

Marbled Murrelet Forest Practices Rules Assessment

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Stakeholder Assessment and Recommendations for the Marbled Murrelet

Wildlife Working Group

Representing Washington State Association of Counties (WSAC), Washington Forest Protection Association (WFPA), Washington Farm Forestry Association (WFFA), Washington Conservation Caucus- Marbled Murrelet Coalition, Washington Department of Natural Resources (WDNR), Washington Department of Fish and Wildlife (WDFW), and U.S. Fish and Wildlife Service (USFWS)



Background



State Up-listing



Working Group
Process



FP Rules & Board
Manual



Objectives

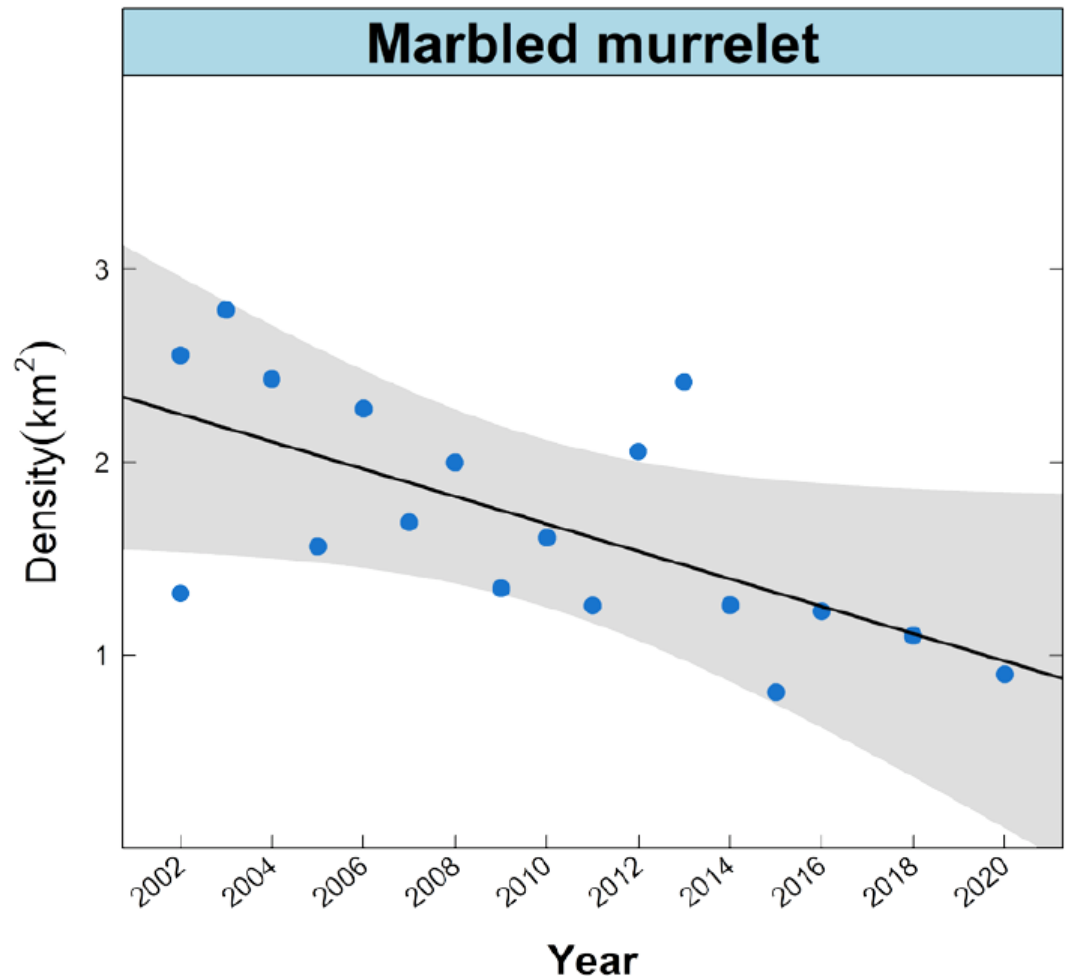


Consensus
Recommendations

Background

Annual rate of decline is
4.9% (95% CI 2.86 – 7.01)
since 2001

30.5% loss of high
probability nesting
habitat in WA (1993-2017)

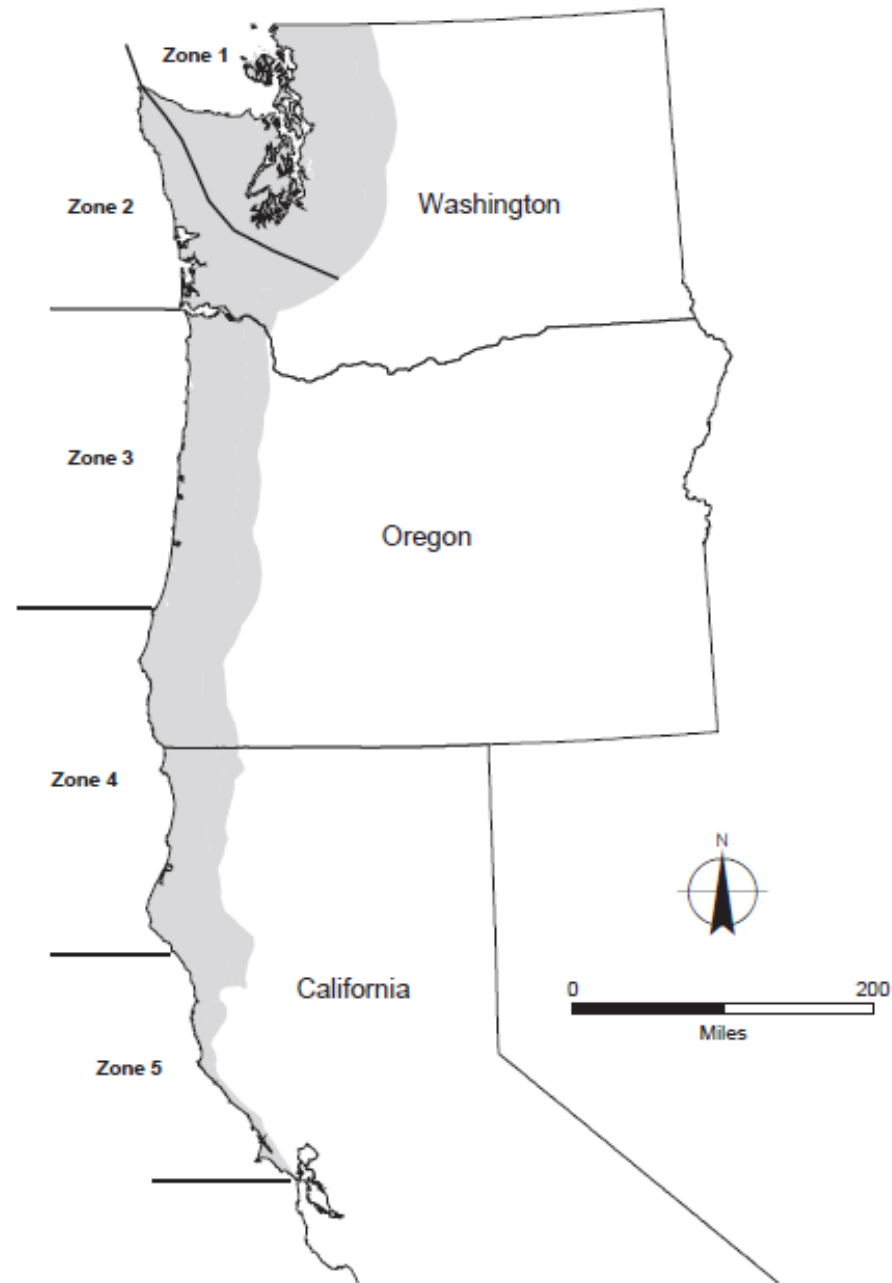


Background

Prompted the Wildlife Commission to up-list Murrelet to ***Endangered*** in 2017

WDNR in consultation with WDFW recommended a Rules Assessment to the Board

Wildlife Working Group stakeholder process initiated (Nov 2017)



Background

Murrelet Wildlife Working Group (WWG)

- The WWG began meetings fall 2018
- Developed WWG Charter & Objectives
- The Charter established ground rules for member's work together.
- Objectives provided a road map to:
 - Assess the current status of Murrelets in the state
 - Evaluate how current FP Rule effects the status
 - Make recommendations to change Rule to improve protection



Assessment Process

Periodic Status Review

- WDFW reviews the population status and trends of the Marbled Murrelet
- Makes listing recommendation to the Wildlife Commission
- Commission acts – up-lists Murrelet to state Endangered

FP Board

- WDFW and WDNR consult with each other and recommend a Rules Assessment to the Board
- Board supports initiation of a Murrelet Wildlife Working Group

Wildlife Working Group

- Comprised of stakeholders from WSAC, WFPA, WFFA, WCC, WDNR, WDFW, and USFWS.
- Developed a set of objectives to reach consensus-based recommendations on

Rule Change Recommendations



Objectives that Inform Change Recommendations

- Objective 1: Review population status and assess stressors
- Objective 2: Assess the contributions of non-federal lands regulated under the Rules towards Marbled Murrelet habitat conservation
- Objective 3: Identify the habitat components necessary for forested areas to be considered Suitable and/or Occupied habitat



Objectives that Define Change Recommendations

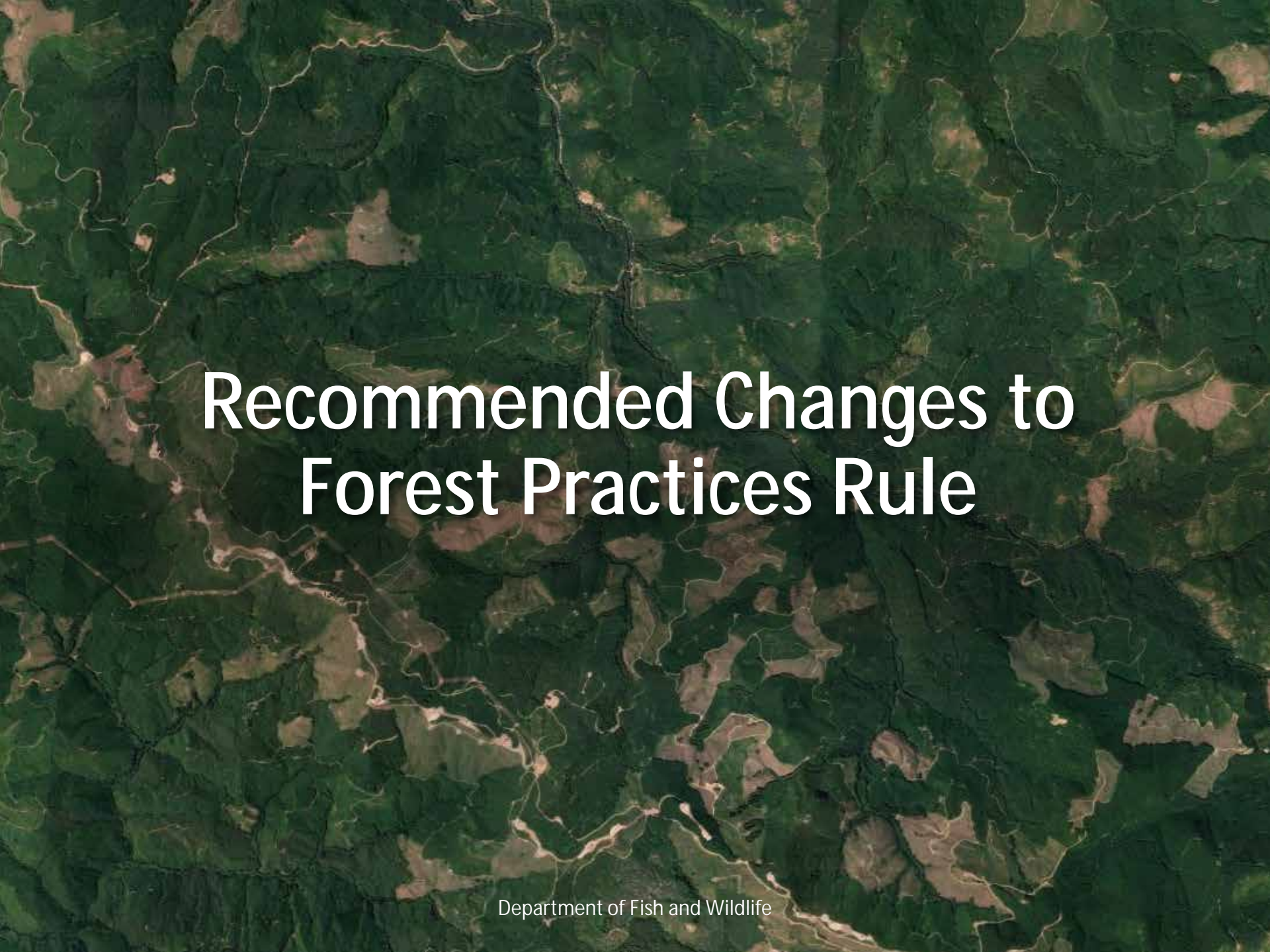
- Objective 4. Review definitions of “Suitable marbled murrelet habitat” and “Critical habitat”
- Objective 5. Characterize the processes/steps necessary to address Murrelet protection under the proposed Rule changes
- Objective 6. Provide rationale after recommended Rule changes



Objectives not Completed

- Objective 7. Review the Rule & recommend any changes or add procedures to current Rule if necessary, when stand conditions change
- Objective 8. Develop a timeline for development of the recommendations that will be provided to the Board
- Objective 9. Develop potential adaptive management strategies for Marbled Murrelet conservation
- Objective 10. Evaluate/assess existing suitable habitat on non-federal lands and potential future contributions of other regulatory habitat set asides across the landscape (GIS based approach)



An aerial photograph of a forested landscape. A river winds through the center of the image, surrounded by dense green trees. There are several irregularly shaped patches of lighter brown and tan color scattered throughout the forest, likely representing cleared areas or different types of vegetation. The overall scene is a mix of dark green and light brown tones.

Recommended Changes to Forest Practices Rule

WAC 222-16-010 – General definitions

SUITABLE MARBLED MURRELET HABITAT

for the purpose of conducting a protocol survey, means a contiguous forested area containing trees capable of providing nesting opportunities:

With all the following indicators unless the department, in consultation with the department of fish and wildlife, has determined that the habitat is not likely to be occupied by Marbled Murrelets:

(a) Within 50 miles of marine waters;

(b) At least forty percent of the dominant and codominant trees are ~~Douglas fir, western hemlock, western red cedar or sitka spruce~~ conifers;

(c) Two or more nesting platforms per acre;

(d) At least ~~7 acres in size, including the contiguous forested area within 300 feet of nesting platforms, with similar forest stand characteristics (age, species composition, forest structure) to the forested area in which the nesting platforms occur.~~ 5 acres in size (minimum convex polygon) of qualifying platform-bearing trees.



WAC 222-16-010 – General definitions

MARBLED MURRELET NESTING PLATFORM

means any horizontal tree structure such as a limb, an area where a limb branches, a horizontal surface created by multiple leaders, a deformity created by mistletoe infection or branch break or a debris/moss platform or stick nest equal to or greater than 7 inches in width diameter including associated moss if present, that is 50 feet or more above the ground in western hemlock trees 24 inches dbh and greater and in other conifer trees 32 inches dbh and greater ~~(generally over 90 years of age)~~ and ~~is~~ capable of supporting nesting by marbled murrelets.



WAC 222-16-010 – General definitions

OCCUPIED MARBLED MURRELET SITE

(3) For sites defined in (1) and (2) above, the sites will be presumed to be Occupied based upon observation of circling described in (1)(e), unless a two-year survey following the ~~2003~~ most recent Pacific Seabird Group (PSG) protocol has been completed. and an additional third year of survey following a method listed below is completed and none of the behaviors or conditions listed in (1)(a) through (d) of this definition are observed. The landowner may choose one of the following methods for the third-year survey: . . .



WAC 222-16-080(h)(v)

Critical Habitats designated as Class IV-Special, (h) Marbled Murrelet, (v) Harvesting within a 300 foot managed buffer zone adjacent to an Occupied marbled murrelet site.

*(h) Marbled murrelet (*Brachyramphus marmoratus*)*

(v) Harvesting within a 300 foot managed buffer zone adjacent to an Occupied marbled murrelet site that results in ~~less than a residual stand stem density of 75 trees per acre greater than 6 inches in dbh; provided that 25 of which shall be greater than 12 inches dbh including 5 trees greater than 20 inches in dbh, where they exist~~ a no-cut inner zone of 150 feet and a 150 foot outer zone managed by Relative Density by major habitat type: ≥ 50 tree per acre for hemlock – spruce dominant and ≥ 35 trees per acre for Douglas-fir and red alder dominant. The inner zone of the buffer shall begin at the edge of the outer extent of the platform trees of the occupied habitat. The primary consideration for the design of managed buffer zone widths and leave tree retention patterns shall be to ~~mediate~~ help minimize edge effects. The width of the buffer zone may be reduced in some areas to a minimum of 200 feet and extended to a maximum of 400 feet as long as the average of 300 feet is maintained. Landowner shall consult with WDFW on managed buffer prescriptions.



WAC 222-16-080(h)(vi)

Critical Habitats designated as Class IV-Special, (h) Marbled Murrelet, (vi) SFLO exemption

*(h) Marbled murrelet (*Brachyramphus marmoratus*)*

(vi) Except that the following shall not be critical habitat (state):

(A) Where a landowner owns less than 500 acres of forest land within 50 miles of saltwater and the land does not contain an occupied marbled murrelet site or the 300- foot average buffer of an Occupied marbled murrelet site; or

(B) Where a protocol survey (see WAC 222-12-090(14)) has been conducted and no murrelets were detected. The landowner is then relieved from further survey requirements. However, if an occupied marbled murrelet site is established, this exemption (vi) is void.



A forest worker wearing an orange hard hat, a light-colored safety vest over a long-sleeved shirt, and blue jeans is measuring the diameter of a tree trunk with a yellow tape measure. The worker is positioned in a forest with several large trees and green foliage in the background. The text "Recommended Changes to the Forest Practices Board Manual Guidance" is overlaid in white on the image.

Recommended Changes to the Forest Practices Board Manual Guidance

Board Manual 14

WAC 222-12-090 (14) – SURVEY PROTOCOL FOR MARBLED MURRELETS.

(14) Survey protocol for marbled murrelets. The most current Pacific Seabird Group terrestrial survey protocol ~~*The Pacific Seabird Group survey protocol dated January 6, 2003, and formally titled Methods for Surveying Marbled Murrelets in Forests: A Revised Protocol for Land Management and Research,*~~ 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.



Board Manual 15

WAC 222-12-090 (15) – Guidelines for Estimating the Number of Marbled Murrelet Nesting Platforms

The department shall, in consultation with the department of fish and wildlife, develop:

- (a) ~~platform~~ **Platform protocols** for use by applicants in estimating the number of platforms, and by the department in reviewing and classifying forest practices under WAC 222-16-050. These protocols shall include:

 - ~~(a)~~ (i) A sampling method to determine platforms per acre in the field;
 - ~~(b)~~ (ii) A method to predict the number of platforms per acre based on information measurable from typical forest inventories. The method shall be derived from regression models or other accepted statistical methodology, and incorporate the best available data; and
 - ~~(c)~~ (iii) Other methods determined to be reliable by the department, in consultation with the department of fish and wildlife.



Board Manual 15

WAC 222-12-090 (15) – Guidelines for Estimating the Number of Marbled Murrelet Nesting Platforms

(b) Guidance for applications classified by the department under WAC 222-16-080 (1) (h) (v) to be Class IV-Special forest practices for lands designated as critical habitat (state) for marbled murrelet (*Brachyramphus marmoratus*) for the following two forest practices activities:

(i) Harvesting within a 150-foot no-cut inner zone buffer of a 300-foot managed buffer zone adjacent to an occupied marbled murrelet site.

(ii) Harvesting within a 150-foot outer zone managed buffer of a 300-foot managed buffer zone adjacent to an occupied marbled murrelet site that results in less than a residual stand relative density of 35 for Douglas-fir or red alder dominant species group or a residual stand relative density of 50 for Western hemlock dominant species group.





**Thank you
for your
consideration**
