WASHINGTON STATE DEPARTMENT OF
Natural Resources

Washington Department of
FISH and WILDLIFE

April 25, 2014

MEMORANDUM

TO: Forest Practices Board

FROM: Donelle Mahan, Forest Practices Operations Assistant Division Manager, D.M.
Washington State Department of Natural Resources

Terry Jackson, Forest Habitats Section Manager
Washington State Department of Fish and Wildlife

SUBJECT: Annual Report on the Voluntary Protection Approach for Western Gray Squirrel

On November 12, 2013, the Board directed the Washington Department of Natural Resources (DNR) and Washington Department of Fish and Wildlife (WDFW) to annually report on the status of management plans and the success of the voluntary protection approach. DNR and WDFW will present this report at the May 13, 2014 board meeting.

The first annual report on the status of the voluntary protection approach for the Western Gray Squirrel is attached. This report covers the joint DNR and WDFW administrative and operational improvements to provide WGS protection measures as part of approved forest practices applications from November 2013 through April 11, 2014.

We look forward to discussing the 2013 report with you at your May 2014 meeting. In the meantime, please do not hesitate to contact us: donelle.mahan@dnr.wa.gov at 360.902.1405; or terry.jackson@dfw.wa.gov at 360.902.2609.

Attachment

cc. Chris Hanlon-Meyer, Marc Engel,
Margen Carlson, Gary Bell

2013 Annual Report to the Forest Practices Board

The Status of a Voluntary Cooperative Approach for the Western Gray Squirrel
April 3, 2014

SPECIES BACKGROUND

The western gray squirrel (WGS) was listed by the Washington Fish and Wildlife Commission as State Threatened effective November 14, 1993. The species is recognized by the U.S. Fish and Wildlife Service as a Federal Species of Concern.

In Washington State, the species occurs in three highly localized areas in the oak woodlands and conifer forests of Klickitat and southern Yakima counties; low to mid-elevation conifer forests in Okanogan and Chelan counties; and the oak woodlands and conifer forests on Joint Base Lewis-McChord in Pierce and Thurston counties.

The WGS inhabit transitional forests of mature Oregon white oak, ponderosa pine, Douglas-fir, and various riparian tree species (Linders and Stinson 2007). Habitat quality in Washington is assumed to be relatively poor compared to other parts of the species' range due to the lower number of oak species and degradation of pine and oak habitats. The cumulative effects of land conversion, logging, sheep grazing, and fire suppression largely eliminated the open-grown stands of mature and old growth pine and have degraded oak woodlands (Linders and Stinson 2007). The most recent population estimate for Washington was between 468 and 1,400 squirrels, based on data gathered from 1994 to 2005 (Linders and Stinson 2007). Population size can fluctuate dramatically with disease and changes in food supply.

HISTORY OF FOREST PRACTICES BOARD ACTIONS

In response to the April 2013 petition for WGS rule making, at the May 13, 2013 meeting the Forest Practices Board (hereafter, Board) requested that staff from the Department of Natural Resources (DNR) and Washington Department of Fish and Wildlife (WDFW) explore operational, administrative or other mechanisms to increase the effectiveness of the current WGS voluntary protection approach and present their findings to the Board at their November 2013 meeting. In addition, in response to the July 2013 WGS petition for rule making, at the August 13, 2013 meeting the Board requested DNR and WDFW staff to give a presentation at the November meeting providing information about the species, the history of the Board's regulatory approach and the effectiveness of the current voluntary protection methods. The presentation included the status of WGS populations and a review of Forest Practices Applications (FPAs) in areas containing WGS.

DNR and WDFW staff worked together to look at administrative and operational improvements to provide WGS protection measures as part of approved forest practices applications. DNR staff incorporated agreed upon improvements into FPA processing guidance that have been applied to all applications containing WGS habitat. Key components of this guidance include noting the presence of WGS or their habitat on the DNR office checklist which becomes part of the FPA, plus providing WDFW a courtesy email that an FPA has triggered a "hit" for potential WGS within the vicinity of the FPA. This provides notification on all new FPAs sent out for review to the DNR forest practices foresters and appropriate WDFW biologists that WGS or their habitat may be present within the proposed forest practices activity areas. The WGS processing guidance also requires DNR to include a note on the FPA Notice of Decision page acknowledging the presence of WGS or WGS habitat in the harvest vicinity, and offers the assistance of WDFW staff. Though this note is not a condition of the application, it is expected to inform the FPA applicant of the possible presence of WGS or their habitat and to provide them with WDFW contact information, improving communications and increasing the likelihood of voluntary compliance.

On November 12, 2013, the Board directed DNR and WDFW to annually report on the status of management plans and the success of the voluntary approach.

WORKSHOPS AND/OR TRAINING

On March 11, 2014, WDFW held a WGS workshop for headquarters and regional WDFW staff involved with management and conservation of WGS. The intent of this meeting was to bring all staff up to date regarding present WGS conservation efforts, including 2013 actions regarding petitions for rule-making, current FPA screening methods for WGS, FPA-related WGS nest surveys, WGS Management Plan development efforts, FPA processing and improvements, and overall staff coordination of the agency's WGS conservation actions. Results of the meeting included identification of both short- and long-term needs/actions within WDFW, including development of a strategy for updating WGS population estimates, assessing current WGS distribution, refining a landscape-level suitable habitat map, and identifying how to effectively prioritize WGS conservation at the landscape scale.

While information and conservation actions are better defined internally, WDFW will continue to coordinate with DNR concerning maximizing the effectiveness of the voluntary management approach for WGS.

2013 FOREST PRACTICES APPLICATIONS/NOTIFICATIONS (FPA/NS)

The process changes for screening FPA/Ns with the potential to impact WGSs (mentioned above) began in November of 2013. Using WDFW's GIS location data for documented WGS nests, colonies and/or potentially suitable habitat, WDFW and DNR both screen FPA/Ns for potential WGS impacts. DNR also notifies WDFW of all FPA/Ns within ¼-mile of these locations via email. WDFW then further evaluates the FPA/Ns for potential WGS conflicts, working with the landowner/land manager to conduct WGS nest surveys (as needed), discussing forest management goals and options, and developing voluntary WGS management plans. These management plans incorporate conservation measures identified in WDFW's Priority Habitats and Species (PHS) Management Recommendations for WGSs.

In order to improve assessment of the effectiveness of the voluntary WGS protection approach, in December 2013, WDFW began actively tracking more detailed FPA/N information for potential WGS conflicts. Information collected includes FPA/N number, date of posting in the Forest Practice Application Review System (FPARS), applicant name, whether they are a large or small landowner, if a WGS nest survey was needed or completed, if a WGS Management Plan was necessary or developed, and any additional notes or pertinent information.

While specific FPA/N information from most of 2013 was not readily available, most of 2013 saw a limited number of FPA/Ns (8) with WGS hits. The following provides a summary of FPA/Ns from December 2013 (when WDFW tracking was initiated) through April 11th, 2014:

- A total of 57 FPA/Ns were identified as potentially having WGSs in proximity to the proposed harvest.
- Of the 57 WGS-related FPA/Ns, 53 FPA/Ns were located in Klickitat County. Of the remaining FPA/Ns, one was located in each of the following counties - Skamania, Chelan, Okanogan, and Pierce.
- One FPA/N was subsequently withdrawn prior to approval, resulting in a total of 56 FPA/Ns requiring some form of additional action/follow up.
- Of the56 FPA/Ns, 20 were associated with large/industrial landowners, 36 were associated with small forest landowners.

As evident by these numbers, there was a substantial increase in FPA/Ns associated with WGS during December 2013 and the first quarter of 2014. In general, it is likely that continued economic recovery at the national level, combined with improved regional timber market conditions, are contributing to increased harvest activities throughout the state.

Western Gray Squirrel Site Management Plans

The significant increase in WGS-related FPA/Ns resulted in additional challenges for WDFW's limited staff resources. However, WDFW continued its WGS conservation efforts with landowners, conducting WGS nest surveys and working with landowners to develop WGS management plans. The following is a summary of activity for the time period of December 2013-April 11, 2014:

Of the 56 WGS-related FPA/Ns requiring action of some kind:

- Fifty-three (53) FPA/Ns involved the need for conducting WGS nest surveys (or simple walk-through checks of marginal habitat). Of the remaining three, one small forest landowner site was already harvested when WDFW arrived to conduct the survey; one site involved only a fish passage culvert replacement; and one site had a single nest in a tree next to the residence.
    - Twenty-six (26) of the 53 surveys resulted in no observed nests and no need for WGS management plans.
    - WGS management plans were developed for 19 FPA/Ns (5 were associated with small landowners and 14 were associated with large landowners).
        - Of the 19 management plans, 5 included minimal or inadequate WGS protection (e.g. primarily leaving only nest trees with no added buffers

for connectivity). Three of these management plans were associated with small landowners and two were associated with large landowners.

- Eight (8) of the 53 FPA/Ns remain pending to-date as to the need for development of a WGS management plan.

Other Landowner Efforts

Beginning in the fall of 2010, Hancock Forest Management has been leading research, along with other cooperators, pertaining to WGSs in Klickitat County. Objectives of the research include: (1) developing a detection probability model for nests, (2) quantifying the relationship between nest counts and squirrel abundance, and (3) evaluating the efficacy of using GPS telemetry to quantify squirrel space use in response to forest management.

PROTECTION BY COUNTIES

Washington's Growth Management Act (RCW 36.70A) requires that local jurisdictions protect critical areas, including fish and wildlife habitat conservation areas. Regulations (365-190-130(4)(a) WAC) say counties should identify and classify habitat for federal and state listed and sensitive species and should utilize WDFW's Priority Habitats and Species (PHS) database when doing so. The PHS database contains GIS location data for Western Gray Squirrels and is routinely requested by counties to support their land use planning. This is the same data that WDFW biologists use to screen FPA/Ns and other proposals going through the State Environmental Policy Act process for potential project impacts to the Western Gray Squirrel.

RCW Revisions

A WDFW Omnibus Enforcement bill was passed by Legislation in March of 2014 which included amendments to RCW 77.15.120 and RCW 77.15.130. These amendments clarified that it is unlawful to intentionally destroy the nests or eggs of fish or wildlife designated as endangered, threatened, or sensitive (including the western gray squirrel), unless authorized by rule or WDFW permit.

Petition to Up-List Washington State Status

A petition was received from the public on the 7th of February 2014 entitled "Petition for Rule Making (RCW 34.05) to list the Western Gray Squirrel as an Endangered Species". WAC 232-12-297 outlines the process for WDFW to receive, review and take action, as needed, related to a petition to list or change the status of a listed species. In accordance with the WAC, WDFW accepted the petition because it presented scientific data to support a review of the listing status of the WGS. WDFW will now initiate the status review process to evaluate the current status of the species. The public will be invited to contribute information for the required 365 days outlined in the WAC. After that time, the status review document will be compiled using the best available scientific information. If the species status review document indicates that a change in classification from its current threatened status to another status is required, the public will have 30 days to comment on the document before WDFW presents the recommendation to the Fish and Wildlife Commission for action.

2013 WDFW Surveys and Conservation Actions

<u>Population/Habitat Surveys</u>

Several population monitoring and research efforts are currently underway this year for the WGS. These efforts include: (1) A trapping study on Klickitat Wildlife Area to determine the trend in WGS abundance, in response to recent habitat changes resulting from beetle kill of ponderosa pine; (2) A survey on USFS and private lands using non-invasive genetic hair-sampling tubes in Chelan County; (3) A survey on public lands using non-invasive genetic hair-sampling tubes in Okanogan County; and (4) Research pertaining to the effects of forestry practices on WGS populations at Joint Base Lewis McChord (JBLM).

Conservation Actions

WGS recovery and management actions by WDFW include: (1) the review of FPAs that may impact the species and its habitat, and preparation of management plans for willing landowners; (2) the thinning of forest understory vegetation on the Klickitat Wildlife Area to enhance WGS habitat and reduce the threat of large wildfires; (3) advising WDNR staff on measures for enhancing WGS habitat on WDNR lands; (4) advising JBLM forest land management staff on habitat management activities affecting the species; and 5) the preparation of professional scientific manuscripts describing the ecology and conservation of WGSs, competition with eastern gray squirrels, and population modeling.

SUMMARY

All proposed forest practice activities identified as potentially having an impact to WGSs were screened by WDFW and DNR throughout 2013, a process that will continue throughout 2014 and beyond. WDFW will also be assessing the population status and distribution of WGS during the formal status review of the species. As data becomes available through the status review and tracking of FPAs and management plans, WDFW and DNR will be better able to assess the effectiveness of the voluntary management approach and to provide recommendations on possible changes to protection strategies, as needed.