

Pacific Seabird Group



DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

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Ken Berg, Field Supervisor
U.S. Fish and Wildlife Service
Western Washington Fish and Wildlife Office
510 Desmond Drive SE, Suite 101
Lacey, Washington 98503-1273

RE: Comments on the Proposed Revision of Critical Habitat for the Threatened Marbled Murrelet

Dear Mr. Berg:

On behalf of the Pacific Seabird Group (PSG), we express extreme concern about a proposal from the U.S. Fish and Wildlife Service (USFWS) to revise critical habitat protection for the Marbled Murrelet (*Brachyramphus marmoratus*), which is currently listed as threatened under the federal Endangered Species Act (ESA). The proposal would reduce Marbled Murrelet critical habitat by 94% compared to the current designation made in 1996 (USFWS 1996). While identifying 3,590,642 acres as critical to the survival and recovery of this unique seabird, the proposal considers excluding more than 3,368,950 acres of these lands under section 4(b)(2) of the ESA. The majority of this exclusion includes about 2,857,912 acres (85%) on federal lands that fall under the Northwest Forest Plan (NWFP). In this letter, we address the current status of murrelet populations and their suitable habitat, in addition to the importance of critical habitat. We stress the need for the USFWS to reconsider the 4(b)(2) exclusions, especially in areas of the NWFP. We also urge USFWS to reconsider the inclusion of critical marine habitats necessary for the species survival.

PSG is an international, non-profit organization that was founded in 1972 to promote the knowledge, study, and conservation of Pacific seabirds. It has a membership drawn from the entire Pacific basin, including Canada, Mexico, Russia, Japan, China, Australia, New Zealand, and the USA. Among PSG's members are biologists and scientists who have research interests in Pacific seabirds, government officials who manage seabird refuges and populations, and individuals who are interested in marine conservation. For two decades, PSG has taken an active lead in resolving many scientific aspects of the biology and conservation of Marbled Murrelets. PSG has served as

an unbiased forum for government, university, and private sector biologists to discuss and resolve such issues.

Marbled Murrelet Populations and Their Essential Nesting Habitat Continues to Decline

The Washington, Oregon, and California murrelet population is estimated to be 22,000 birds (McShane et al. 2004). Population modeling indicates that this population is declining and will be extinct in Oregon and California within 100 years without changes in the amount and quality of nesting habitat, and in demographic trends (McShane et al. 2004). Low fecundity levels across Washington, Oregon, and California as measured by nest success indicate a population that cannot currently maintain itself (McShane et al. 2004, Beissinger and Peery 2003). Lower nest success is caused primarily by nest predation, which in turn is affected by forest fragmentation and proximity to human developments (McShane et al 2004, Raphael et al. 2002). Thus, in order to diminish the threat of nest predation and increase murrelet reproduction, the forest landscape and its surroundings must be protected to provide large, contiguous blocks of suitable nesting habitat. In 1996, USFWS designated critical habitat units (CHUs; USFWS 1996) based on the NWFP's late-successional reserves (LSRs; USDA and USDI 1994a, b) to provide critical and essential nesting habitat to this threatened species:

“In response to the problems of fragmentation of suitable habitat, potential increases in predation, and reduced reproductive success, the Service concentrated on defining critical habitat units in terms of large, contiguous blocks of late-successional forest. The Service used the late-successional reserve system identified in the Northwest Forest Plan (USDA and USDI 1994) to the extent possible to provide large blocks of habitat.” (USFWS 1996: 26265).

The Marbled Murrelet was listed in 1992 primarily because of significant losses of nesting habitat through logging and development in coastal forests of Washington, Oregon, and California (USFWS 1992). An objective of the Marbled Murrelet recovery plan is to stabilize the population at or near current levels by maintaining and/or increasing productivity and removing and/or minimizing threats to survivorship (USFWS 1997). USFWS (1997) clearly states that the NWFP, especially the LSRs, is the backbone of the murrelet recovery plan. Without the LSRs, the demise of the murrelet population will likely be accelerated.

The amount of murrelet nesting habitat has continued to decline since the species listing in 1992. The total loss of suitable nesting habitat between 1992 and 2003 was estimated to be about 10% or 226,000 acres of the estimated of 2.2 million acres of suitable habitat (2003 estimate; McShane et al. 2004). Of this habitat, most was lost in formal consultations with the USFWS (92%), 80% on private land (71% on lands covered by HCPs) and 17% (34,951 acres) on federal land. More than 7,370 acres of occupied habitat were lost, and thousands of additional lost acres, which were not surveyed, likely contained murrelets.

Moreover, additional proposals are being made to decrease the amount of protected murrelet nesting habitat. For example, in western Oregon, the Bureau of Land Management (BLM) is in the process of revising its Resource Management Plan (RMP). All of the alternatives being considered under the RMP include eliminating reserves (designated LSRs under the NWFP) or changing the purpose

of the reserve to allow increased logging. The additional loss of protection of this habitat on BLM lands in Oregon will further reduce the amount of habitat in the listed range.

The USFWS (2006) recognizes that the creation and maintenance of large blocks of contiguous forest cover are important to the long-term recovery of this species:

“The maintenance and development of large blocks on nesting habitat and contiguous forest cover is important to the stability and long-term recovery of marbled murrelets” (USFWS 2006: 53845).

Yet the USFWS is proposing to drastically reduce the amount of designated critical habitat by excluding more than 94% under 4(b)(2) of the ESA, even as the amount of habitat available to this species continues to decline.

Critical habitat designated in 1996 included 32 CHUs in Washington, Oregon and California that are considered essential to the conservation of the species (USFWS 1996). The designation of critical habitat provides essential habitat for a listed species by creating a framework for conserving the primary constituent elements that are critical to survival and recovery. In addition, USFWS (1996) stated that because the NWFP and LSRs are not Congressional designations the CHUs help ensure the long-term management of these areas for the survival and recovery of the murrelet:

“...LSRs are plan-level designations with less assurance of long-term persistence than areas designated by Congress. Designation of LSRs as critical habitat compliments and supports the Northwest Forest Plan and helps to ensure persistence of this management directive over time” (USFWS 1996: 26265).

The CHU designation is therefore necessary, on top of the LSRs, to provide greater assurance that these important and critical habitats will be managed for murrelet conservation over the long-term. Species with designated critical habitat are less likely to be declining, and over twice as likely to be recovering as those without (Taylor et al. 2005).

In summary: (1) murrelet populations continue to decline through low fecundity and high predation rates; (2) even with the current system of reserves (LSRs) and CHUs on federal land, loss of occupied and suitable murrelet habitat is continuing; and (3) murrelet habitat declines will accelerate in the future with changes to critical habitat, the NWFP, and individual forest management plans. Continued habitat loss and the continued fragmentation of habitat will increase the risk of extinction of this unique seabird. We agree with the Evaluation Report on the 5-Year Status Review for the murrelet that:

“It is unrealistic to expect that the species will recover before there is significant improvement in the amount and distribution of suitable nesting habitat” (McShane et al. 2004: 6-34).

We believe the proposal from USFWS to eliminate most of the critical habitat is not appropriate considering the current status of the population and threats posed to the population at this time. Therefore, we believe that, to provide for the survival and recovery of the Marbled Murrelet, it is

highly critical that USFWS reconsider the 4(b)(2) exclusions, especially the areas within the NWFP, prevent the future loss of occupied habitat, and provide input to the BLM RMP process so as to preserve the integrity of the LSRs. We also urge USFWS to reconsider the inclusion of key marine foraging habitats necessary for the species survival. Without these protections, the Marbled Murrelet is likely to become extinct in the listed range in the foreseeable future.

Sincerely,

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Chair, Pacific Seabird Group

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