand.

The path forward should include:

- Maintaining the system of reserves (Late Successional Reserves and Riparian Reserves) established under the NWFP. These reserves are the cornerstone of recovery for the murrelet and the Northern Spotted Owl (*Strix occidentalis*). They are also critical for watershed health and salmon recovery;
- Maintaining the integrity of the existing forests, improving them with buffers, and creating large blocks of contiguous forest. The current landscape is already highly fragmented and the current plans for the O&C lands propose further fragmentation and degradation of our native forests, the opposite of what needs to be done to save imperiled species;
- Working with scientists to create a plan that will protect all listed species in coastal Oregon counties; and
- Funding research to look at the impacts of thinning and logging forests adjacent to occupied and suitable murrelet habitat.

If the NWFP is to be altered in any way, a scientific process should be initiated whereby the entire landscape is reviewed and a new system of reserves established. This effort would be similar to that used in developing the NWFP.

Cumulative Impacts

In addition to the O&C plans discussed above, there are a series of proposed logging increases on state and federal lands in Oregon and Washington. The cumulative and interactive effects of the continued removal of murrelet habitat are already significantly impacting murrelet populations. These plans will only increase harm to murrelets and their critical habitat. The amount and distribution of quality murrelet habitat must be improved, not decreased, to reverse population declines (McShane et al. 2004).

Franklin and Johnson (2012) have proposed a restoration framework, called ecological forestry, to be implemented in young and mature forests on federal lands for the purpose of creating more early seral habitat. Their proposal does not consider the needs of most species, much less murrelets, and seems to be more motivated by forest product outputs than real ecological restoration, biodiversity conservation, or the management of fish and wildlife resources (DellaSala et al. in press). The pilot implementation of “eco-forestry” on BLM lands in Oregon has provided justification for logging as usual without consideration of impacts to listed species. This framework needs to be altered to take into account fish and wildlife resources, and studies should be funded to look at the impacts of a real and scientific ecological forestry framework on murrelets and other older forest dependent species.

In 2008, the BLM adopted the Western Oregon Plan Revision (WOPR) that would have significantly increased the harvest of mature and old-growth forests. By the BLM’s own admission the plan was flawed, as it did not provide adequate protections for murrelet critical nesting habitat and other listed species. In July 2009, then Secretary of the Interior Ken Salazar withdrew the WOPR, which meant that BLM forests would continue to be managed as they had been, under the NWFP with a much smaller annual harvest. However, in addition to the O&C plans and “eco-forestry”, the BLM is currently working on a revised WOPR that could undermine the NWFP and increase logging within and near murrelet habitat. In order to maintain and improve murrelet populations, this plan will need to protect all occupied and suitable murrelet habitat and improve habitat by providing contiguous blocks of older forest and buffers to the clearcuts on adjacent private lands.

On Department of Natural Resources (DNR) lands in western Washington, a series of murrelet reserves were established in a scientific, long-term conservation plan to ensure the survival of murrelets on state lands into the future (Raphael et al. 2008). Despite spending four years developing the plan, it was never implemented and, in the interim, DNR has continued to harvest within and adjacent to the proposed reserves, increasing the loss of murrelet habitat and further fragmenting the landscape. The long-term conservation plan will need to be redone to ensure that large, contiguous blocks of suitable habitat are provided for murrelet survival and recovery.

The Oregon Department of Forestry (ODF) has continuously harvested within occupied sites and recently introduced plans to significantly increase timber production in older-aged forests. They are also trying to sell murrelet habitat on state lands to private bidders. ODF will need to create a

long-term conservation plan for murrelets on all their lands in order to provide adequate habitat for murrelet survival and recovery.

It is essential for the continued recovery and stabilization of this threatened seabird that the federal government take a leading role in providing adequate protections for Marbled Murrelets and help these federal and state agencies create reasonable science-based logging plans. In general, the goals for creating and protecting murrelet nesting habitat and minimizing predation should include:

- Maintaining current federal and state ownership and management within the guidelines established in the NWFP and critical habitat designations on federal lands;
- Protecting all suitable and occupied habitat and minimizing fragmentation near suitable and occupied habitat;
- Providing large buffers to occupied and suitable habitat that will protect them from windthrow, microclimate changes, and predation;
- Developing and creating habitat in large blocks to create more interior habitat and thereby decreasing the possibility of avian predation;
- Improving the distribution of habitat across the listed range of the murrelet, thereby improving the distribution of their populations;
- Minimizing the size of canopy openings near or adjacent to murrelet habitat to minimize the risk of predation;
- Determining ways to create new murrelet habitat in young forests (<60 years old) through thinning without increasing the risks of predation in current habitat. This should include funding research to look at the impact of thinning on predation risk; and
- Minimizing the effects of human disturbance to murrelets and murrelet habitat by minimizing development (e.g., creating new campgrounds or picnic areas), noise, garbage, and feeding of predators.

In addition, the nearshore marine habitat should be designated as critical habitat under the ESA and a forage fish management plan should be implemented to protect marbled murrelet prey. These steps are also key to murrelet survival and recovery.

Summary

In summary: (1) murrelet populations continue to decline through habitat loss, low fecundity, high nest predation rates, and low adult survival; (2) significant loss of occupied, suitable and unoccupied murrelet habitat continues to occur on federal, state and private lands; (3) the amount and distribution of suitable murrelet habitat needs to be increased throughout the range of this listed species; and (4) land uses contrary to recovery objectives must be avoided within and adjacent to suitable habitats, especially ones significant to the stability and recovery of regional populations of imperiled species. Continued loss and 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 (McShane et al. 2004: 6-34) 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.

The combined proposals to increase logging on federal and state lands mentioned above could help present the case for uplisting the murrelet to endangered status and shift most of the burden of conservation of murrelets to U.S. Forest Service Lands. Without protection from further loss of suitable habitat and removing or minimizing threats to survivorship to allow for increased population productivity, Marbled Murrelets are likely to become extirpated in large portions of their range in the foreseeable future.

Literature Cited

- Becker, B.H. and S.R. Beissinger. 2006. Centennial decline in the trophic level of an endangered seabird after fisheries decline. *Conservation Biology* 20:470-479.
- Beissinger, S. R. and M. Z. Peery. 2003. Range-wide analysis of juvenile ratios from Marbled Murrelets monitoring programs: implications for demographic analyses. Unpublished report, University of California, Department of Environmental Science, Policy, and Management, Berkeley, California.
- Booth, D. E. 1991. Estimating pre-logging old-growth in the Pacific Northwest. *J. of Forestry* 89: 25-29.
- Burger, A.E. 2002. Conservation assessment of the Marbled Murrelet in British Columbia, a review of biology, populations, habitat associations, and conservation. Tech. Rep. Series 387. Delta, BC: Pacific and Yukon Region, Canadian Wildlife Service: 171pp.
- DellaSala, D.A., R.G. Anthony, M.L. Bond, E.S. Fernandez, C.A. Frissell, C.T. Hanson, and R. Spivak. In press. Alternative views of a restoration framework for federal forests in the Pacific Northwest. *Journal of Forestry*.
- Falxa, G. et al. 2013. Marbled Murrelet effectiveness monitoring for the Northwest Forest Plan. 2011 and 2012 Summary Report, U.S. Fish and Wildlife Service, Arcata, CA.
- Franklin, J.F. and K.N. Johnson. 2012. A restoration framework for federal forests in the Pacific Northwest. *Journal of Forestry* 110:429-439.
- Hébert, P.N. and R.T. Golightly. 2007. Observations of predation by corvids at a Marbled Murrelet nest. *Journal of Field Ornithology* 78:221-224.
- Larsen, C.J. 1991. A status review of the Marbled Murrelet (*Brachyramphus marmoratus*) in California. Report to the Fish and Game Commission, California Department of Fish and Game, Nongame Bird and Mammal Section, Candidate Species Status Report 91-1, Sacramento, CA.
- Lynch, D., L. Roberts, G. Falxa, R. Brown, B. Tuerler, and J. D'Elia. 2009. Evaluation report for the 5-year status review of the Marbled Murrelet in Washington, Oregon, and California. Unpublished report. Lacey, WA: U.S. Fish and Wildlife Service, Region 1.
- McShane, C., T. Hamer, H.R. Carter, G. Swartzman, V. Friesen, D. Ainley, R. Tressler, K. Nelson, A. Burger, L. Spear, T. Mohagen, R. Martin, L. Henkel, K. Prindle, C. Strong, and J. Keany. 2004. Evaluation report for the 5-year status review of the Marbled Murrelet in Washington,

- Oregon, and California. Unpublished report, EDAW Inc., Seattle, WA (prepared for U.S. Fish and Wildlife Service).
- Miller, S.L., M.G. Raphael, G.A. Falxa, C. Strong, J. Baldwin, T. Bloxton, B.M. Galleher, M. Lance, D. Lynch, S.F. Pearson, C.J. Ralph and R.D. Young. 2012. Recent Population decline of the Marbled Murrelet in the Pacific Northwest. *Condor* 114:771-781
- Nelson, S.K. and T.E. Hamer. 1995. Nest Success and the effects of predation on the Marbled Murrelet. In: Ralph, C.J., G.L. Hunt, Jr., M.G. Raphael, and J.F. Piatt, eds. Ecology and conservation of the Marbled Murrelet. Gen. Tech. Rep. PSW-152. Albany, CA: U.S. Department of Agriculture, Forest Service, Pacific Southwest Research Station: 89-97.
- Peery, M.Z., S.R. Beissinger, S.H. Newman, E. Burkett, and T.D. Williams. 2004. Applying the declining population paradigm: diagnosing causes of poor reproduction in the Marbled Murrelet. *Conservation Biology* 18:1088-1098.
- Piatt, J.F., K.J. Kuletz, A.E. Burger, S.A. Hatch, V.L. Friesen, T.P. Birt, M.L. Arimitsu, G.S. Drew, A.M.A. Harding, and K.S. Bixler. 2006. Status Review of the Marbled Murrelet (*Brachyramphus marmoratus*) in Alaska and British Columbia. U.S. Geological Survey, Open-File Report 2006-1387: 630pp.
- Raphael, M. G., D. Evans Mack, J. M. Marzluff, and J. Luginbuhl. 2002. Effects of forest fragmentation on populations of the Marbled Murrelets. *Studies in Avian Biology* 25:221-235.
- Raphael, M.G., S.K. Nelson, P. Swedeen, M. Ostwald, K. Flotlin, S. Desimone, S. Horton, P. Harrison, D. Prenzlou Escene, and W. Jaross. 2008. Recommendations and supporting analysis of conservation opportunities for the Marbled Murrelet long-term conservation strategy. Olympia, WA: Washington State Department of Natural Resources.
- Strittholt, J. R., D.A. Dellasala, and H. Jiang. 2006. Status of mature and old-growth forests in the Pacific Northwest. *Conservation Biology* 20:363–374.
- U.S. Department of Agriculture and U.S. Department of the Interior [USDA and USDI]. 1994a. Final supplemental environmental impact statement on management of habitat for late-successional and old-growth forest related species within the range of the northern spotted owl. Portland, OR. 2 vol.
- U.S. Department of Agriculture and U.S. Department of Interior. 1994b. Record of decision for amendments to Forest Service and Bureau of Land Management planning documents within the range of the Northern Spotted Owl. 74pp.
- U.S. Fish and Wildlife Service. 1992. Endangered and threatened wildlife and plants; determination of threatened status for the Washington, Oregon and California population of the Marbled Murrelet. USDI Fish and Wildlife Service Fed. Reg. 57:45328-45337.
- U. S. Fish and Wildlife Service. 1997. Recovery plan for the Marbled Murrelet (*Brachyramphus marmoratus*) in Washington, Oregon and California. Oregon Field Office, Portland, OR. 203 pp.
- U. S. Fish and Wildlife Service. 2012. Report on the Marbled Murrelet Recovery Implementation Team meeting and stakeholder workshop, Washington Field Office, Lacey, WA.