

# **Exhibit H**

**Consideration of Humboldt Marten Petition**

**Supplemental Public Correspondence  
received as of September 12, 2018**



## Roxann B Borisch

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**From:** Jim Akenson <jim@oregonhunters.org>  
**Sent:** Friday, August 31, 2018 6:19 AM  
**To:** odfw.commission@state.or.us  
**Subject:** For Commission Packet from OHA  
**Attachments:** Marten Trapping Ban Oppostion - Sept. 14, 2018 Commission testimony Bandon.pdf

Please include the attached letter with materials sent to F&W Commissioners for the Sept. 14 meeting in Bandon.

Thank You.

Jim Akenson  
Conservation Director  
Oregon Hunters Association  
[jim@oregonhunters.org](mailto:jim@oregonhunters.org)  
541-398-2636  
[www.oregonhunters.org](http://www.oregonhunters.org)



# OREGON HUNTERS ASSOCIATION

Protecting Oregon's Wildlife, Habitat and Hunting Heritage

P.O. Box 1706, Medford, OR 97501 • (541) 772-7313  
oha@ccountry.net • oregonhunters.org

August 31, 2018

Re: Marten Trapping Petition

Dear Chair Finley, Commissioners, and Director Melcher,

In early August the Oregon Hunters Association expressed strong opposition to the APA petition to ban marten trapping throughout the expansive area west of the I-5 Corridor in Oregon. We based our opposition on both the lack of scientific justification and application of common-sense management principles which included these factors:

- The extremely low trapping harvest of the Humboldt Marten over the past 3 decades.
- The unvalidated claim that the Humboldt Marten population is only 71 individuals.
- The proposed broad-brush banning of all "tree-based trapping" on two National Forests.
- The recommended banning of all trapping in the Oregon Dunes National Recreation Area – including trapping for bobcats – a primary ground predator of marten.
- That this petition declares a need for a trapping ban without thoroughly evaluating all recent and historic trapping records.

There simply is not the scientific evidence (peer reviewed results) within this petition to either justify the suggested rule changes to western Oregon trapping, or consider the listing of this species, or subspecies, as threatened or endangered. In sum, it sets a bad precedent of eliminating an important management tool without adequate peer-reviewed scientific justification.

Sincerely,

Jim Akenson  
OHA Conservation Director  
541-398-2636

**Roxann B Borisch**

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**From:** Jim Soares <jims@eoni.com>  
**Sent:** Friday, September 7, 2018 3:30 PM  
**To:** odfw.commission@state.or.us  
**Subject:** Marten listing  
**Attachments:** Commission.doc

Attached is a letter to the commission concerning the proposed marten listing, which I would like to have entered into testimony at the commission meeting in Bandon next week. Thank you.

Jim Soares  
[jims@eoni.com](mailto:jims@eoni.com)  
Cell 541-805-5194

Letter to the ODFW Commission  
RE: Marten listing and trapping

I have some concerns with the direction the Commission seems to be taking concerning the fish and wildlife issues in the state, especially as it relates to the proposed marten listing. It is the duty of the commission to look at facts and to dig for those facts when they are not on the surface. I did not see the commission do that at the August meeting. Following are the things that concern me.

1. During the testimony by ODFW biologist Derek Broman it was explained that the number of 70 marten was only counting the adults and only counting that number thought to be in the Oregon Dunes National Recreation Area. Three of the commissioners did not appear to want to understand that and appeared to only believe that there were 70 marten left, while everyone that is familiar with the coastal marten knows that is a small percentage of the coastal marten population. If this commission was concerned with the truth they could have and should have questioned Mr. Broman about the true numbers of coastal marten throughout the coastal area, but they chose not to.

Another fact that was not brought up is that the marten population in the Oregon Dunes is the densest known marten population in the US. Secondly the dunes area is not at all what is normally considered marten habitat. There is a reason they are there in what should be considered large numbers, did any researchers look into why they are there? My guess would be there is a food source there that is attracting them and allowing them to sustain what is a dense population for the species. These things need to be considered before this commission does something that will have large ramifications for a great number of people.

2. In the testimony by the biologist for the Siuslaw National Forest, Chair Finley asked her if she had the ability to ban trapping in the National Forest, she stated she did and Chair Finley encouraged her to ban trapping. This appears to be activism from the commission. I would have expected both parties to know that she does not have authority to ban trapping. The ODFW alone is in charge of the management of the fish and wildlife in the state, including on the lands within the national forests.

3. There was a lengthy discussion at the end of testimony. Over and over again I listened to Chair Finley and Commissioners Wolley and Weber use the number of 70 marten as if that was all that were remaining. As this discussion went on I began to get the feeling that the decision had already been made before this meeting started as to who would vote for and against and I was wasting my time and money to travel to this meeting. I hope I am wrong.

There was a discussion concerning economic impact which centered around trapping, and in the minds of the commission this impact was small. However listing the coastal marten as endangered would have a huge economic impact when you consider the forest industry. The coastal area has vast private timber lands a great majority of which could be

considered marten habitat. We learned how an endangered species designation can impact the forest industry with the listing of the spotted owl. The economic impact of listing the coastal marten would be devastating for the forest industry and the countless communities in the area.

This petition to list the coastal marten is based on a four month study which was incomplete at best. I hope this commission has the good sense to deny this petition.

Jim Soares  
708 N Bear Creek Road  
Wallowa OR 97885

I ask that this letter be entered into testimony at September Commission meeting concerning the proposed listing of the coastal marten.

## Roxann B Borisch

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**From:** Beatrice Shapiro <beatrice@kindadv.com>  
**Sent:** Tuesday, September 11, 2018 12:24 PM  
**To:** [odfw.commission@state.or.us](mailto:odfw.commission@state.or.us)  
**Subject:** Save our predators!

Dear ODFW Commissioners:

I am urging you to end trophy hunting of bears and cougars! As you know, they are apex predators that are essential to a healthy ecosystem. Other states have learned how to coexist with predators and I know Oregon can as well. We lead the way in so many areas of animal welfare, let's be a shining example on this issue as well.

Bears and cougars (and wolves) have very right to live in our beautiful state. We should respect and protect them - not slaughter them for fun, profit or the benefit of ranchers and hunters.

Thank you,  
Beatrice Shapiro  
5374 Forest Ridge Rd. NE  
Silverton, OR 97381



Beatrice Shapiro  
503-302-1070  
[beatrice@kindadv.com](mailto:beatrice@kindadv.com)



## Roxann B Borisch

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**From:** Levi, Taal <Taal.Levi@oregonstate.edu>  
**Sent:** Tuesday, September 11, 2018 3:37 PM  
**To:** odfw.commission@state.or.us  
**Subject:** Scientific information for Humboldt marten status

Dear ODFW Commission,

I am a professor of wildlife research at Oregon State University. Unfortunately, I cannot be at the meeting in Bandon. However, my colleagues and I, including Dr. Katie Moriarty, Dr. David Green, Mark Linnell, and Charlotte Eriksson have conducted research on Humboldt martens in coastal Oregon for the past four years. This includes broad surveys using thousands of baited camera stations and scat-detection dog survey routes. We have additionally sent biological samples to Dr. Michael Schwartz, the director of the National Genomics Center for Wildlife and Fish Conservation, for genetics analysis.

After consultation with the scientists working with coastal marten, I can say that no one from ODFW has contacted any scientist working with marten to request information about the distribution or genetics of marten. It is troubling that ODFW would move to deny a petition without requesting information about the species in question. This stands in stark contrast to the very comprehensive 468-page status review prepared by the California Department of Fish and Wildlife, in which the agency recommended listing marten as endangered. On August 23rd of this year, the California Fish and Game commission concurred and voted to formally list marten as endangered under the California Endangered Species Act.

ODFW does not have a research or monitoring program for Humboldt marten. As such, they have no independent information about the status of the subspecies. I am writing the commission to supply information on what is currently known about Humboldt marten in Oregon according to criteria set forth by rule (OAR 635-100-0105).

Given ODFW's definition of "species" and "endangered", which are:

"Species" means any group or population of wildlife that interbreeds and is substantially reproductively isolated

"Endangered Species" means: (a) Any native wildlife species determined by the commission to be in danger of extinction throughout any significant portion of its range within the state; or (b) Any native wildlife species listed as an endangered species pursuant to the federal ESA.

We can say definitively that:

Based on genetic evidence Humboldt martens have been reproductively isolated from martens in the cascades for a very long time, perhaps in an ice age refugia (Slauson et al. 2009; Schwartz et al. 2016).

From Slauson et al. (2009):

"We investigated the subspecific identity of a rediscovered population of American martens within the range of a presumed extinct subspecies (*Martes americana humboldtensis*) by comparing mitochondrial DNA sequence diversity from contemporary individuals within the described ranges of *M. a. humboldtensis*, nearby ranges of *M. a. caurina* and *M. a. sierrae*, and a museum specimen of *M. a. humboldtensis*. Martens from the rediscovered population shared a haplotype (#2) with the museum specimen. This haplotype was found only in the coastal regions of Oregon and California, suggesting that the rediscovered population represents descendants of a relictual population that previously existed in coastal California. The subspecific boundary between *M. a. humboldtensis* and *M. a. caurina* may not be valid, because haplotype #2 was shared between coastal Oregon and coastal California populations and no known contemporary or historical biogeographic barriers prevent north-south movement. Thus, marten populations currently located in coastal forests of California and Oregon should be managed collectively to preserve the connectivity that our data suggest occurred historically."

Humboldt marten have very distinct mitochondrial DNA haplotypes not shared by animals in the cascades (Schwartz et al. 2016, results given to commission members during previous meeting). The current subpopulations also appear to be

geographically isolated from each other by barriers or unsuitable habitat. This has been exacerbated by large fires in southwestern Oregon (Biscuit and Chetco Bar), which may have further isolated the California-Oregon border subpopulation from the southwestern Oregon population. We do not yet have evidence of genetic isolation within the coast range (that is, such an analysis has yet to be conducted). However, we expect that these small populations are all below the minimum viable population size for long term prevention of inbreeding depression. In fact, all Humboldt marten populations together may already be well below 500 individuals, and it is highly likely that the genetic effective population size (which can be far less than the population of breeding adults, particularly with unequal sex ratio, genetic bottlenecks, and/or inbreeding depression) is below 500, which is a rule of thumb population genetics cutoff for long term genetic viability. Regardless of inbreeding depression, the existing population islands are so small that stochastic extinction is a greater immediate threat. This includes a catastrophe, like wildfire, disease outbreak, or tsunami (central coast dune population), or just stochastic extinction due to a string of bad years with low survival and recruitment.

ODFW is correct that we do not have information about the trend in the Humboldt marten population. Our surveys complete the first large scale assessment of the subspecies in Oregon. As such, we do not have quantitative evidence as to whether the population is recovering, stable, or declining. However, Humboldt marten occupy a tiny fraction of their former range, and certainly any reasonable assessment of the subspecies would indicate that Humboldt marten are imperiled. Very rarely do managers have actual trends in animal populations with which to make decisions, but the dramatic decline in range and small fragmented populations subject to high wildfire and tsunami risk are unambiguous - Humboldt marten could very easily be extirpated from Oregon.

When this work was initiated, the assumption was that Siuslaw National Forest would harbor a robust marten population due to roadkill on Highway 101. Instead, despite massive survey effort with camera stations and scat-detection dog teams, we have not identified a marten population east of highway 101 in Central Oregon. To our surprise, the marten population is largely restricted to a narrow patch of forest with a very dense understory west of highway 101. Extensive surveys and GPS-collaring efforts in Central Oregon indicate that the marten population is divided into two very small subpopulations separated by the Umpqua River. The best estimate for the total marten population west of highway 101 in central Oregon is 71 with a 95% credible interval of 41-87 adult martens (Linnell et al. 2018). These ~71 adults are separated into two subpopulations separated by the Umpqua River, which is likely to be a significant barrier to movement given their avoidance of open areas. Population viability analyses suggest that even low levels of annual mortality lead to high probabilities of extinction of the small subpopulations on either side of the Umpqua. These subpopulations are further separated from the southern Oregon marten population, which in turn appears separated from the subpopulation in California. California, in their recent decision to list Humboldt marten as an endangered species, noted there are likely fewer than 200 individuals remaining in the state.

We do not have a quantitative population estimate for the southern Oregon population, but through extensive camera and scat-detection dog surveys it appears that the spatial extent of this population is quite small. This inference is due to the highly clustered detections near Gold Beach and near the confluence of Curry, Coos, and Josephine counties with stray isolated detections elsewhere. Future surveys may highlight other small pockets of marten, but the best available information indicates that Humboldt marten are not widespread in southwestern Oregon. The minimum convex polygon describing their range in the California status review may be misleading because it is drawn to encompass clusters of distant observations with no observations in between - that is, it does not represent a contiguous population.

Whether marten are listed in the state of Oregon is a decision left to the commission, but I feel obligated to advise the commission that researchers have collected extensive information on the status of marten in Oregon. The agency response to the petitioners, strikes me as a knee-jerk dismissal to a formal petition rather than a work of due diligence and careful deliberation that responsibly reviews the scientific evidence. An appropriate response from the agency would be to rebut scientific evidence with alternative interpretations of data or analysis, followed by a response by the authors, or to convene a panel to discuss the scientific evidence among a group of peers, but simply ignoring what is known does not strike me as responsible stewardship of our wildlife resources.

Sincerely,  
Taal Levi