

Instructions for Appendix J. Marbled Murrelet Form

- If you are substituting prescriptions from an approved state or federal conservation agreement (Habitat Conservation Plan (HCP) or Cooperative Habitat Enhancement Agreement (CHEA)) you do not need to complete this form. However, you must include with the FPA/N a copy of the applicable conservation agreement prescriptions and indicate the corresponding Washington Administrative Codes (WAC) that are being substituted by the conservation agreement prescriptions. If you have prescriptions on file with DNR, please reference which prescriptions are being used.
- This form is only necessary if you are harvesting timber, salvaging timber, or constructing forest roads within 50 miles of saltwater (marine waters).
- Your application will be a Class IV-Special if your activity is within critical habitat. DNR will review your information and contact you if a State Environmental Policy Act (SEPA) checklist is required.
- Other activities within or near critical habitat are subject to timing restrictions. See WAC 222-24-030, 222-30-050, 222-30-060, 222-30-065, 222-30-070 and 222-30-100.

Instructions for Completing this Form

1. Was a protocol survey completed for the area located within 300 feet (on your ownership) of the following proposed activities: Harvesting, salvaging, or any area of proposed road construction.

Answer 'no' if a protocol survey has not been completed and continue to Question 2.

Answer 'yes' if a protocol survey as described in WAC 222-12-090(14) has been completed and document the survey status and results in the table below.

- WAC 222-16-080(1)(j)(vi)(B) exempts lands from being considered critical habitat if a protocol survey has been conducted and no marbled murrelets were detected.
- WAC 222-12-090(14) states “The most current Pacific Seabird Group terrestrial survey protocol shall be used when surveying for marbled murrelets in a stand. Surveys are valid if they were conducted in compliance with the board-recognized Pacific Seabird Group survey protocols in effect at the beginning of the season in which the surveys were conducted.”
 - The protocol survey standards and forms are available from [Washington State Department of Fish and Wildlife \(WDFW\)](#) or the [Pacific Seabird Group](#).
- WDFW assigns a status code of 1 to 5 to describe varying levels of marbled murrelet activity as follows:

Occupancy	Status 1	Nest site.
	Status 2	Presence of downy young murrelets or eggshell fragments.
	Status 3	Other occupancy behaviors as described in WAC 222-16-010 under “Occupied marbled murrelet site”.
Presence Behaviors	Status 4	Presence behaviors where murrelets are seen or heard, though occupancy is not detected.
No Detection	Status 5	Protocol survey was completed, but no detections were made.

If the survey indicated marbled murrelet occupancy (status 1-3 detection), your application is a Class IV-Special and will require a completed SEPA checklist for the following activities:

- Road construction or timber harvest (other than removal of down trees outside of the critical nesting season) within the occupied site (WAC 222-16-080(1)(j)(i)) and,
- Road construction or timber harvest within the managed buffer which leaves less than the required leave trees and buffer widths (WAC 222-16-080 (1)(j)(v)).

- If the survey indicated presence behaviors (status 4 detection) or no detections (status 5 detection) the survey area may not be considered critical habitat. This must be confirmed and accepted by DNR and WDFW.

Survey ID (Name or Unit #)	Legal Description (Section-Township-Range)	WDFW Survey Status (Approved, Disapproved, Pending Decision, Pending Submission)	Survey Results (Occupancy, Presence, No Detection)
Jones Creek Survey	1-14-03W	Approved	Occupancy
Rock Creek Survey	6-14-04W	Pending Decision	No Detection

Example explanation: Rock Creek was submitted to WDFW on 9/30/2023.

Survey ID: If the survey has been submitted to DNR or WDFW, use the same survey name that was used.

- Show identifiers on the Marbled Murrelet Map.

Legal Description: Provide the section, township, and range of where the majority of the survey area is located.

WDFW Survey Status:

- Approved: If you have submitted your survey to WDFW and they approved the survey protocol, attach the approval letter from WDFW and enter the applicable survey results in the table.
- Disapproved: If the survey was disapproved by WDFW, include an explanation of how the survey applies to this forest practice. Submit the WDFW letter of disapproval and a copy of the survey with your FPA/N and enter the applicable survey results in the table.
- Pending Decision: If the survey has previously been submitted to WDFW but the approval status is unknown, include a copy of the survey and the date the survey was submitted with your FPA/N and enter the applicable survey results in the table.
- Pending Submission: If the survey has not been submitted to WDFW, include a copy of the survey with the FPA/N and enter the applicable survey results in the table.

Survey Results:

- Occupancy:
 - Nest site is located.
 - Presence of downy young murrelets or eggshell fragments are found.
 - Other occupancy behaviors as described in WAC 222-16-010 under “Occupied marbled murrelet site”.
- Presence: Murrelets are seen or heard, but occupancy is not detected.
- No Detection: Protocol survey was completed, but no detections were made.

2. Are you harvesting, salvaging, or constructing roads within 0.25 miles of an occupied site?

Answer ‘yes’ if harvesting, salvaging, or road construction will be occurring within 0.25 miles of an occupied marbled murrelet site.

- If yes, your forest practices will be subject to timing restrictions as described in WAC 222-24-030(11), 222-30-050(6), 222-30-060(8), 222-30-070(11), and 222-30-100(8).

Answer ‘no’ if you are not harvesting, salvaging, or constructing roads within 0.25 miles of an occupied marbled murrelet site.

3. Will you be flying a helicopter over or within 0.25 miles of an occupied site?

Answer ‘yes’ if you will be flying a helicopter over or within 0.25 miles of an occupied marbled murrelet site.

- If yes, your forest practices will be subject to timing restrictions as described in WAC 222-30-065(2)

Answer 'no' if you are not harvesting, salvaging, or constructing roads within 0.25 miles of an occupied marbled murrelet site.

4. Are you harvesting live trees within a 300-foot managed buffer zone of an occupied site?

Answer 'yes' if harvesting within any portion of the 300-foot managed buffer zone of an occupied marbled murrelet site. Select one or more of the harvest options and describe the leave trees and buffer widths you will be leaving.

- If harvesting within a no-cut inner zone buffer of 150-feet or you are leaving less than required in WAC 222-16-080(1)(h)(v) your proposal will be classed an IV-Special and a SEPA Checklist is required.
- **Example description:** The buffer on Unit 1 is marked with pink ribbon. Harvesting will not occur within the 150' no-harvest inner buffer. Retention trees within the 150-foot outer buffer are marked with blue paint. There will be a minimum of 75 trees per acre and buffer width varies, but trees will be evenly spaced.

Reference: Forest Practices Board Manual Section 15

5. Are there nesting platforms within 300 feet of any harvesting, salvaging, or road construction that:

- Are not located within a surveyed area, **and**;
- Have a minimum of 2 platforms per acre, **and**;
- Are located within 5 or more acres of contiguous habitat, **and**;
- Have at least 40% (number not volume) of the dominant and co-dominant trees made up of conifer species?

If yes, complete the table below.

Delineated Stand Identifier <i>(letter, number)</i>	Acreage of Delineated Stand	Nesting Platforms per Acre	Number of Trees 32-inches dbh or Greater (24-inches for Western Hemlock) with Platforms	Platform Assessment Method <i>(Sample Plot, 100% Cruised, Inventory Model, or Other)</i>
A	10	7	30	Sample Plot
B	25	3	10	Inventory Model

Delineated Stand Identifier: Add the same stand identifier shown on your map. Use a letter or number.

Acreage of Delineated Stand: Give the acres of each delineated stand of contiguous habitat. This includes the entire contiguous habitat, both inside and outside the boundaries of the proposed forest practice.

Nesting Platforms per Acre: Give the number of nesting platforms identified per acre. The definition of nesting platforms can be found in WAC 222-16-010 under "Marbled murrelet nesting platform". Methods for calculating nesting platforms are described in Forest Practices Board Manual Section 15.

Number of Trees 32-inches dbh or Greater (24-inches for Western Hemlock) with Platforms: This is a tally of the total number of trees with nesting platforms within the stand of contiguous habitat. If using the Inventory Model Method, use the number of trees over 32 inches dbh (24 inches for Western Hemlock) from the inventory data.

Platform Assessment Method: Indicate which platform assessment method was used to identify platforms based on the methods listed in the Forest Practices Board Manual Section 15. Sample Plot Method, 100% Cruise Method, Inventory Model Method, or Other: If you used 'Other,' attach a thorough description of how the platforms were assessed.

This will be a Class IV-Special if:

- Delineated stand is five or more acres in size, **and**
- Number of nesting platforms per acre is:
 - An average of five or more platforms within the Southwest Washington special landscape area – WAC 222-16-087
 - An average of seven or more platforms within suitable habitat, but outside the Southwest Washington special landscape area.

6. Are there any areas within this proposal or within 300 feet that:

- Are not surveyed, **and**;
- Are not listed in Question 5, **and**;
- Have trees that are at least 32 inches dbh (24 inches dbh for western hemlock)?

If 'yes', list the unit identifier from your map. Provide a brief description of current stand conditions that demonstrates the proposed area is not marbled murrelet habitat. Include tree species composition, stand age (if known), and maximum tree size (dbh).

Unit Identifier <i>(letter, number)</i>	Within the Unit <i>(Y or N)</i>	Within 300' of the Unit <i>(Y or N)</i>	Description
1	Y	N	There is approximately 10 acres of scattered Douglas-fir that average 26" dbh
2	N	Y	There are a few scattered alder trees that are approximately 34" dbh.

7. If you answered yes to question 1, 4, or 5, include a separate map that shows your proposed harvest units and/or road construction. See instructions for required map information.

The marbled murrelet map(s) must be separate from the Forest Practices Activity Map and shall include the following:

- Forest practices unit boundaries, including unit identifier from the FPA/N
- Survey area(s) and identifier from Question 1.
 - For surveys that indicated occupancy, show the delineated stand(s) of contiguous habitat.
- If applicable, the 300-foot managed buffer(s) on occupied sites (Question 4).
- If applicable, delineated stand of contiguous habitat including the identifier from Question 5.
- A map legend
- Scale can range between 1:4,800 to 1:12,000