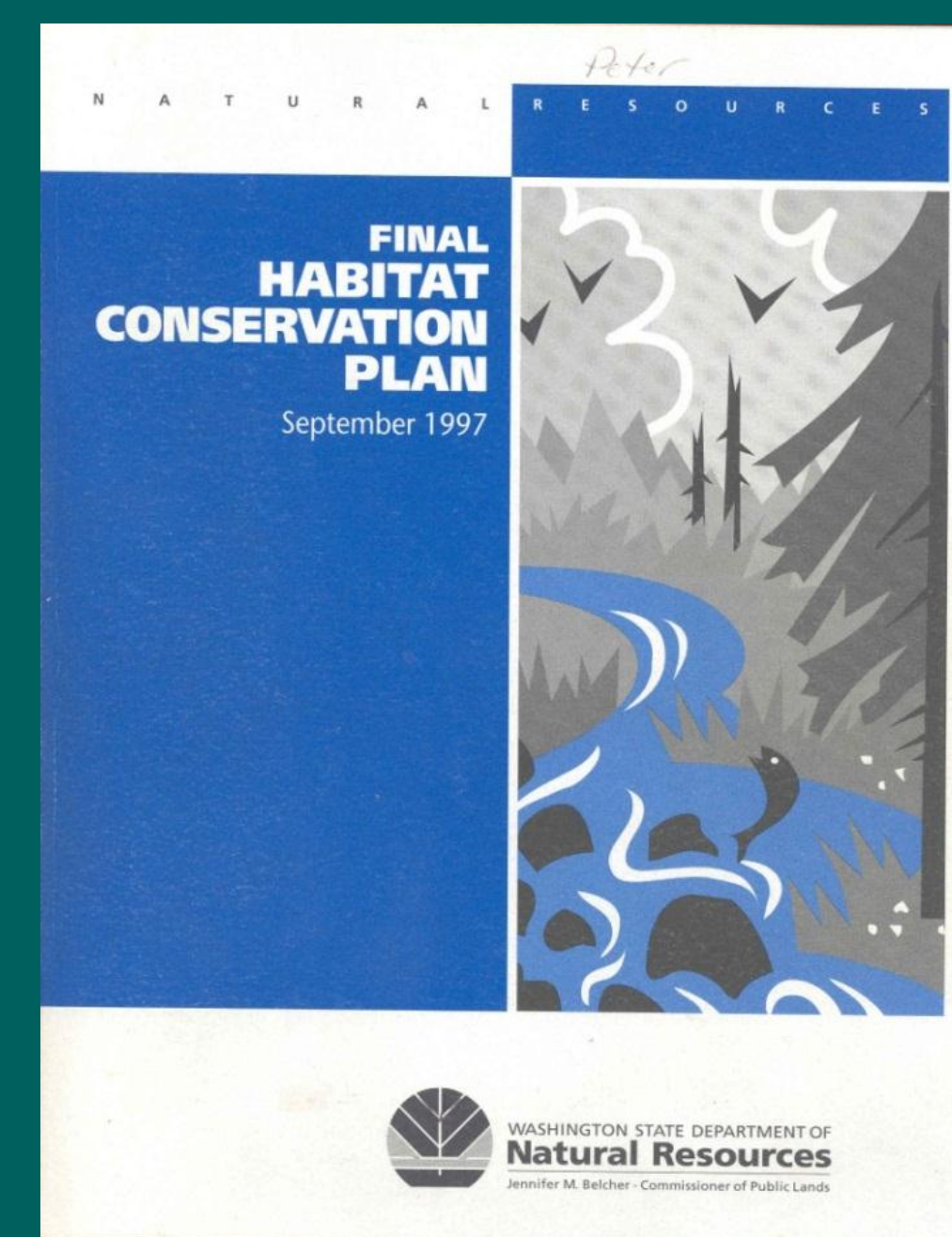


Developing a Proposal for the HCP Marbled Murrelet Conservation Strategy



BENEFITS TO THE STATE TRUSTS AND THREATENED AND ENDANGERED WILDLIFE

Federal listing of the northern spotted owl in 1990 and the marbled murrelet in 1992 under the Endangered Species Act created management uncertainty for the Washington State Department of Natural Resources (DNR) regarding their timber harvest activities on forested state trust lands.



In January 1997, DNR and the USFWS and NOAA Fisheries (Federal Services) signed a 70-year Habitat Conservation Plan (HCP) agreement to address DNR's compliance with the federal Endangered Species Act when managing forested state trust lands. The HCP covers 1.8 million acres of DNR-managed forests in the range of the northern spotted owl—mostly in Western Washington. Most are state trust lands, managed to earn a continuous flow of revenue for the trusts. However, contributing to habitat are many forested state Natural Area Preserves and Natural Resources Conservation Areas.

The 1997 HCP moved away from the 'owl-by-owl,' piecemeal approach to habitat protection, toward a landscape-wide approach to help species at risk, and other native species that use the same habitats. The HCP ensures habitat conservation for many species, while allowing management activities, such as timber harvest. The HCP helps DNR comply with the Act while providing greater flexibility and control. As long as HCP target habitat conditions are reached, management operations are up to DNR and the Board of Natural Resources. The Federal Services are involved on a continuing basis.

Because many forested state trust lands are next to federal lands, the HCP is designed to supplement federal protection measures, as described in the federal *Northwest Forest Plan*.

Four HCP conservation strategies protect habitat

- Northern Spotted Owls
- Riparian Areas, Wetlands & Salmonids
- Marbled Murrelets
- Other Species of Concern & Uncommon Habitats such as cliffs, balds and caves

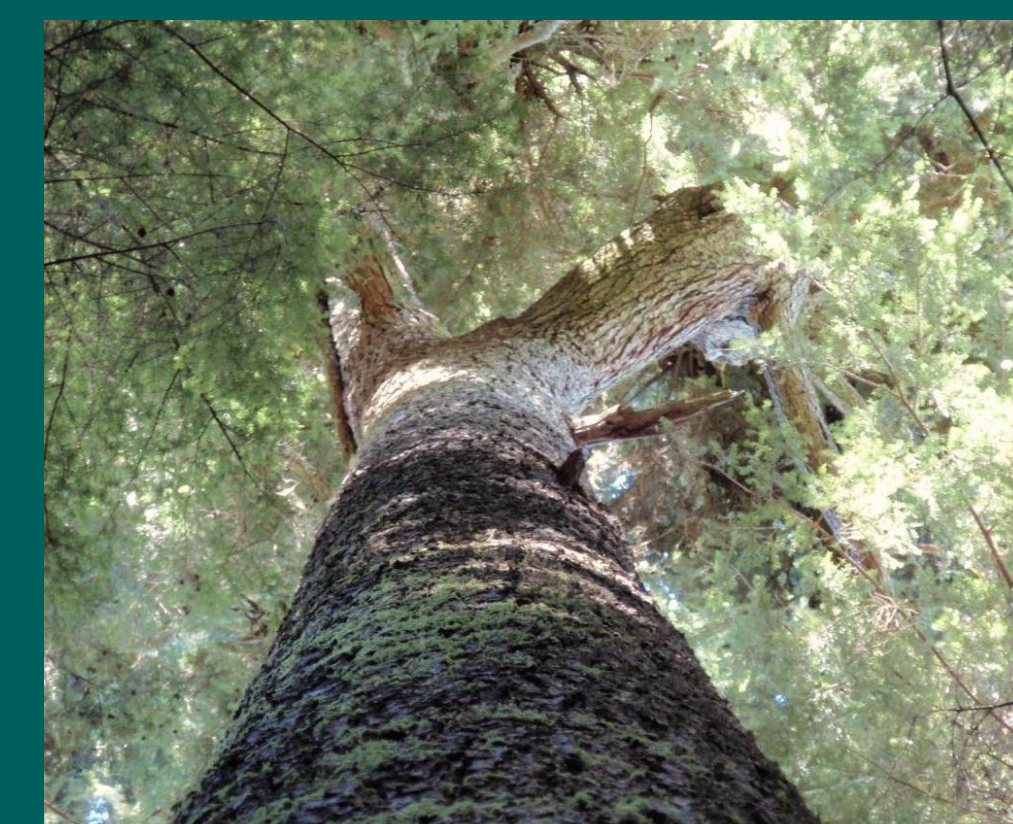
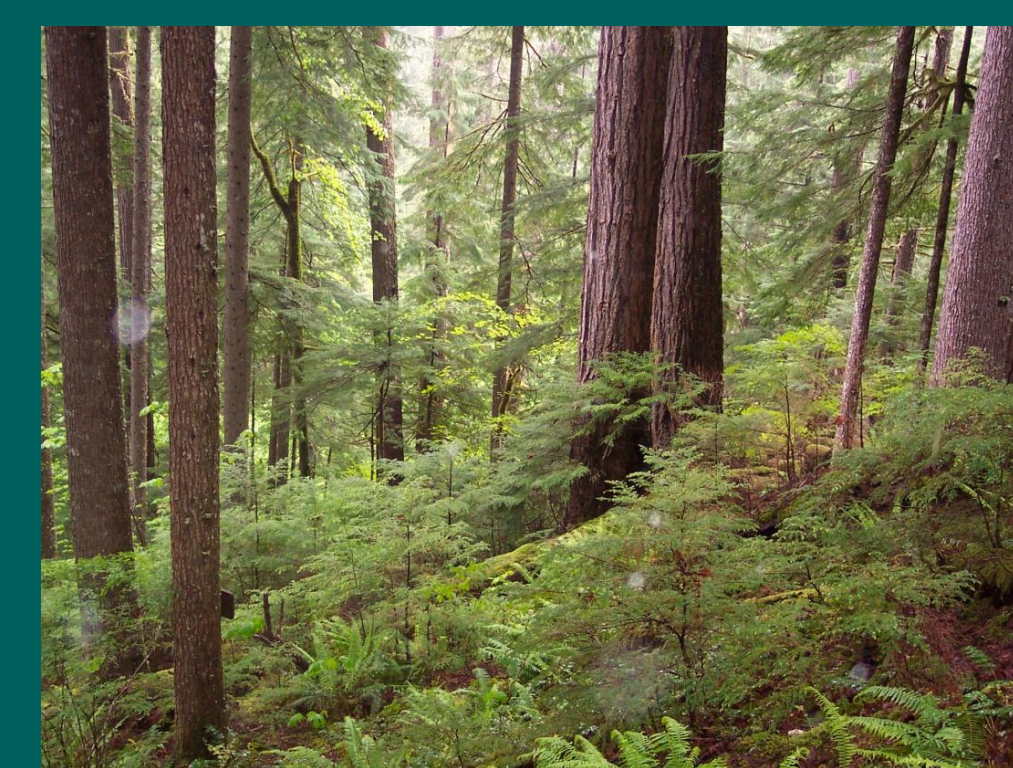
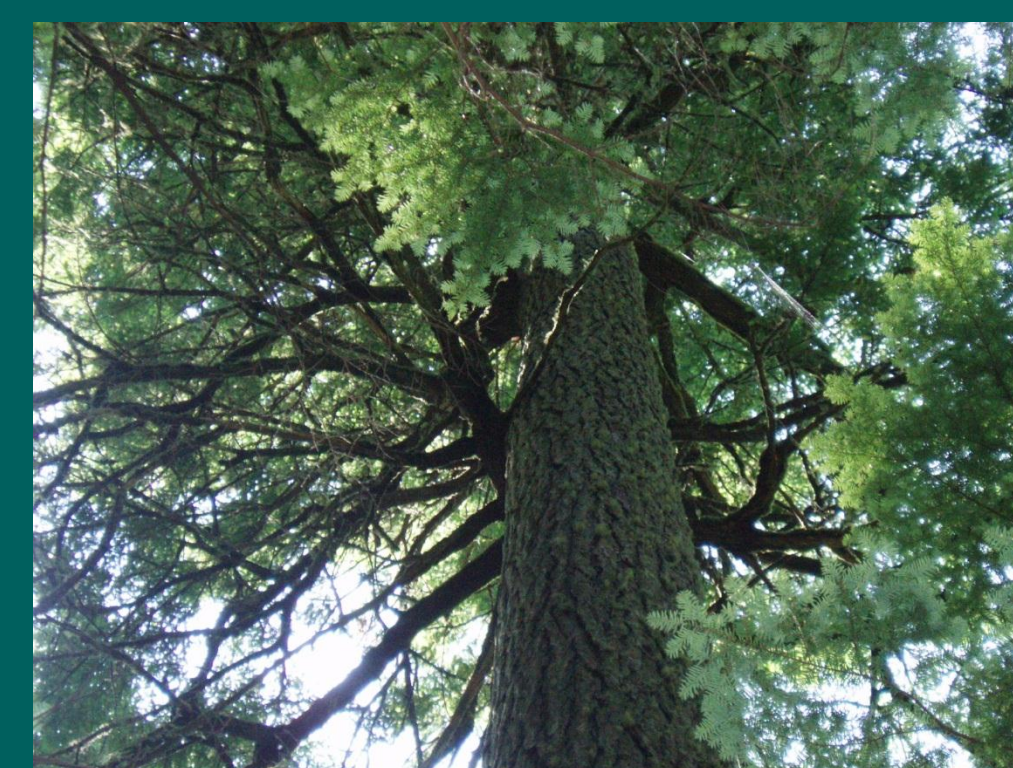
The HCP bottom line

- The HCP increases stability in management of state trust lands by earning revenue for the beneficiaries and increases flexibility in operations.
- There will be no additional fluctuations in harvest levels under spotted owl ESA regulations.
- DNR works closely with the federal services.
- The Board of Natural Resources can terminate the HCP.
- The HCP keeps open future options for income and land management and provides landscape level solutions that benefit the trusts, fish and wildlife, and the environment.

The HCP: A landowner-generated plan

As long as the state (DNR) is in compliance with the HCP, the federal government cannot suspend or revoke the permit.

If the Board of Natural Resources believes the HCP agreement is *not* in the best interest of the state trusts, the HCP can be terminated. After potential mitigation for unlisted species is mutually agreed upon, the lands would be subject to current Endangered Species Act requirements. DNR also would need to mitigate for incidental take of the protected species that already occurred on lands covered by the HCP prior to termination.



What was missing in the trust land HCP, & how has DNR resolved it?

The HCP is a living document that can be amended with the Services as new information is available. When the HCP was signed, there was still work to be done in areas such as riparian forests and marbled murrelet habitat. In 2006, after extensive field work and research, the *Riparian Forest Restoration Strategy* was developed and approved by the Services.

Marbled murrelets

DNR did not have sufficient information about marbled murrelet ecology to create a credible long-term conservation strategy. In the absence of such information, DNR and the Services created an interim strategy for the HCP to be implemented while surveys and research could be carried out and a long-term strategy developed.

Since that time, DNR has invested in research and surveys to identify nesting habitat and areas occupied by murrelets throughout the Westside forested trust lands and natural areas managed by the agency. As part of this effort, DNR convened a team of scientists in 2004 to compile expert opinion, data, and research and develop recommendations for DNR to consider when developing the long-term conservation strategy. The Science Team included university and federal researchers, professional consultants, representatives of Fish and Wildlife Service and Washington Fish and Wildlife, and DNR researchers. Their work focused on the ecological needs of murrelets. They did not address habitat recommendations in relation to the fiduciary trust obligations of state trust land management. In 2008, they published a report of their findings and recommendations. DNR used this information during implementation of the interim strategy and continues to draw upon the science team's work as a resource as we develop the long-term strategy.

The interim marbled murrelet conservation strategy described in the HCP took a step-by-step approach to focus research and conservation measures:

1. **Defer harvest of suitable habitat.**
2. **Develop predictive habitat (computer) models**—for each of six large, watershed-based HCP planning units—to help predict which DNR-managed forest stands likely would be occupied by marbled murrelets.
3. **Release low quality habitat.**
4. **Survey higher quality** to locate occupied sites in stands predicted to contain 95 percent of the occupied sites from step 2. **Certain unoccupied habitat would become available for other trust activities.**
5. **Develop and implement a long-term conservation strategy** for the six HCP planning units.

DNR now is at the point of undertaking Step 5 in developing the long-term marbled murrelet conservation strategy.

Developing a long-term strategy

DNR will draw from a substantial body of data and information to develop the long-term conservation strategy, including the habitat and survey data gathered during the interim, the science team's analysis, data from the Northwest Forest Plan Effectiveness Monitoring, and information on existing commitments in DNR forest policies.

DNR and US Fish and Wildlife Service are conducting environmental review and producing a single Environmental Impact Statement. At this first phase of scoping, we present the proposal's need, purpose, and objectives and the area covered by the proposal. During the second phase of scoping, we will present conceptual management alternatives for public comment.

Description of Proposal

Amend DNR's 1997 State Trust Land Habitat Conservation Plan (HCP) to include a long-term Conservation Strategy for the marbled murrelet.

Need, Purpose and Objectives

- The '**Need**' statement describes why DNR and FWS are pursuing this proposal
- The '**Purpose**' statement describes the over-arching vision or goals for the proposal, and
- The '**Objectives**' specify the individual terms that all reasonable management alternatives must meet, in addition to the Need and Purpose

BOARD APPROVED

Marbled Murrelet Conservation Strategy Need, Purpose, and Objectives

Joint Proposal between Board of Natural Resources and the United States Fish and Wildlife Service

- **Need:** To obtain long-term certainty for timber harvest and other management activities on forested state trust lands and to contribute to long-term conservation for the marbled murrelet, consistent with commitments in the 1997 Habitat Conservation Plan (HCP).
- **Purpose:** To develop a long-term habitat conservation strategy for marbled murrelets on forested state trust lands in the six west-side planning units, subject to the Washington State Department of Natural Resources' (DNR) fiduciary responsibility to the trust beneficiaries as defined by law and USFWS' responsibilities under the Endangered Species Act, which achieves all of the following objectives:
 - **Objective #1 Trust Mandate:** Generate revenue and other benefits for each trust by meeting DNR's trust responsibilities, including: making trust property productive; preserving the corpus of the trust; exercising reasonable care and skill in managing the trust; acting prudently with respect to trust property; acting with undivided loyalty to trust beneficiaries; and acting impartially with respect to current and future trust beneficiaries.
 - **Objective #2 Marbled Murrelet Habitat:** Provide forest conditions in strategic locations on forested trust lands that minimize and mitigate incidental take of marbled murrelets resulting from DNR's forest management activities. In accomplishing this objective, we expect to make a significant contribution to maintaining and protecting marbled murrelet populations.
 - **Objective #3 Active Management:** Promote active, innovative and sustainable management on the forested trust land base.
 - **Objective #4 Operational Flexibility:** Provide flexibility to respond to new information and site specific conditions.
 - **Objective #5 Implementation Certainty:** Adopt feasible, practical and cost effective actions that are likely to be successful and can be sustained throughout the life of the HCP.

