

# Marbled Murrelet Conservation Strategy



Washington Department of Natural Resources  
US Fish and Wildlife Service  
June 2013

# Washington DNR

## Manager of state lands

- 2.9 million acres of forested, agricultural, and other trust lands
- 2.6 million acres of aquatic lands
- 150,000 acres of protected natural areas

## Core Principles

- Sustainable Stewardship
- Public Interest
- Sound Science



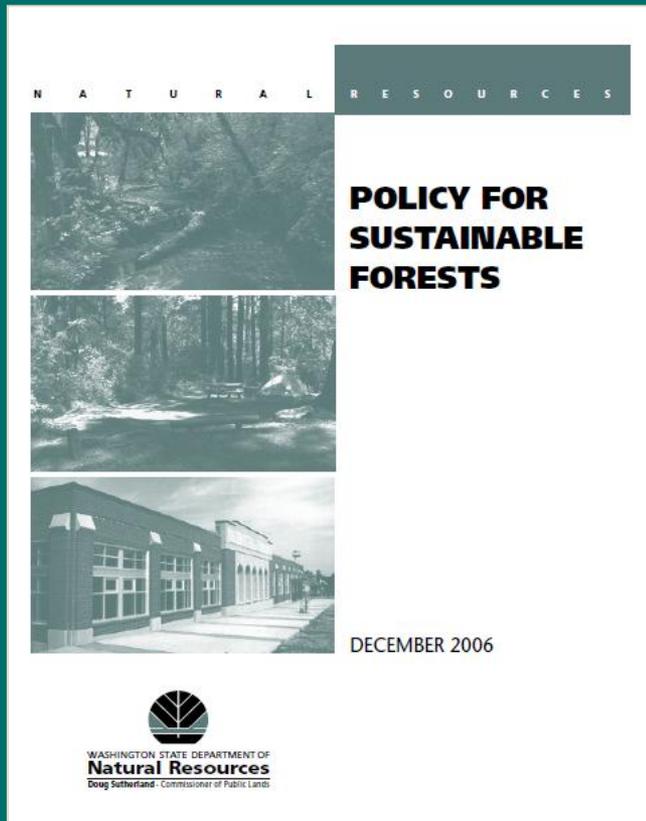
# DNR's Trust Mandate

As manager of state trust lands, DNR has legal fiduciary responsibilities under the State Constitution to:

- Generate revenue and other benefits for each trust, in perpetuity
- Preserve the corpus of the trust
- Exercise reasonable care and skill
- Act prudently to reduce the risk of loss for the trusts
- Maintain undivided loyalty to beneficiaries
- Act impartially with respect to current and future beneficiaries



# Policy for Sustainable Forests

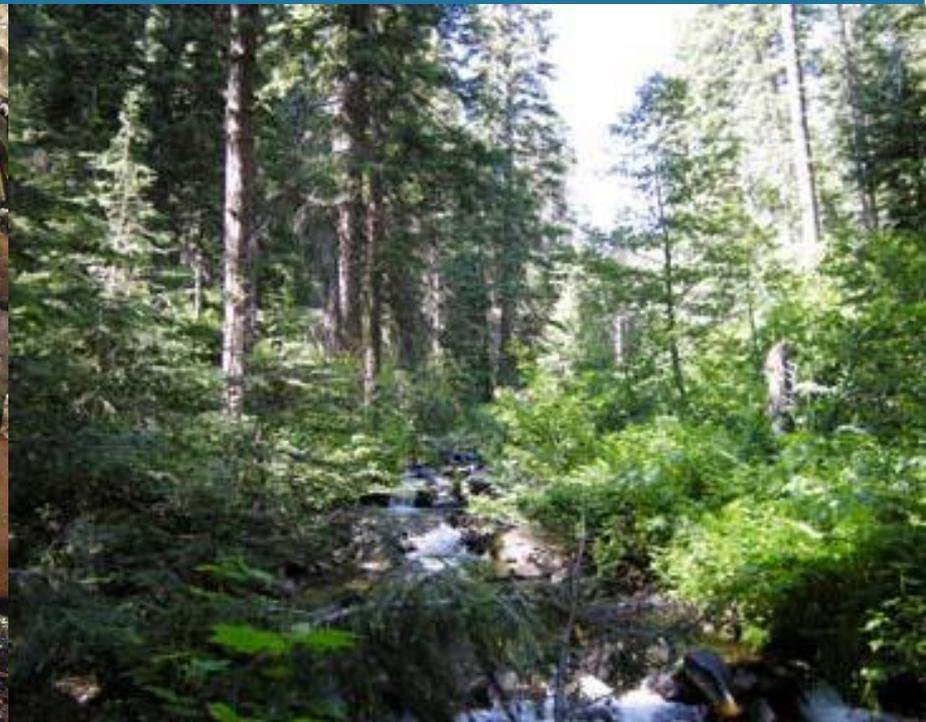


- Approved in 2006
- Provides broad direction to manage forested state trust lands for the beneficiaries and the people of Washington, today and into the future
- Includes protection of “old-growth” forest stands and very large diameter, structurally unique trees



# US Fish and Wildlife Service

Implements the Endangered Species Act (ESA), which aims to conserve listed species and their related ecosystems





# US Fish and Wildlife Service

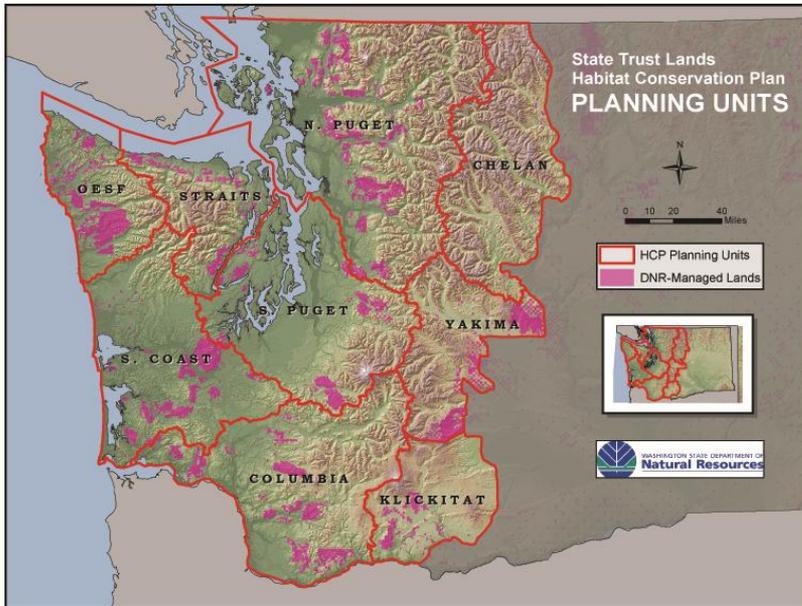
Under ESA, **'take'** of threatened and endangered species is prohibited (ESA Section 9)

- **'Take'** means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct”
- “**Incidental take**” is only permitted when land owners voluntarily enter into an agreement with USFWS, including a Habitat Conservation Plan and an Incidental Take Permit (ESA Section 10)

# 1997 Trust Lands

## Habitat Conservation Plan (HCP)

- 70-year agreement
- Covers 1.8 million acres of forested trust lands and natural areas
- Ensures habitat conservation for multiple species, while allowing management activities, such as timber harvest
- Implemented with DNR & USFWS working closely together



# 1997 Trust Lands

## Habitat Conservation Plan (HCP)

- Four conservation strategies
  - Marbled Murrelets
  - Northern Spotted Owls
  - Riparian Areas, Wetlands & Salmonids
  - Other Species of Concern & Uncommon Habitats
- When the HCP was signed, there was insufficient information to develop a long-term murrelet strategy



Photo: Hobson



## 1997 Trust Lands

# Habitat Conservation Plan (HCP)

The HCP described an interim murrelet strategy

Step 1. Defer harvest of suitable habitat

Step 2. Conduct “Habitat Relationship Studies”  
in each Planning Unit

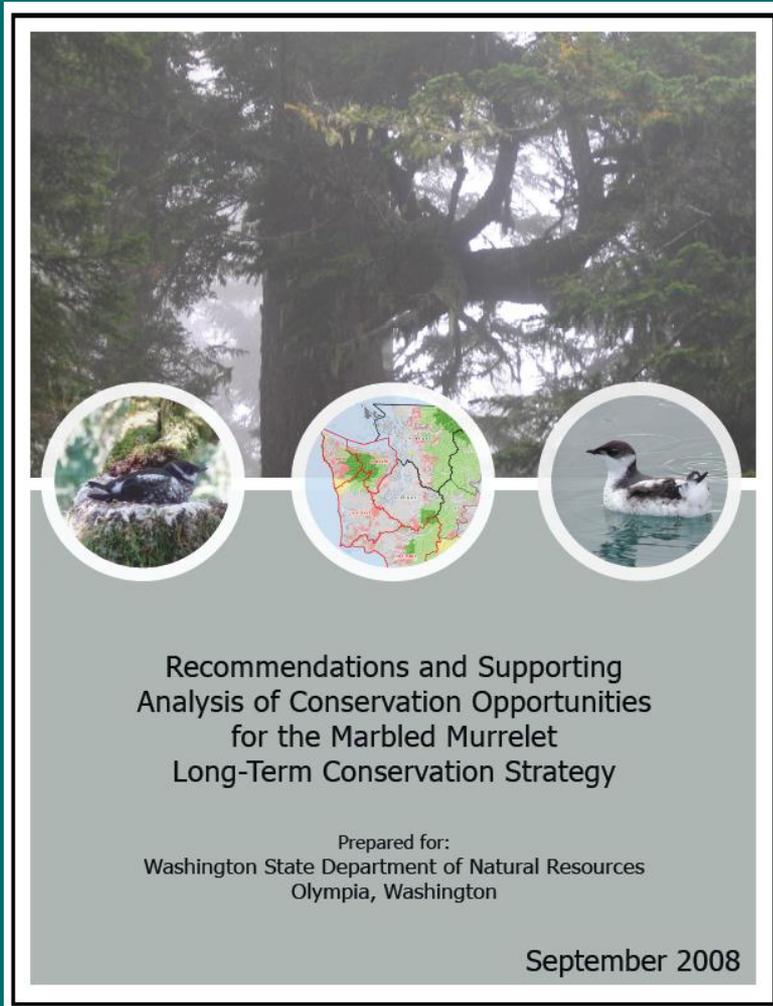
Step 3. Release low quality habitat

Step 4. Survey higher quality habitat

Step 5. Develop a long-term conservation strategy



# Marbled Murrelet Science Team Report



- DNR convened a team of 10 scientists over 4 years
- Reviewed and adjusted occupied site boundaries (added 16,500 acres)
- Evaluated DNR's survey effort
- Developed a method to prioritize areas for conservation
- Developed an index of habitat quality across DNR-managed lands
- Recommended developing large contiguous blocks of habitat

# Marbled Murrelet Science Team Report

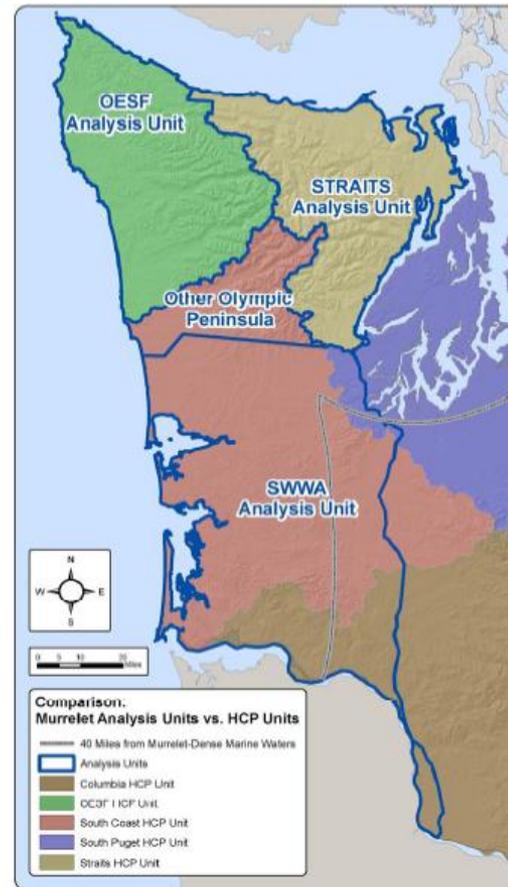
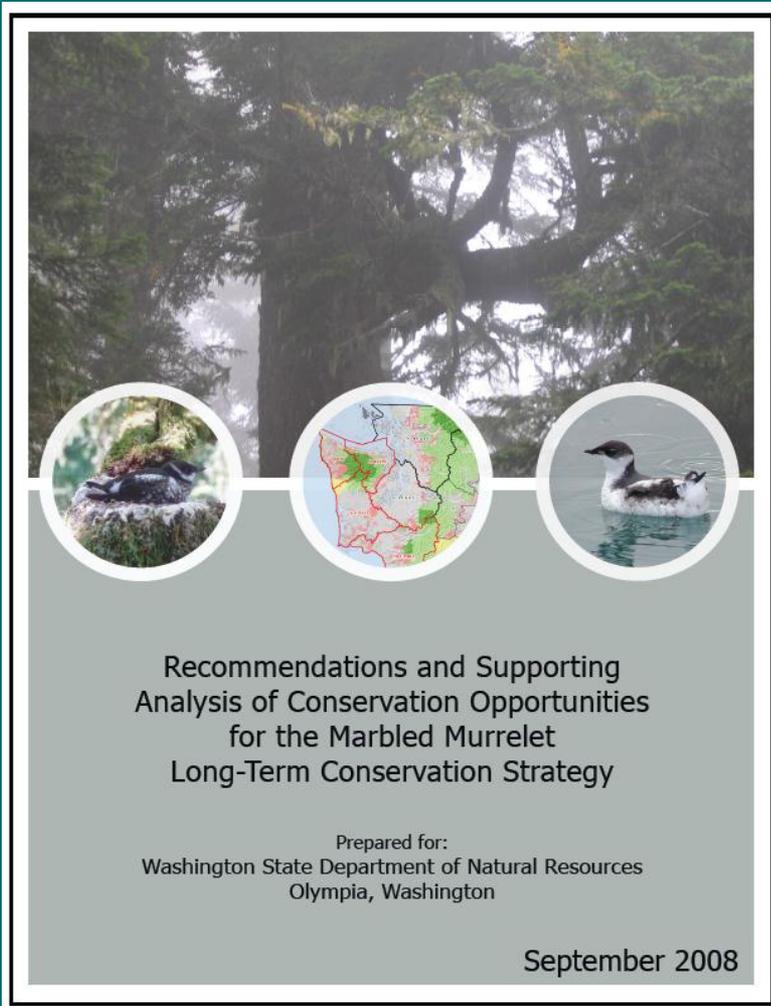


Figure ES-1. Planning Area Considered by the Science Team, Including Marbled Murrelet Analysis Units and DNR HCP Planning Units (Murrelet-Dense Marine Waters are Defined in Section 3.2b).

# Marbled Murrelet Northwest Forest Plan Habitat Model

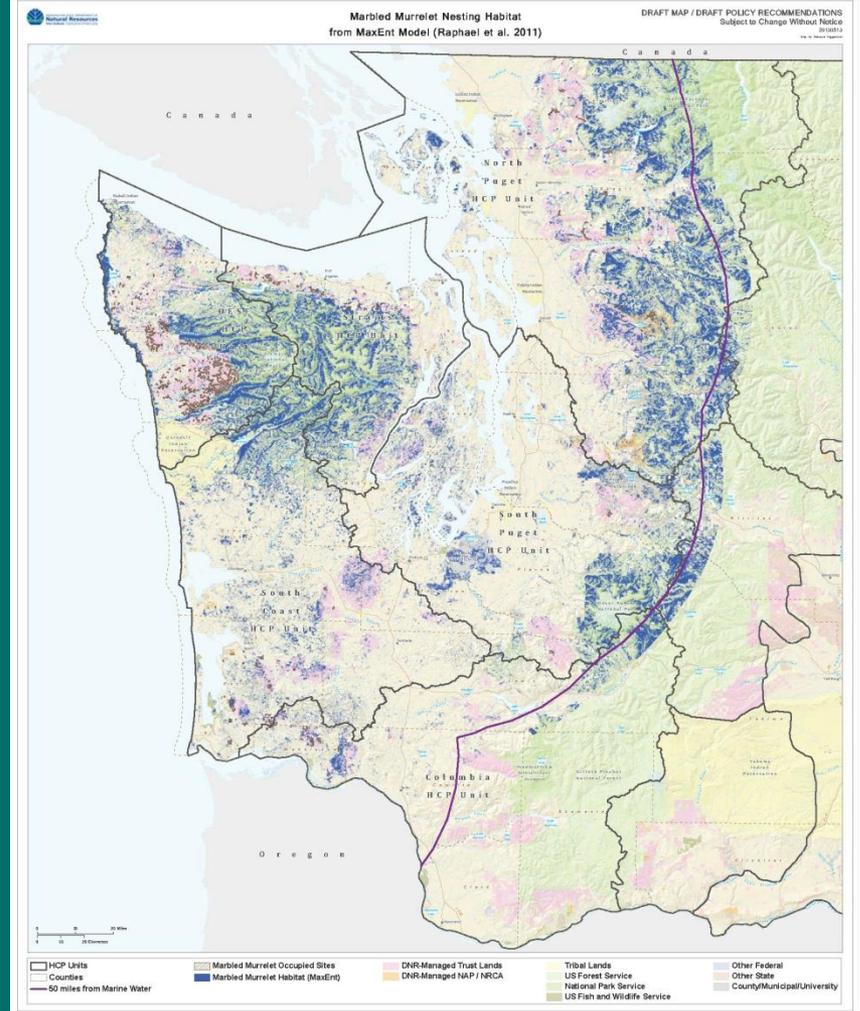


## Status and Trend of Nesting Habitat for the Marbled Murrelet

Martin G. Raphael, Gary A. Falxa, Katie M. Dugger, Beth M. Galleher, Deanna Lynch, Sherri L. Miller, S. Kim Nelson, and Richard D. Young



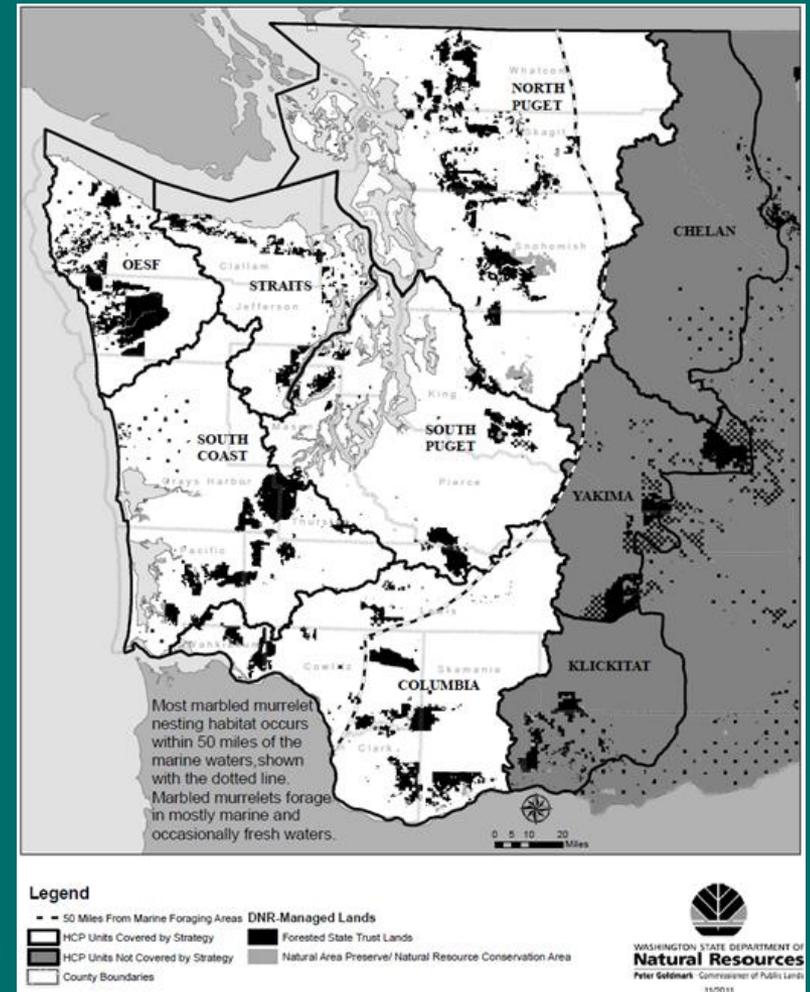
General Technical Report  
PNW-GTR-848  
August 2011



# Marbled Murrelet

## Proposal for a Long-term Strategy

- Includes six Westside HCP Planning Units
- Forested state lands shown in black
- Dotted line indicates 50 miles from marine habitat, which approximates the furthest distance from marine waters that murrelets have been seen in Washington



# Framework for Building the Conservation Strategy

## EXISTING DNR & USFWS POLICIES

### 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.

### 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 DNR's fiduciary responsibility to the trust beneficiaries as defined by law and USFWS' responsibilities under the ESA, which achieves all of the following objectives:

## OBJECTIVES

**Trust  
Mandate  
Objective**

**Marbled  
Murrelet  
Habitat  
Objective**

**Active  
Management  
Objective**

**Operational  
Flexibility  
Objective**

**Implementation  
Certainty  
Objective**

CONCEPT 1

CONCEPT 2

CONCEPT 3

NO ACTION

## Marbled Murrelet

# Proposal for a Long-term Strategy

## 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.



## Marbled Murrelet

# Proposal for a Long-term Strategy

## 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.



## Marbled Murrelet

# Proposal for a Long-term Strategy

### 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.



# Marbled Murrelet Conservation Strategy Focus of Phase 2 Scoping

## Conceptual Alternatives

- A starting point for development of alternatives in Draft EIS
- No preferred conceptual alternative proposed in Phase 2
- Not necessarily the alternatives that will be analyzed in the Draft EIS



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CONCEPT 1

CONCEPT 2

CONCEPT 3

NO ACTION

See Poster entitled "Framework for Building the Conservation Strategy" for a description of the conceptual alternatives and No Action concept

# Marbled Murrelet Conservation Strategy Focus of Phase 2 Scoping

## Conceptual No-Action

- Expires interim strategy
- Removes murrelet from Incidental Take Permit
- DNR would follow all marbled murrelet habitat regulations, including Forest Practices Act and Endangered Species Act



# Marbled Murrelet Conservation Strategy

## Focus of Phase 2 Scoping

### Other Potential Mitigation Measures

- Innovative management to accelerate habitat development in Conservation Areas
- Adaptive management
- Derelict fishing gear removal or other measures in the aquatic environment
- Delay of forest management activities to minimize disturbance

# Marbled Murrelet Conservation Strategy Environmental Review Process

- **NEPA Mandate**
  - USFWS “agency action” requires review under National Environmental Policy Act
- **SEPA Mandate**
  - DNR “agency action” requires review under State Environmental Policy Act
- Agencies are conducting a combined review and will jointly develop an Environmental Impact Statement (EIS)



# Marbled Murrelet Conservation Strategy

## Helpful Feedback for Phase 2

- What should we consider in the scope of environmental review?
  - Issues and specific impacts to include in analysis
  - Conceptual alternatives
  - Other mitigation measures
- What additional information is available or needed to address key issues and impacts?



# Marbled Murrelet Conservation Strategy

## NEPA/SEPA Joint EIS Process

### Scoping

- 2 Phases Public Comment
- Scoping Summary

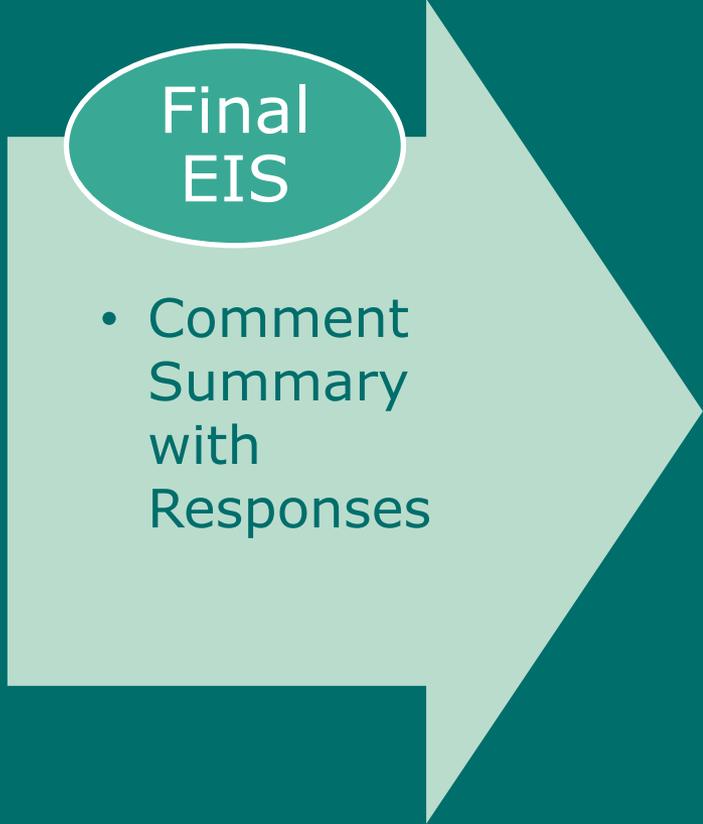
### Draft EIS

- Public Comment

### Final EIS

- Comment Summary with Responses

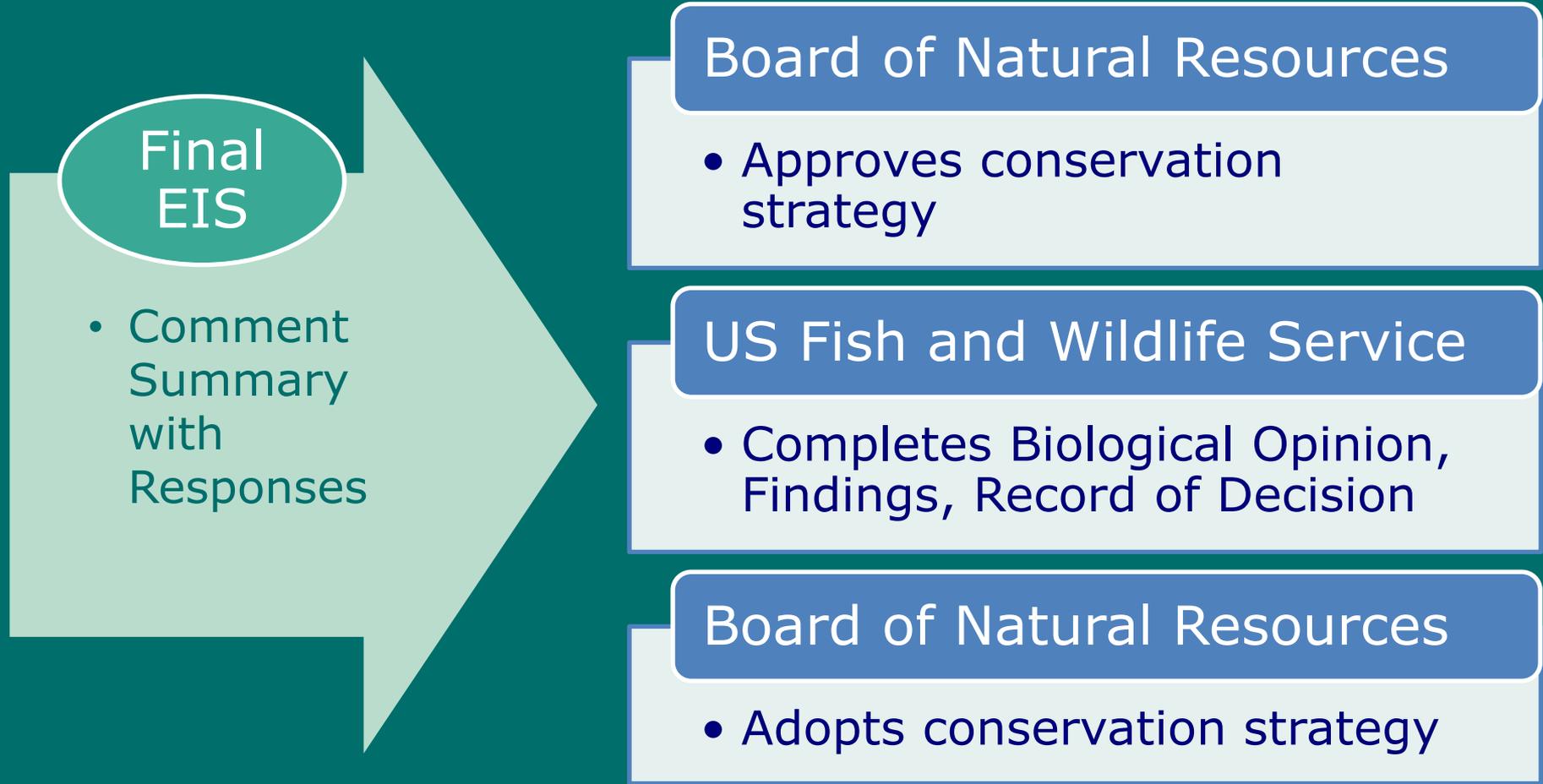
# Marbled Murrelet Conservation Strategy NEPA/SEPA Joint EIS Process



Final  
EIS

- Comment Summary with Responses

# Marbled Murrelet Conservation Strategy NEPA/SEPA Joint EIS Process



# Marbled Murrelet Conservation Strategy

## Contact Information

- Scoping comments due by July 1  
Send to: [sepacenter@dnr.wa.gov](mailto:sepacenter@dnr.wa.gov)
- Washington Department of Natural Resources  
Project Lead: Kristen Ohlson-Kiehn, [kristen.ohlson-kiehn@dnr.wa.gov](mailto:kristen.ohlson-kiehn@dnr.wa.gov)  
Project Planner: Carmen Bendixen, [carmen.bendixen@dnr.wa.gov](mailto:carmen.bendixen@dnr.wa.gov)  
DNR Website: <http://1.usa.gov/IkQJri>
- U.S. Fish and Wildlife Service  
HCP Lead, NEPA contact: Mark Ostwald, [Mark\\_Ostwald@fws.gov](mailto:Mark_Ostwald@fws.gov)  
USFWS Website: <http://1.usa.gov/ZqYhqg>



# Discussion Stations

1. Marbled murrelet biology and conservation
2. DNR's responsibilities as trust land manager
3. Framework for building the strategy and conceptual alternatives
4. Environmental review, including NEPA and SEPA

Take a look at the posters and ask questions.  
Submit written comments by email or mail.



# Thank you

