

# **Exhibit G**

**Additional  
Supplemental  
Public Correspondence received as of  
June 7, 2018**

## Roxann B Borisch

---

**From:** Steve Zika <SteveZika@HamptonLumber.com>  
**Sent:** Wednesday, June 6, 2018 11:35 AM  
**To:** odfw.commission@state.or.us  
**Subject:** Marbled Murrelet Commission Meeting

Thank-you Chair Finley and Commissioners for allowing me to comment on the proposed uplist decision and new survival guidelines related to the Marbled Murrelet. I am the CEO of Hampton Lumber which is a family owned company with timberlands and sawmills in Oregon that has been in business for 75 years.

I have personally seen the social devastation to rural communities from the execution of the Spotted Owl listing and how many of these communities, including Baker City have yet to recover. With the almost shut down of the Federal forests we have seen that nature is unpredictable and that we are now shooting Bard Owls because the Spotted Owls have not recovered despite the social and economic catastrophic effects on many small towns in rural Oregon. In addition, with the lack of active management of Federal forests we have now seen the overgrowth that has led to catastrophic forest fires and historic levels of greenhouse gas emissions that have been released into the atmosphere.

So now we are considering an uplisting for the Marbled Murrelet despite the fact that the U.S. Fish and Wildlife department now concludes that the population is showing an upward trend. So what is the crisis that requires the set aside of more forest land and the undoubtedly additional negative effect on rural employment? We all want to base these type of critical decisions on the best science available. Because of the challenge associated with these bird's activities the science is not settled and the legislature has funded a study by Oregon State University. With no decrease in bird population, why wouldn't we wait until the study is completed? Of the limited research that has been done in the last 20 years, most scientists believe that ocean conditions and food have a much bigger effect on the populations than the nesting habitat onshore.

The Oregon State forest is a huge resource for Oregon providing funding for schools and counties, jobs for thousands in rural communities and recreation opportunities for people from many regions of the west. In addition, the state forest is home to many important species of plants, birds and animals and the Oregon Department of Forestry operates the state forest with a bias towards conservation with their interpretation of "Greatest Permanent Value". They are operating today with conservation measures well beyond the requirements of the Oregon Forest Practice Act and annually harvest only 50% of the annual growth of the forest. Having done this for many years the timber inventory has grown substantially and the state forest has increasing habitat available for the Murrelets. Our sawmills in Banks, Warrenton, Tillamook and Willamina rely on the Oregon State forest for a significant portion of their log supply and any reduction in harvest levels will reduce the number of family wage jobs in those communities.

Please consider the social and economic costs that are part of the sustainability structure when making your decision. Even with an uplisting there is no need to increase the conservation measures through stricter survival guidelines that once again are not driven by any known science. What is the economic effect of the new survival guidelines you are considering? If you are not comfortable presenting the underlying science to residents directly in Tillamook, how can you pass new rules that will affect residents from across the state in Baker City? Can we please bring some common sense to our sustainability efforts in Oregon!

Thank-you for your consideration,

Steve Zika

June 6, 2018

Oregon Department of Fish and Wildlife  
ODFW Commissioner  
4034 Fairview Industrial Drive SE  
Salem, OR 97302

Dear ODFW Commissioners,

Please accept this written testimony in regards to Exhibit G of your June 7 meeting. I strongly encourage you to vote 'NO' on the marbled murrelet survival guidelines and decision to uplist the species. Other options which require your consideration exist that benefit both the species and Oregonians.

As an Oregonian who lives and works in marbled murrelet habitat in western Oregon it is insulting to me and all western Oregonians that you are considering voting on a matter 300 miles east of where the species and the impacts of your decision reside. It is clear that you are geographically silencing the testimony of people who live with these species and who will be forced to endure the impacts of your decision. A decision of this magnitude, which impacts present and future generations of all Oregonians, should not be done in a manner meant to constrain public testimony. This commission is tasked with representing all Oregonians, whereas you appear to only be representing a small group of Oregonians that are very loud and very active while ignoring the broader and more diverse population who is no less concerned.

Since your last commission meeting in February research has been released by the Regional Monitoring Program of the US Fish and Wildlife Service that concludes that marbled murrelet populations in Oregon are increasing (Pearson et al., 2018). In light of this and other pre-existing scientific data demonstrating the inconsistencies of what is known about the species, it is concerning that you continue on the path to uplist the species at this time. Rural Oregonians know, intimately, the consequences of making decisions in the absence of sound science. Those decisions dry up jobs and turn our public lands into preserves where responsible active management is no longer feasible. The Commission has the opportunity to allow this decision to be informed by sound science yet refuses to wait for that data. It is irresponsible to continue to make decisions based on this level of scientific uncertainty.

Again, I strongly encourage you to vote NO to uplist the marbled murrelet at this time. You have the authority and capacity as commissioners to reconsider your initial vote and take other actions. By delaying the vote you will allow impacted western Oregonians to testify as well as allow ongoing research to run its course. Thank you for your consideration in this matter.

Sincerely,



Tim Drake  
Roseburg, OR

**Roxann B Borisch**

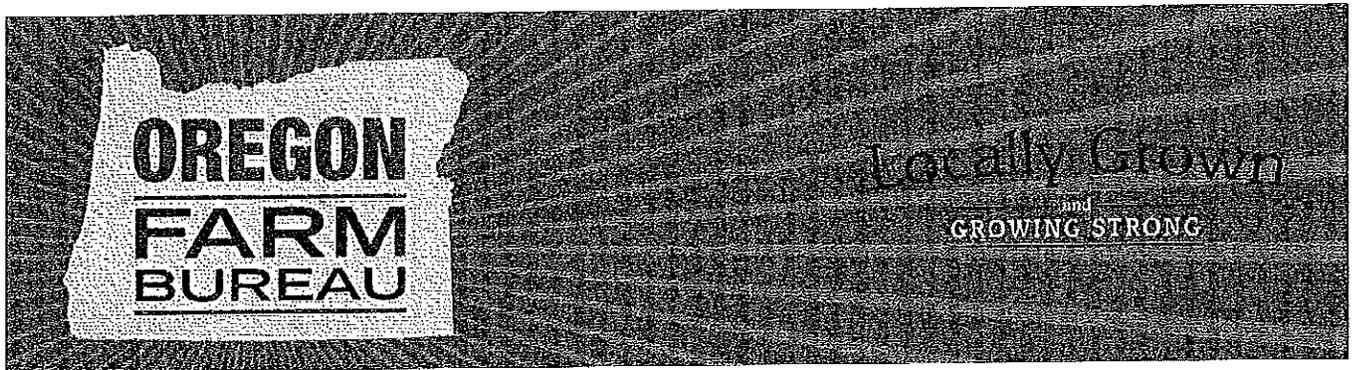
---

**From:** Jonathon Sandau <sandau@oregonfb.org>  
**Sent:** Wednesday, June 6, 2018 12:56 PM  
**To:** ODFW Commission  
**Subject:** Oregon Farm Bureau Marbled Murrelet Comments  
**Attachments:** 06.08.18 ODFW MM Letter.pdf

**Categories:** printed

Please find attached Oregon Farm Bureau Marbled Murrelet Comments

Jonathan Sandau  
Oregon Farm Bureau  
(503) 476-5570



June 6, 2018

Mr. Michael Finley  
Oregon Department of Fish and Wildlife Commission  
4034 Fairview Industrial Drive SE  
Salem, OR 97302

Re: Proposed Survival Guidelines for the Marbled Murrelet

Dear Chair Finley and Members of the Commission,

The Oregon Farm Bureau Federation (OFB) appreciates the opportunity to provide comments on the draft survival guide for the recent uplifting of the Marbled Murrelet (*Brachyramphus marmoratus*). As a reference, OFB is Oregon's largest grassroots agriculture association, representing 7,000 farming and ranching families across the state. Our mission is to promote educational improvement, economic opportunity, and social advancement for our members and the farming, ranching, and natural resources industry.

Marbled murrelet populations in Oregon are not declining and are, in fact, stable or increasing. With habitat growing on federal and state forest lands, there is an abundance of marbled murrelet habitat in Oregon. This positive trend is partially due to collaboration between private and public landowners, and it shows that an uplisting is not needed at this time.

During the February Commission meeting, OFB recommended the Commission not raise the Marbled Murrelet threshold from threatened to endangered in the State Threatened & Endangered Act. The 2015 Oregon Legislature invested in a 10-year study to collect actual data on the marbled murrelet. As that study is only a few years mature, it makes no sense to uplist the bird without the study being completed.

The Interagency Regional Monitoring Program by USFWS is highly rigorous and scientifically credible and their new data shows murrelet populations are not only stable in Oregon but statistically on an upward trend from 2000 to 2017. In addition, the 2000-2015 at-sea monitoring effort for the Northwest Forest Plan's Effectiveness Monitoring Program shows no declining trend line for the Oregon population of marbled murrelet. In fact, it shows a slight increase.

We disagree with the assessment that available habitat for the marbled murrelet is declining. The draft survival guideline defines habitat as a conifer timber stand that is 60 years or older with a

single 4 inch limb. it is unclear what scientific study and research that habitat is founded on and ODFW has not provided support for that definition. Adopting this narrow habitat definition would be counterproductive to many conservation incentives to encourage timber stand to mature beyond 60 years of age.

OFB urges the Oregon Department of Fish and Wildlife to rely solely on Oregon-specific data and reconsider the uplisting the marbled murrelet in Oregon. The Oregon ESA is a tool to manage species in Oregon and does not consider the population in other states or countries. If survival guidelines must be adopted, we suggest a more rigorous and in-depth analysis of the science supporting the guidelines and the entire ecosystem impact.

Thank you for the opportunity to comment and should have any questions please contact Jonathan Sandau at [sandau@oregonfb.org](mailto:sandau@oregonfb.org).

Sincerely,



Jonathan Sandau  
Oregon Farm Bureau Federation



## Roxann B Borisch

---

**From:** David Phelps <David.Phelps@osceolaschools.net>  
**Sent:** Wednesday, June 6, 2018 1:51 PM  
**To:** ODFW Commission  
**Cc:** pameladeandavis@msn.com; jeffd@live.com  
**Subject:** Impact of proposed rules on our Tree Farm

TO: Oregon Department of Fish & Wildlife Commission

FROM: David Phelps, Phelps Tree Farm, 1142 N. Old Scenic Hwy 101, Otis, Oregon, 97368, 541-921-5174

DATE: June 6<sup>th</sup>, 2018

RE: Proposed Rules Regarding Survival Guidelines

My name is David Phelps and I am a family forest owner in Lincoln County with over 700 acres of forestland. I am concerned about the up listing of Marbled Murrelets to Endangered in the Oregon Threatened and Endangered Species Act. There is good information available to suggest an up list to Endangered is not justified. Populations are stable and increasing in Oregon as is their habitat of older forests with many large limbs and platforms found on federal lands.

Although, the state T&E laws do not put restrictions on private landowners, actions by Oregon Department of Fish and Wildlife could impact actions taken by the Board of Forestry related to Marbled Murrelets.

Credible Marbled Murrelet science is limited. If you must adopt Survival Guidelines, please only use solid scientific information. Please be reminded that models are not science. Every model can be wrong in predicting actual facts, they just offer possibilities based on the assumptions used by the modeler. If the assumptions are wrong, so is the model results. Assumptions based on just a few observations is not science.

Oregon State University is underway in developing credible science about Marbled Murrelets in Oregon. It would be appropriate to wait for actual science before developing survival guidelines.

The definition of Marbled Murrelet habitat in the Survival Guidelines is not based on science.

Our timber is important to us for revenue and retirement. If the draft survival guidelines definition of habitat were adopted in a Forest Practices Act Marbled Murrelet protection rule, we would be motivated to never let our timber get to 60 years old and to harvest any timber that is older than 60 years even if we would prefer to let it get older.

Please do not make the survival guidelines onerous to landowners, particularly if there is no science to justify the restrictions.

Our family have owned our property for over 70 years. We manage it sustainably and strive to be a good stewards of the land. We love our forest and all the economic, social, and environmental values it brings to our family.

Respectfully Submitted,

David G. Phelps

**Roxann B Borisch**

---

**From:** Brian Carlin <bcarlin@senecasawmill.com>  
**Sent:** Wednesday, June 6, 2018 2:36 PM  
**To:** ODFW Commission  
**Subject:** Marbled Murrelet

Dear Commissioners Commission,

With regard to the Oregon Fish and Wildlife Commission's tentative decision to reclassify the status of the Marbled Murrelet from threatened to endangered, I urge the commission to reject final implementation.

Per the latest population monitoring data from the Northwest Forest Plan Interagency Regional Monitoring Program, there has been a statistically significant increase in the population of Murrelets in Oregon. Research from the U.S. Fish & Wildlife Service shows an increase as well in the marbled murrelet population size in Oregon over the last several years. In addition, Oregon State University is currently conducting a comprehensive research study on the Murrelets. Before uplisting the population to endangered, this study should be allowed to reach it's conclusion to ensure a sound decision based on current and accurate scientific data.

The ODFW commission's decision to uplist the Marbled Murrelet will have real-world impacts on the lives of working families in Oregon, and will further limit forest management on lands across multiple ownerships. I urge you to reject this political and unscientific decision on the Marbled Murrelet and respect the concerns of Oregonians who could not travel to the public meeting but will be directly affected by the outcome.

Sincerely,

Thank you for your consideration,  
2642 Cumberland Dr  
Eugene, OR 97408  
bcarlin@senecasawmill.com

**Roxann B Borisch**

---

**From:** Glen Crouch <RPCSalem@hotmail.com>  
**Sent:** Wednesday, June 6, 2018 3:47 PM  
**To:** ODFW.Commission@state.or.us  
**Subject:** Marbled Murrelet management plans and regulations

Dear Commissioners:

As timberland owners in Tillamook and coastal Lane Counties, we are concerned about the proposed draft State list of threatened and endangered species. We suspect that this may be an attempt by persons opposed to human timber management, rushing a listing of a species that scientific evidence actually suggests is increasing in terms of its population numbers. Murrelets are common in the northern Pacific Coast forests, especially in British Columbia, but also in Washington, and while some say the nesting areas extend further south, like the wolf, their populations are more northerly oriented.

The murrelets are being studied and counted as never before. Why rush to impose regulations until the science has been established and an effective management plan developed?

It seems like the rules are being written with a hidden agenda. That being elimination of timber management and log sales from both public and private lands.

Please don't allow people with no economic stake in this to further strip us of our rights to manage and harvest our coastal timberlands.

Glen and Sharnie Crouch  
CCC Forestry  
180 Commercial Street NE, Ste. 9  
Salem, OR 97301  
503-581-2070

**Roxann B Borisch**

---

**From:** Roxy Miller <roxydmiller@gmail.com>  
**Sent:** Wednesday, June 6, 2018 4:28 PM  
**To:** odfw.commission@state.or.us  
**Subject:** Draft Survival Guidelines for Marbled Murrelet

Dear Commission members:

Why are you making decisions for guidelines before you get scientifically based information from the OSU research project on the Marbled Murrelet? Especially when the Marbled Murrelet populations seem to be increasing.  
I expect the ODFW to lead the way in sound decisions based on science as an example to the other departments and our legislature.

--Sincerely, Roxy Miller , Lebanon OR

--

June 6, 2018

Oregon Department of Fish and Wildlife  
ODFW Commissioner  
4034 Fairview Industrial Drive SE  
Salem, OR 97302

Dear ODFW Commissioners,

Please accept this written testimony in regards to Exhibit G of your June 7 meeting. I strongly encourage you to vote 'NO' on the marbled murrelet survival guidelines and decision to uplist the species. Other options which require your consideration exist that benefit both the species and Oregonians.

As an Oregonian who lives and works in marbled murrelet habitat in western Oregon it is insulting to me and all western Oregonians that you are considering voting on a matter 300 miles east of where the species and the impacts of your decision reside. It is clear that you are geographically silencing the testimony of people who live with these species and who will be forced to endure the impacts of your decision. A decision of this magnitude, which impacts present and future generations of all Oregonians, should not be done in a manner meant to constrain public testimony. This commission is tasked with representing all Oregonians, whereas you appear to only be representing a small group of Oregonians that are very loud and very active while ignoring the broader and more diverse population who is no less concerned.

Since your last commission meeting in February research has been released by the Regional Monitoring Program of the US Fish and Wildlife Service that concludes that marbled murrelet populations in Oregon are increasing (Pearson et al., 2018). In light of this and other pre-existing scientific data demonstrating the inconsistencies of what is known about the species, it is concerning that you continue on the path to uplist the species at this time. Rural Oregonians know, intimately, the consequences of making decisions in the absence of sound science. Those decisions dry up jobs and turn our public lands into preserves where responsible active management is no longer feasible. The Commission has the opportunity to allow this decision to be informed by sound science yet refuses to wait for that data. It is irresponsible to continue to make decisions based on this level of scientific uncertainty.

Again, I strongly encourage you to vote NO to uplist the marbled murrelet at this time. You have the authority and capacity as commissioners to reconsider your initial vote and take other actions. By delaying the vote you will allow impacted western Oregonians to testify as well as allow ongoing research to run its course. Thank you for your consideration in this matter.

Sincerely,



Katie Nichols  
Sutherlin, OR

**Roxann B Borisch**

---

**From:** REP SmithD  
**Sent:** Wednesday, June 6, 2018 5:03 PM  
**To:** MELCHER Curt  
**Cc:** TRUMMER Ivo; MINER Jason \* GOV; COMMISSION ODFW; SEN Roblan; SEN Johnson; Shannon Hurn  
**Subject:** EXHIBIT G: MARBLED MURRELET RECLASSIFICATION AND ADOPTION OF SURVIVAL GUIDELINES

Director Melcher,

As a coastal Legislator and the Vice Chair of the Oregon Coastal Caucus, I am writing you requesting that the Commission table agenda item EXHIBIT G: MARBLED MURRELET RECLASSIFICATION AND ADOPTION OF SURVIVAL GUIDELINES from tomorrows Commission Meeting until the Commissions September Meeting in Bandon Oregon. The optics of such a decision that will have far reaching impacts to industries coastwide, and that decision being made 300+ miles away in Baker City, is about as opaque as the Commission can get. This is critically important to our coastal industries and their communities and I believe, as I'm sure you, the Commissioners and the Governor do, that transparency is critical. A decision of this magnitude in Baker City, is anything but transparent. Thank you in advance for your consideration of my request.

Best,

*David Brock Smith*

Oregon State Representative

House District 1

Curry, Coos, Douglas & Josephine Counties

Website: <http://www.oregonlegislature.gov/smithd>



## Roxann B Borisch

---

**From:** Gary N <grebes2@gmail.com>  
**Sent:** Wednesday, June 6, 2018 5:25 PM  
**To:** ODFW.Commission@state.or.us  
**Subject:** Marbled Murrelets

Dear Oregon Fish and Wildlife Commission Members,

We would like to congratulate you for your leadership in uplisting the Marbled Murrelet to "endangered" earlier this year, and strongly support the Department of Fish and Wildlife's efforts to develop survival guidelines for these rare and intriguing seabirds.

Marbled Murrelets are special to Oregon's coastal old-growth forests, but habitat loss and fragmentation of these forests together with increasingly poor oceanic conditions have resulted in a fewer murrelets populations in our state. State lands contain a significant percentage of remaining high quality murrelet nesting habitat. Without better protection on these lands, efforts to recover this species will continue to fail.

To avert further declines of this rare seabird, we urge the Commission to adopt meaningful Survival Guidelines that take effect immediately and require protection of all high-quality suitable Marbled Murrelet nesting habitat (both occupied and unoccupied).

The Survival Guidelines should also specifically require land-managing agencies to adopt the Pacific Seabird Group Protocol as the "Approved Survey" for monitoring state forest lands for murrelet occupancy, presence, and potential absence, and they should also require a minimum of 5 consecutive years that a site should be surveyed prior to consideration of tree removal (rather than 2) if marine conditions indicate poor at-sea-foraging conditions.

In addition, the survival guidelines should require specific forest thinning techniques in areas near Marbled Murrelet Habitat to reduce predatory ravens, crows, and jays from entering into suitable habitat.

Protecting Oregon's imperiled species is important to us, and we think it's crucial to do whatever we can to prevent extinctions of the birds, fish, and wildlife that so many citizens cherish. We support your continued leadership in directing ODFW to develop meaningful survival guidelines for Marbled Murrelets.

Sincerely,

Deborah Buitron  
Gary Nuechterlein  
Emily Nuechterlein

Port Orford, OR

## Roxann B Borisch

---

**From:** Bob & Bonnie Shumaker <bshumaker@coho.net>  
**Sent:** Wednesday, June 6, 2018 5:50 PM  
**To:** ODFW Commission  
**Subject:** June 7 ODFW meeting

Re: Survival Guidelines for Marbled Murrelet

I understand that you will be deciding on survival guidelines for the Marbled Murrelet on June 7 in Baker City. As you know, there is not much good science available on this hard-to-study bird. OSU is three years into a 10 year study which should provide solid science. There is no need to go heavy on this now as the bird's population seems to be steady at this time. Please wait until you have good information before making guidelines that are over-reaching.

Bob Shumaker  
Master Woodland Manager  
Woodland Property Owner

## Roxann B Borisch

---

**From:** Barry & Tami Jo Braz <btbraz@dcwisp.net>  
**Sent:** Wednesday, June 6, 2018 8:04 PM  
**To:** ODFW.Commission@state.or.us  
**Subject:** Marbled Murrelet listing

To whom it may concern,

We are Barry and Tami Jo Braz from Oakland Oregon in Douglas county. Tami has lived here in Douglas County her entire life and Barry since 1972. We have owned 50 acres of forest and mixed woodlands for 31 years. We were selected as our county's Tree Farmers of the Year in 2004 for our stewardship forestry and land management practices. We are certified by the American Tree Farm System, and have a management plan. We have spent our time, money, heart, and spirit on our land since first planting trees on our property starting in 1990. Forestry is a long term prospect. We look to future returns as we manage our land for wood, quality clean cold water, a wide variety of wildlife habitat, and as recreation.

It is a hard enough prospect with several years of drought, beetles, wildfire risk, burdensome regulations, and now more and more rulings and listings. We have concerns for the environment of course. It's where we live, it's the air we breathe. We love our land. We work hard not only for ourselves but for the greater good of all Oregonians.

Please consider using sound science when determining environmental impact, and realize the social and economic impact more listings and regulations have to small woodland owners like us. Forestry families who actively manage their land for the benefit of all are the bedrock of Oregon's history and are vital to Oregon's future.

Thank you for your time,  
Barry and Tami Jo Braz  
3960 Green Valley Rd  
Oakland, OR 97462  
541-459-1402



Virus-free. [www.avast.com](http://www.avast.com)

**Roxann B Borisch**

---

**From:** Tawna COTTON <TCOTTON50@msn.com>  
**Sent:** Thursday, June 7, 2018 3:39 AM  
**To:** ODFW.Commission@state.or.us  
**Subject:** Marbled Murrelet

Dear Oregon Fish and Wildlife Commission Members,

I commend you for your leadership in uplisting the Marbled Murrelet to "endangered" earlier this year and strongly support the Department of Fish and Wildlife's efforts to develop survival guidelines for these rare seabirds.

The Marbled Murrelet is a unique bird that exemplifies Oregon's precious, coastal old-growth forests. However, continuing habitat loss and fragmentation of these forests coupled with increasingly poor oceanic conditions have resulted in a precarious and declining murrelet populations in our state. State lands contain a significant percentage of remaining high quality murrelet nesting habitat. Without better protection on these lands, efforts to recover this species will continue to fail.

To avert further declines of this rare seabird, I urge the Commission to follow through with adoption of meaningful Survival Guidelines. In particular, the Survival Guidelines should take effect immediately and should require protection of all high-quality suitable Marbled Murrelet nesting habitat (both occupied and unoccupied).

The Survival Guidelines should also specifically require land-managing agencies to adopt the Pacific Seabird Group Protocol as the "Approved Survey" for monitoring state forest lands for murrelet occupancy, presence, and potential absence, and they should also require a minimum of 5 consecutive years that a site should be surveyed prior to consideration of tree removal (rather than 2) if marine conditions indicate poor at-sea-foraging conditions.

In addition, the survival guidelines should require specific forest thinning techniques in areas near Marbled Murrelet Habitat to reduce predatory ravens, crows, and jays from entering into suitable habitat.

Protecting Oregon's imperiled species is important to me, and I think it's crucial to do whatever we can to prevent extinctions of the birds, fish, and wildlife that so many citizens cherish. I support your continued leadership in directing ODFW to develop meaningful survival guidelines for Marbled Murrelets.

Sincerely,  
Tawna Cotton

**Roxann B Borisch**

---

**From:** Leland Brown <ortws.newt@gmail.com>  
**Sent:** Thursday, June 7, 2018 6:09 AM  
**To:** odfw.commission@state.or.us  
**Subject:** ORTWS comment on Marbled Murrelet Survival Guidelines  
**Attachments:** ORTWS\_ODFW\_Commission\_MarbledMurrelet\_20180606.pdf

Hello,

Please see the attached comments from ORTWS on the proposed survival guidelines for Marbled Murrelet. I am travelling to Baker City and hope to present this comment in person for the commission.

thank you,  
Leland

--  
Leland Brown  
Board Member  
Legislative Committee Chair  
Oregon Chapter of The Wildlife Society  
603-991-8132  
[ortws.newt@gmail.com](mailto:ortws.newt@gmail.com)





**OREGON CHAPTER  
OF THE WILDLIFE SOCIETY**  
PO Box 2378  
Corvallis, OR 97339

**DATE: June 6, 2018**

**FROM: Oregon Chapter of the Wildlife Society**

**SUBJECT: Survival Guidelines for Marbled Murrelet**

**TO: Oregon Fish and Wildlife Commission**

The Wildlife Society is an international organization founded in 1937, representing nearly 10,000 professions, including scientists, managers, educators, technicians, planners, consultants, conservation officers, students, and others who manage, conserve, and study wildlife populations and habitat. In Oregon, the Oregon Chapter of The Wildlife Society (ORTWS) represents nearly 400 such professionals from many areas of public and private enterprise.

Our mission is to promote wise conservation and management of wildlife resources in Oregon by serving and representing natural resource professions. A central purpose of ORTWS is to aid public discussion of natural resource management in our state by communicating best available science, and supporting scientifically sound management policies to entities engaged in management decisions.

The Oregon Chapter of the Wildlife Society is providing comments on the Marbled Murrelet "survival guidelines" (Exhibit G, attachment #4) as published on the ODFW Commission website. Please give full consideration to our suggestions, which are founded on years of technical and scientifically-based wildlife management experience.

We have organized our comments by issue:

**Issue: (4) (c) – Human supplied food sources are not the only issue that causes increased predation risks due to corvids.**

**Comment:** Habitat fragmentation also increases predation risks and reduced reproductive success of murrelets (see Recovery Plan, McShane *et al.* 2004, Malt and Lank 2007, Malt and Lank 2009). Consider management strategies to maintain interior habitat, as well as protect microsite conditions around individual nest trees when habitat modification is occurring within nesting habitat (e.g., at a minimum consider buffering individual nest trees by maintaining trees that have interlocking canopies with nest trees and maximum nest tree buffer up to a full-site tree height (e.g., if potential tree height grow within a stand is 200 feet, then nest tree receives a 200 foot buffer).

**Issue: Habitat function, (7) (c) states the following:**

*"Projects that remove trees shall be prohibited in occupied sites and buffers to the extent that habitat function is changed for Marbled Murrelets."*

**Comment:** This is a vague and subjective statement. How is nesting habitat function defined (e.g., based on density of platforms within the stand of nesting habitat)? Are high quality nest trees going to be removed and less quality nest trees remaining to maintain nesting function? Because murrelets have a high nest site fidelity, nesting function may be maintained in a stand but could be significantly reduced because high quality nest trees were removed and the low quality nest trees were retained. Although nesting function may be maintained because the stand contains nest platforms, this could have significant impacts to murrelet nesting success or even continued occupancy within an occupied stand because the higher quality nest trees were removed.

**Issue:** Determining occupancy of an area: (7) (a) and (12) (f):

*"Occupied site" means a continuous area of suitable habitat in a project area where Marbled Murrelets have been observed exhibiting subcanopy behaviors or in which a nest site has been found.*

**Comment:** In addition to what is described in definition (12) (f) (above), both Federal agencies and Washington DNR determines a site is occupied with circling above canopy behaviors (within one canopy). For consistency, consider using the same standards.

**Issue:** (12) (l) "Suitable habitat" for state lands means old-growth, mature, coniferous forest stands that are generally greater than 60-years old, include at least one platform tree, and occur within 35 miles (56 kilometers) of the Pacific Coast.

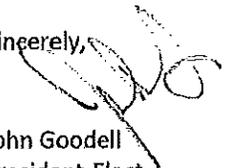
**Comment:** Unclear what the basis is for considering "suitable habitat" only within 35 miles of the Pacific Coast. In Oregon, occupied sites have been documented within 46 miles of the coast (BLM Roseburg District). In addition, the murrelet distribution is considered to be within 50 miles of the coast. Consider changing suitable habitat definition to include habitat within the 50-mile (from the Pacific Coast) distribution range of the murrelet.

**Issue:** (12) (l): "Suitable Habitat" definition.

**Comment:** "Suitable Habitat" is somewhat subjective even though defined here. If it is habitat for a species, it is implied that it is "suitable" habitat. Suggest qualifying "suitable habitat" by referring it as "Suitable Nesting Habitat" or "Nesting Habitat."

On behalf of the Oregon Chapter of the Wildlife Society Board and Officers, thank you for your consideration of this important subject.

Sincerely,



John Goodell  
President-Elect  
Oregon Chapter of the Wildlife Society Board

June 7, 2018

Oregon Department of Fish and Wildlife  
ODFW Commissioner  
4034 Fairview Industrial Drive SE  
Salem, OR 97302

Dear ODFW Commissioners,

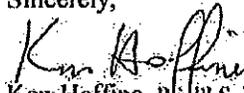
Please accept this written testimony in regards to Exhibit G of your June 7 meeting. I strongly encourage you to vote 'NO' on the marbled murrelet survival guidelines and decision to uplist the species. Other options which require your consideration exist that benefit both the species and Oregonians.

As an Oregonian who lives and works in marbled murrelet habitat in western Oregon it is insulting to me and all western Oregonians that you are considering voting on a matter 300 miles east of where the species and the impacts of your decision reside. It is clear that you are geographically silencing the testimony of people who live with these species and who will be forced to endure the impacts of your decision. A decision of this magnitude, which impacts present and future generations of all Oregonians, should not be done in a manner meant to constrain public testimony. This commission is tasked with representing all Oregonians, whereas you appear to only be representing a small group of Oregonians that are very loud and very active while ignoring the broader and more diverse population who is no less concerned.

Since your last commission meeting in February research has been released by the Regional Monitoring Program of the US Fish and Wildlife Service that concludes that marbled murrelet populations in Oregon are increasing (Pearson et al., 2018). In light of this and other pre-existing scientific data demonstrating the inconsistencies of what is known about the species, it is concerning that you continue on the path to uplist the species at this time. Rural Oregonians know, intimately, the consequences of making decisions in the absence of sound science. Those decisions dry up jobs and turn our public lands into preserves where responsible active management is no longer feasible. The Commission has the opportunity to allow this decision to be informed by sound science yet refuses to wait for that data. It is irresponsible to continue to make decisions based on this level of scientific uncertainty.

Again, I strongly encourage you to vote NO to uplist the marbled murrelet at this time. You have the authority and capacity as commissioners to reconsider your initial vote and take other actions. By delaying the vote you will allow impacted western Oregonians to testify as well as allow ongoing research to run its course. Thank you for your consideration in this matter.

Sincerely,

  
Ken Hoffine, PLS, WRE  
Roseburg, OR

**Roxann B Borisch**

---

**From:** Mark Rauzon <mjrauz@aol.com>  
**Sent:** Thursday, June 7, 2018 9:08 AM  
**To:** odfw.commission@state.or.us  
**Subject:** Comments on Draft Survival Guideline for MAMU  
**Attachments:** PSG\_letter\_to\_ODFW\_re\_MAMU\_survival\_guidelines\_v5.docx

Please find our comments listed in the attached letter.  
Thank You.

Mark J. Rauzon  
Vice-Chair for Conservation  
Pacific Seabird Group



## Pacific Seabird Group

Dedicated to the Study and Conservation of Pacific Seabirds and their Environment

June 07, 2018

Oregon Department of Fish and Wildlife Commission  
4034 Fairview Industrial Drive SE  
Salem, Oregon 97302

Dear Chair Finley and Commissioners:

### **RE: Comments on Marbled Murrelet Draft Survival Guidelines**

On behalf of the Pacific Seabird Group (PSG), we are providing comments on the draft survival guidelines for the Marbled Murrelet (*Brachyramphus marmoratus*), which is currently listed as endangered under the state and federal Endangered Species Act (ESA).

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, Chile, 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. Since 1986 PSG has included a Marbled Murrelet Technical Committee, which is itself composed of several working groups that act on the status, distribution, and monitoring protocol for the Marbled Murrelet. PSG also identifies and facilitates research, addresses conservation problems related to this species, and acts as a liaison between research and government. PSG has served as an unbiased forum for government, university, and private sector biologists to discuss and resolve issues related to Marbled Murrelet conservation along the Pacific coast of North America.

PSG urges the ODFW Commission to consider the following recommendations, including that the survival guidelines:

- 1) **take effect immediately**, rather than two years from now as proposed in the guidelines. Because it will take time for agency management plans to be developed and approved by the ODFW Commission, we are concerned about the interim period of time. Survival guidelines are meant to protect Marbled Murrelets from harm and the only way to do that is to have the survival guidelines take effect immediately.
- 2) **require state agencies to develop management plans that adopt the upcoming, revised or latest version of the Pacific Seabird Group Protocol** as the "Approved Survey" for monitoring state lands for occupancy, presence, and potential absence. PSG's survey protocol will be updated on a regular basis and it is important that the most recent version of the protocol be used at all times.
- 3) **require protection of the highest quality suitable Marbled Murrelet nesting habitat**, including both occupied and unoccupied habitat. Because of significant losses of Marbled Murrelet

habitat, on state and private lands in particular, since the original listing as threatened, it is critical that the state stop logging in highly suitable existing and potential murrelet habitat so that habitat conditions improve over time and allow for murrelet recovery.

- 4) **use the best available science**, to address areas where the current protocol has deficiencies that need modification
  - a. In particular, in years of poor at-sea conditions which affect food availability, **the minimum consecutive years a site should be surveyed prior to logging should be at least 3 and up to 5 consecutive years** (rather than 2 years). Scientific evidence and expert opinion suggest that murrelets may forego nesting for 1 or more consecutive poor years<sup>1</sup>.
  - b. **Increase the minimum required number of annual surveys.** New analyses show that the number of surveys required in the 2003 protocol are insufficient for obtaining a 95% confidence level. It is therefore critical that the survival guidelines require land managers to use the latest version of the protocol for surveys and development of any management guidelines.

In addition, we also recommend the following adjustments:

- i. In addition to requiring state agencies to reduce predation risk by limiting wildlife access to human food sources in occupied sites (survival guidelines section 4c), and to provide outreach to the public and provide wildlife proof containers (survival guidelines section 9), we recommend that ODFW Commission **require adoption of California's "Keep It Crumb Clean" program**, which is outlined in the Santa Cruz Mountains management plan and includes a more comprehensive program for minimizing predation in parks, campgrounds and public areas.
- ii. We agree with a minimum buffer size of 100m (survival guideline 12b) but we recommend that the survival guidelines be specific in stipulating **no forest thinning or logging of any kind inside buffer zones.**

Thank you for your consideration.



Mark J. Rauzon  
Vice Chair for Conservation  
Pacific Seabird Group  
conservation@pacificseabirdgroup.org

---

## Roxann B Borisch

---

**From:** ODFW Commission  
**Subject:** FW: Comments on Marbeled Murrelet Draft Management Plan

**From:** Deanna Mueller-Crispin [<mailto:deannamc1013@gmail.com>]  
**Sent:** Wednesday, June 06, 2018 9:39 PM  
**To:** [odfw.info@state.or.us](mailto:odfw.info@state.or.us)  
**Subject:** Comments on Marbeled Murrelet Draft Management Plan

June 6, 2018

Oregon Department of Fish and Wildlife Commission  
4034 Fairview Industrial Drive SE  
Salem, Oregon 97302

### Comments on Marbled Murrelet Draft Survival Guidelines – Please enter into the record

Dear Chair Finley and Commissioners:

I applaud you for voting to change the Marbeled Murrelet's status from threatened to endangered earlier this year. The Marbeled Murrelet Survival Guidelines now being developed are of course essential to stemming and reversing its decline.

I would like to submit the following comments concerning the draft Survival guidelines.

- One of the most important elements is that ODFW adopt the Pacific Seabird Group Protocol as the model for developing the survival guidelines to monitor Murrelet presence or absence. All agencies that have lands with current or potential Murrelet habitat should be required to use this protocol – but the monitoring time needs to be doubled. This will ensure the most accurate surveys possible. And this needs to lead to “potential Murrelet nesting habitat” being maintained.
  - This needs to include immediate cessation of logging in highly suitable (even if currently unoccupied) Murrelet nesting habitat.
- Given the declining Murrelet populations off our coast, the guidelines should go into effect immediately. Waiting until 2020 will only exacerbate the Murrelets' decline, making survival even more difficult when long-range management plans are finally adopted.
- As you know, poor at-sea forage conditions are also an important factor in Murrelet survival. Forage fish management regulations need to be strictly enforced, and reviewed for relevance to Murrelet needs.
- In addition to the foregoing, the best available science needs to be used in all cases. Otherwise, credibility and effectiveness of the guidelines will not suffice to stem Murrelet decline.

Thank you for your consideration.

Sincerely,

Deanna Mueller-Crispin  
1221 SW 10<sup>th</sup> Ave Unit 1013  
Portland, OR 97205

