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Our cover photograph is of Hannah Wanker and her first Buck.

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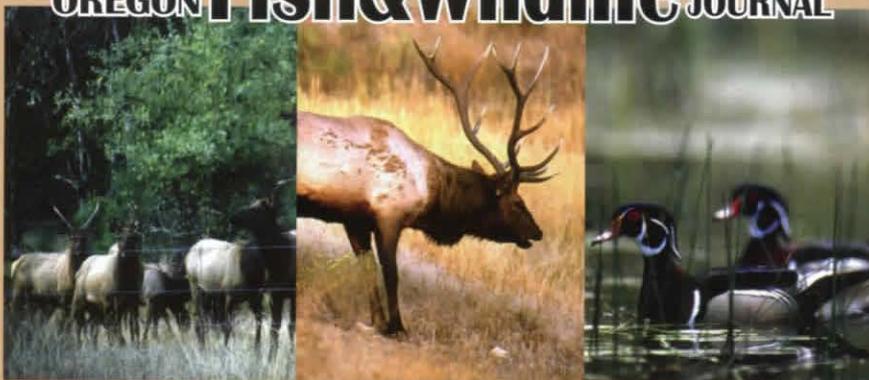
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# Oregon Coast Range Old-Growth: Part III

## Marbled Murrelet Habitat

Dr. Bob Zybach

Marbled murrelets are relatively small seabirds that can fly 60 or 90 miles an hour when traveling, but spend most of their time floating in the ocean and diving for small fish and shrimp. Their population extends from southern Alaska, where they lay their eggs on shoreline rocks, to Canada, Washington, Oregon, and California, where they have been documented nesting in the upper reaches of old-growth conifer trees.

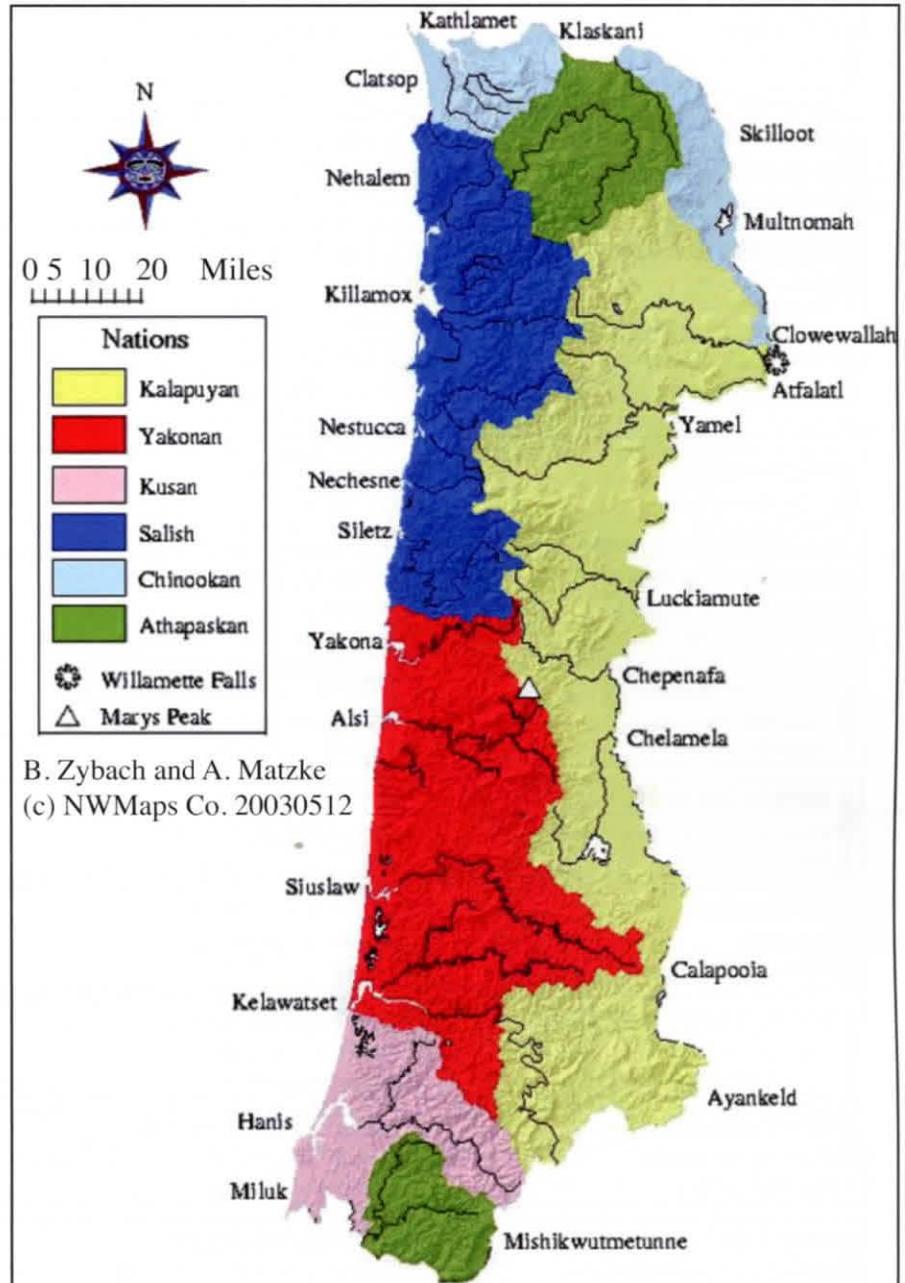
These birds are important because they have had a profound impact on rural Oregon Coast Range forests, economics, infrastructure, wildfire risks, recreational opportunities, wildlife populations, and aesthetics during the past 25 years.

Marbled murrelets are in the auk family and very closely related to long-billed murrelets and to Kittlitz's murrelets. In fact, until 1998, long-billed murrelets were considered to be the same species as their marbled cousins. Kittlitz's murrelets tend to live in Alaska and Siberia and long-billed murrelets are found in Korea and Japan, although members of this species have also been recorded in the south and along the east coast in the US, and in Europe.

Murrelets are opportunistic nesters throughout their range, including rocks, bare ground near snowfields, shrublands, and forested areas of varying size, density, and age. They lay one egg at a time, typically within 30 miles of the ocean shore, and feed their young once or twice a day, usually a small fish at a time. Juveniles are strong enough to fly about four weeks after hatching, at which time they head directly to sea. There is no evidence that the birds use the same nest more than once.

It was estimated in 1992 by Steven Speich, a recognized expert in Pacific coast seabird biology, that less than one percent of all North American marbled murrelets nest in California; less than one percent

in Oregon; and "perhaps" two percent in Washington; "compared to about 13% in British Columbia and 84% in Alaska."



B. Zybach and A. Matzke  
(c) NWMMaps Co. 20030512

Map 1. Oregon Coast Range Indian Tribes and Nations, ca. 1770. Common spellings, language classifications, and geographical boundaries are currently being updated and revised.

During that same year, on September 22, 1992, the marbled murrelet was declared a legally “threatened” species in Oregon, Washington, and California (but not Canada or Alaska) by the US Fish & Wildlife Service. Clearcut logging on coastal Douglas fir forests was promoted as a principal cause of a claimed reduction in these populations despite any concrete evidence that is has, or can, cause such effects. Or any baseline data to demonstrate that bird populations were actually being reduced: only some very suspect “assumptions” and questionable arithmetic.

In 2012 the Center for Biological Diversity, Portland Audubon Society, and Cascadia Wildlands sued Oregon Department of Forestry officials regarding the “take” of marbled murrelet habitat on State of Oregon forestlands. The regional forest industry, the national carpenters’ union, and Douglas County essentially counter-sued, saying that the US Fish & Wildlife “science” behind the listing of the bird and its “critical habitat” was biased and inconclusive.

This latter suit was dismissed without a hearing in 2013; the former ended in a 2014 “sue and settle” decision in which the environmental organizations and their lawyers were given a significant amount of money and the State agreed to halt logging on 28 different locations in rural western Oregon.

In addition to court-ordered payments, the principal costs associated with these rulings were the loss of hundreds or thousands of tax-paying blue-collar jobs in rural Clatsop, Tillamook, Lincoln, Coos, and Douglas Counties, and the loss of hundreds of millions of dollars in timber revenues to those counties and to the Oregon Common School Fund. There is no measurement as to whether these legal rulings have had any effect on marbled murrelet populations, but there is little reason or evidence to indicate they have.

A 2016 report by the US Forest Service Pacific Northwest Research Station concerning marbled murrelet population trends for the 1994-2013 study period showed an estimated population of 20,000 birds in 2013. That number represented an apparent decline of 4.6% in numbers for the State of Washington and no discernable change in Oregon and California populations for the 20-year period.

## Background

I first heard of marbled murrelets in October, 1988, when I received a handwritten letter from an Oregon State University graduate student, Kim Nelson, who was finishing up her Master’s degree in “cavity nesting birds”

and was also working under contract with the Siuslaw National Forest doing marbled murrelet surveys. She had heard that I knew a significant amount about Coast Range forest and fire history and asked if I could provide her with information in that regard. Which I did.

The information was apparently ignored. I provided

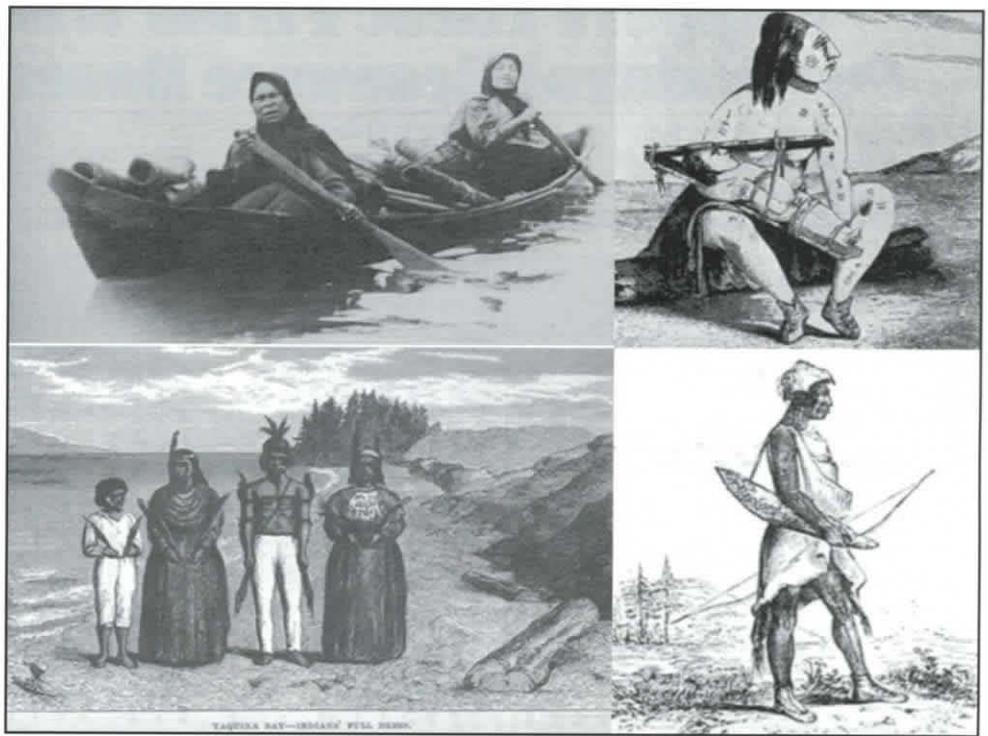
Tribe	Language	River	City	County
<b>North</b>				
Clowwewalla	Chinookan	Willamette	Oregon City	Clackamas
Multnomah	Chinookan	Willamette	Portland	Multnomah
Skilloot	Chinookan	Columbia	Ranier	Columbia
Kathlamet	Chinookan	Columbia	Knappa	Clatsop
Clatsop	Chinookan	Youngs	Astoria	Clatsop
Klaskani	Athapaskan	Clatskanie	Clatskanie	Columbia
Nehalem	Salish	Nehalem	Nehalem	Tillamook
<b>East</b>				
Atfalati	Kalapuyan	Tualatin	Tualatin	Washington
Yamel	Kalapuyan	Yamhill	Yamhill	Yamhill
Luckiamute	Kalapuyan	Luckiamute	Dallas	Polk
Chepenafa	Kalapuyan	Marys	Corvallis	Benton
Chelamela	Kalapuyan	Long Tom	Monroe	Benton
Calapooia	Kalapuyan	Willamette	Eugene	Lane
<b>West</b>				
Killamox	Salish	Tillamook	Tillamook	Tillamook
Nestucca	Salish	Nestucca	Pacific City	Tillamook
Nechesne	Salish	Salmon	Rose Lodge	Lincoln
Siletz	Salish	Siletz	Siletz	Lincoln
Yakona	Yakonan	Yaquina	Newport	Lincoln
Alsi	Yakonan	Alea	Waldport	Lincoln
Siuslaw	Yakonan	Siuslaw	Florence	Lane
<b>South</b>				
Ayankeld	Kalapuyan	Umpqua	Yoncalla	Douglas
Kelawatset	Yakonan	Umpqua	Reedsport	Douglas
Hanis	Kusan	Coos	Coos Bay	Coos
Miluk	Kusan	Coquille	Bandon	Coos
Mishikwutmetunne	Athapaskan	Coquille	Coquille	Coos

**Table 1. Oregon Coast Range languages, tribes, rivers, cities, and counties, 1770-1893.**

Nelson with maps, eyewitness accounts, and photographic documentation showing the Siuslaw – in common with the remainder of the Coast Range – is a highly dynamic forest. It was created in 1908 in the foot print of 1849 and 1868 catastrophic wildfires (the “Yaquina Burn”) and had always had a history of floods, landslides, earthquakes, windstorms, and a significant human population that used fire and large wood products on a daily basis (see Map 1; Table 1; Figures 1-4).

Instead, in September 1991 Nelson wrote to Russell Peterson of the US Fish & Wildlife Service in support of listing the marbled murrelet as “threatened” in the State of Oregon because: “Logging since the 1800’s has eliminated most of the mature and old-growth forests (suitable murrelet habitat) in western Oregon. Current estimates indicate a 60-90% decline in the forest types. Assuming that the murrelets were evenly distributed in the state in relation-

Figure 1. Native People of the Oregon Coast Range, 1841-1885. Upper Left: Two "Salish women," possibly Tillamooks, on a "trading trip"; Upper Right: Tattooed Chinook woman with a child in a "cradleboard" designed to flatten its head, drawn by George Catlin near Portland, Oregon, ca. 1861; Lower Left: Yakona Indians in Christian clothing and traditional headdresses and tattoos, Yaquina Bay, ca. 1877; Lower Right: Kalapuyanman near present-day Monroe, Oregon, drawn by Alfred Agate in 1841.



ship to the distribution of suitable habitat, the population has been reduced 60-90% and the species distribution is now limited to isolated areas along the Oregon Coast."

The key phrase here, in addition to "suitable habitat," is the statement, "assuming that the murrelets were evenly

distributed . . ." Given the detailed maps and documentary evidence that had been provided to her, why and how had Nelson come up with this obvious deception? Where did

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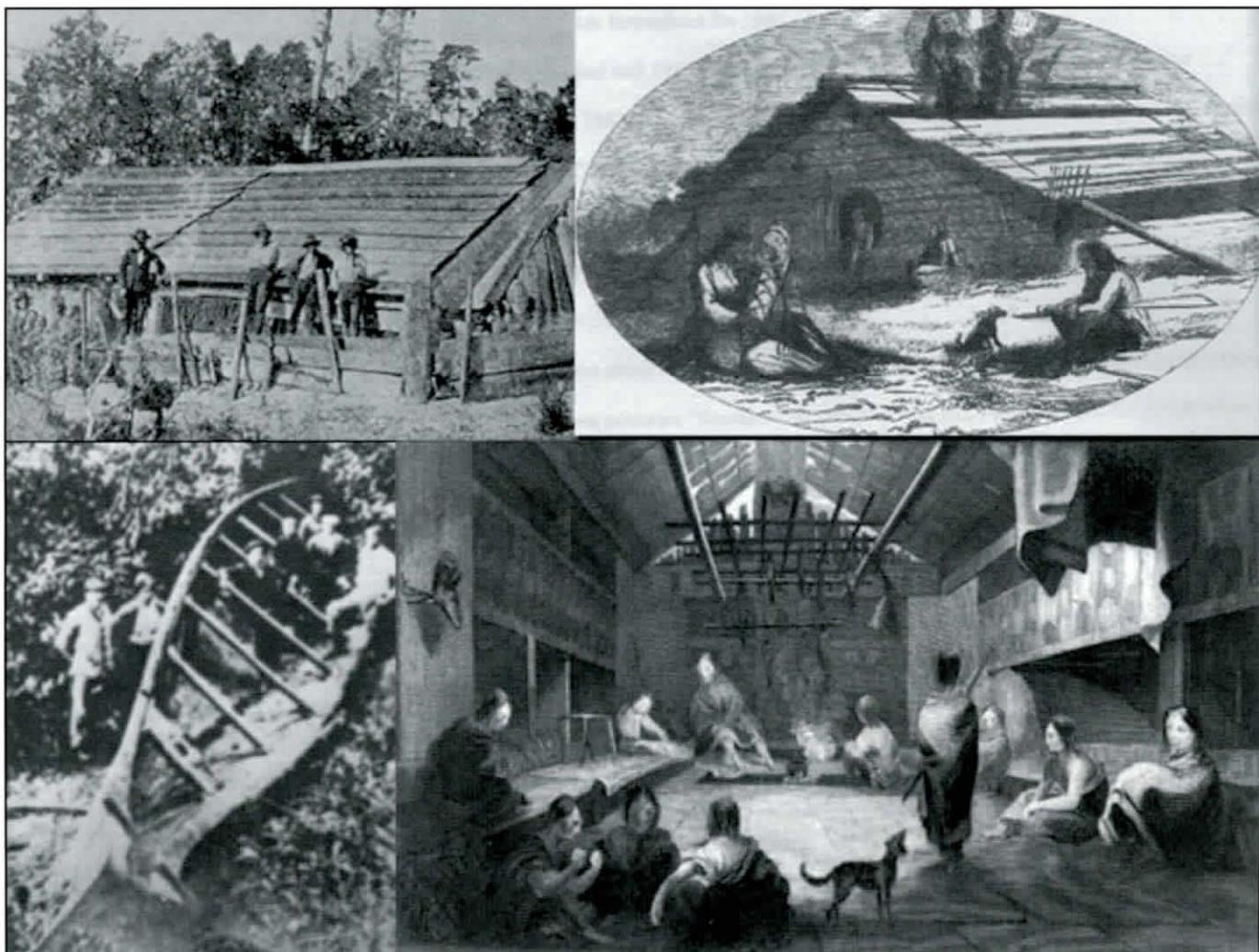


this “assumption” come from?

Tying it to an equally fabricated Coast Range logging history (“60-90%” of the landscape, apparently) and a simplistic arithmetical equation – including an assumed and highly unlikely 1:1 relationship between her determination of “suitable habitat” and actual bird populations -- has somehow become the basis of several “successful”

in age. The loss of mature and old-growth nesting habitat through current timber management practices must be considered a threat to populations of Marbled Murrelets in Oregon.”

As Nelson’s 1991 letter concludes regarding the murrelets “potential extreme decline” status if the management of state, federal, and private forestlands wasn’t



**Figure 2. Precontact large-wood products. Upper Right: Traditional Kelawatset (“Quiich”) cedar plank house photographed by an Army officer near mouth of Umpqua River in 1858; Upper Right: Drawing of a similar plank house near the same location, published by Harper’s Magazine, also in 1858; Lower Left: Large sea-going trade canoe found near mouth of the Salmon River in Lincoln County; Lower Right: Interior of typical Chinookan lodge along the Columbia River, drawn by Alfred Agate in 1841.**

anti-logging legal actions that have taken place in western Oregon ever since.

In 1992, leading up to the September listing of marbled murrelets as “threatened,” Nelson was lead author of a paper titled “The Marbled Murrelet in Oregon, 1899-1987,” in which only seven “potential [not “actual”] nesting areas” were identified in western Oregon, the small number apparently due to “current timber management practices”:

“Potential nesting areas were located in Douglas-fir (n = 6) and Sitka spruce (n = 1) forests greater than 100 years

changed immediately to ensure “suitable habitat”:

“Listing the murrelet as endangered (or threatened) would ensure that all future plans for logging in suitable habitat (individual sales and cumulative impacts) will be scrutinized for impacts on murrelet populations . . . Timing is of the essence given the rates of habitat loss in western Oregon and the potential extreme declines in murrelet populations.”

### **Forest “Habitat” History**

The relationship of Coast Range Indian burning practices to wildlife habitat --especially habitat for such food

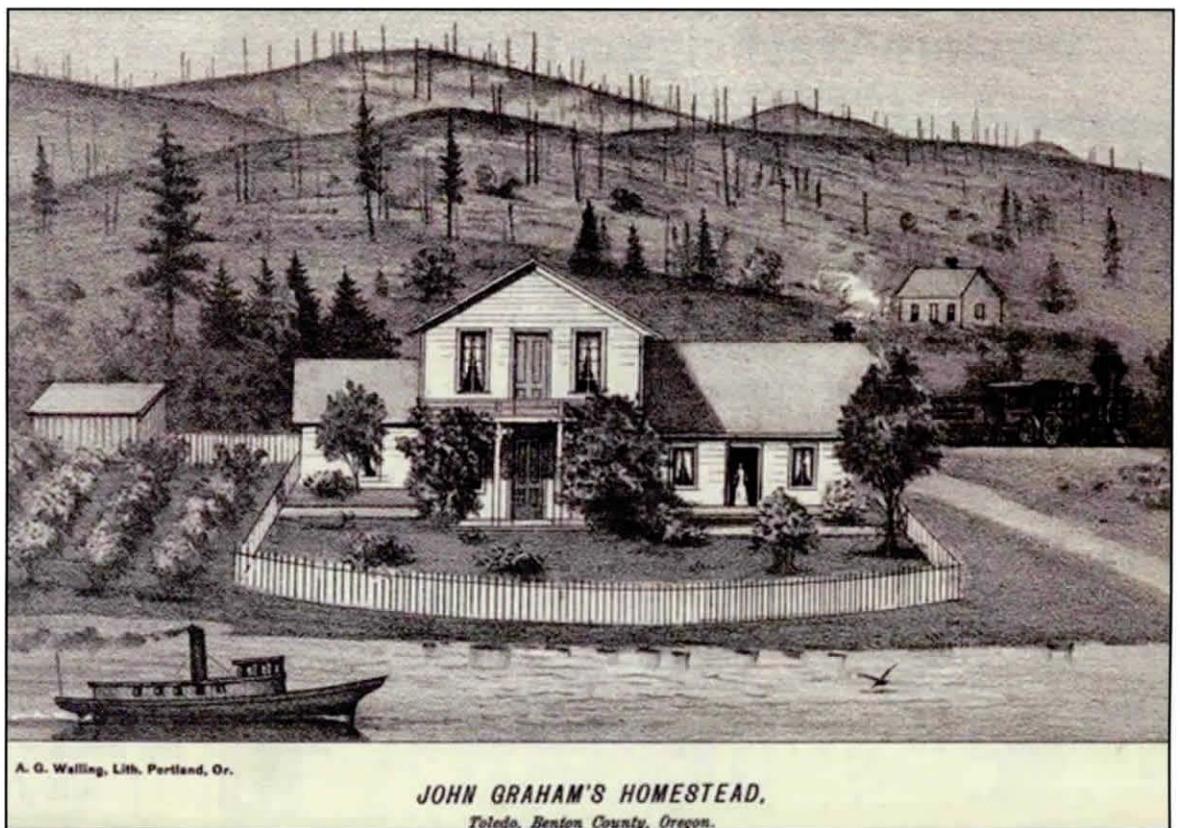
animals as birds, ungulates, rabbits, and squirrels --was first noted by Robert Haswell as he sailed along the southern Oregon Coast near Coos Bay in August, 1788:

“... this Country must be thickly inhabited by the many fiers we saw in the night and culloms of smoak we would see in the day time but I think they can derive but little of there subsistance from the sea but to compenciate for this the land was beautyfully diversifed with forists and green veredent launs which must give shelter and forage to vast numbers of wild beasts”

During early historical time there were at least eight major and distinct languages spoken in the Oregon Coast Range and at least 26 distinct tribes. Map 1 shows the general location of these peoples, and Table 1 shows the locations in terms of modern political divisions and populations. Figures 1 and 2 depict a few of these individuals and their respective uses of large-wood products typically harvested from local forest environments. Rivers flowing from upland forests and ocean currents were also sources of large logs.

Human families have lived in the historical range of marbled murrelets for more than 10,000 years. The use of fire by these families for heating, cooking, hunting, recreation, vegetation management, and other purposes produced an environment dominated by fire-dependent and fire-tolerant plant and animal species. Identifiable patterns of these plants existed across most of the landscape at the time of white settlement. Accurate physical reconstructions of historical Coast Range vegetation patterns (“habitat”) require the presence of people and expert daily and seasonal uses of fire.

Based on historical evidence, it can be shown that the landscape of the historical range of the marbled murrelet at the time of white occupation was primarily made of shifting patterns of even-aged stands of conifers --some young, some old -- (mostly Douglas fir) bounded by prairies, ridgeline trails, oak savannahs, the Columbia River,



**Figure 3. Drawing of Toledo, Oregon, landscape, looking eastward toward Marys Peak, 1885.**

and Pacific Ocean. Islands of even-aged conifers, groves of oak, meadows, ponds, balds, brakes, and berry patches further defined the environment, much of which was virtually free of underbrush, ladder fuels, coarse woody debris, snags, and other characteristics that became common to many post-1900 Pacific Northwest forests.

Warren Vaughn was a pioneer white settler along Tillamook Bay in the early 1850s, where he observed in the 1880s:

“At that time, there was not a bush or tree to be seen on all those hills, for the Indians kept it burned over every spring, but when the whites came, they stopped the fires for it destroyed the grass, and then the young spruces sprang up and grew as we now see them.”

In addition to considering the effects of thousands of people and their daily uses of fire and firewood over thousands of years, current marbled murrelet habitat has experienced some of the largest and most violent catastrophic wildfires in US history: the Yaquina, the Nestucca, the Coos, and the 6-Year Jinx Tillamook Fires of 1849, 1868, 1902, 1910, 1933, 1939, 1945, and 1951. These fires killed hundreds of thousands of acres of even-aged large, small, and old-growth Douglas fir at a time.

What effect did these vast – and sudden -- “clearcuts” have on Oregon’s murrelet population? Compared to logging history? Did murrelets adapt to historical Indian burning practices, or did they migrate here after the burning was stopped?

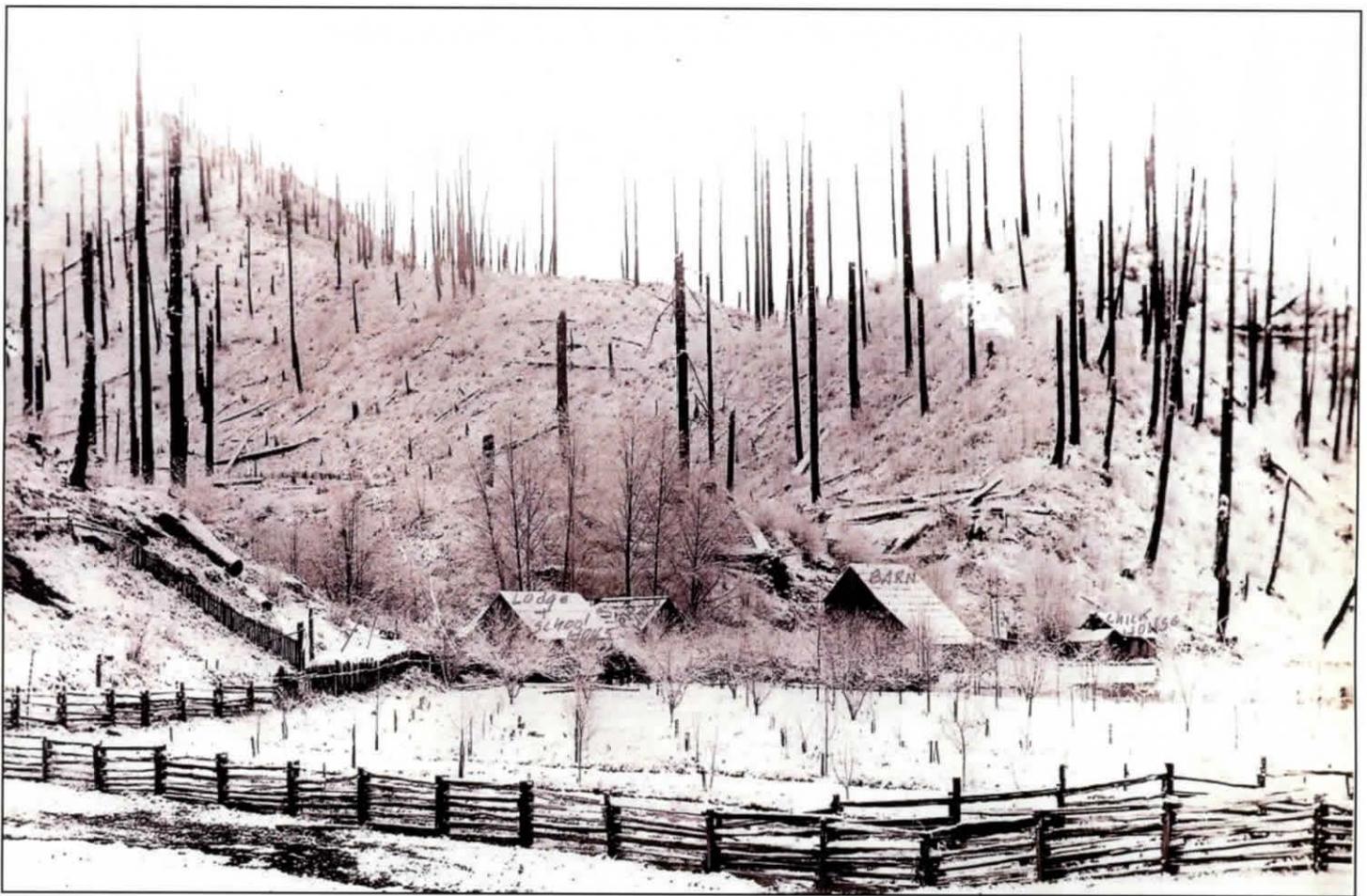


Figure 4. Elkhorn Ranch, in heart of present-day Elliott State Forest, winter ca. 1894.

## Conclusions and Recommendations

Marbled murrelets have proven to be very adaptive nesters and can fly extremely fast. “Trees die and birds fly” – to say that millions of acres of contiguous “old-growth” Douglas fir forestland is needed to “protect” these birds seems to defy both reason and common sense:

The “science” process that directly resulted in the US Fish and Wildlife Service declaring marbled murrelets as “threatened” was apparently biased against logging and active forest management from the outset. Likewise, efforts to locate nests was also biased toward “natural” old-growth conifer stands (“occupied sites were not always located in an unbiased manner”).

Data used to promote the “critical decline” in marbled murrelet populations was superficial, based on provably false assumptions, and dependent on questionable arithmetic to derive the “critically threatened” claims.

Native bird populations on the Oregon Coast must have adapted to constant disturbances by people and by occasional catastrophic forest fires and windstorms over time, or else they may have migrated to this area in recent centuries. Both possibilities should be consid-

ered.

Marbled murrelets do not seem to be threatened or endangered at this time. There is no real evidence that their populations are in “sharp decline” or that logging is/was responsible, even if they are. Rather, it appears the California, Washington, and Oregon murrelets are near the edge of their range, much as the lands in northern Canada and Alaska are sparsely populated by people. Conversely, most murrelets prefer Canada, Alaska, and Asia, where they have robust populations – rather than the “lower 48,” where they exist in apparently stable, much smaller, numbers.

In summary, if the federal government is going to continue to dictate how forests are managed in Oregon – and particularly in regard to select plant or animal species – it is important they begin with comprehensive historical information rather than inaccurate assumptions, bias, and deceptive math for planning purposes.

**CORRECTION:** *In the previous article in this series, I mistakenly credited the wrong photographer for the great photo of the 327-foot Brummit (“Doerner”) Fir. This picture was actually taken by Darryl Lloyd, Longshadow Photography, Hood River, Oregon, and first published in the March 27, 2010 Portland Oregonian.*



including a tab on New Year's Eve in 2015. On one occasion, a redacted cardholder dined at the Prodigal Son Brewery in Pendleton, Oregon, while Brown's official calendar shows she was across the state in Salem and Portland for the entire day. How can this security guard protect the governor from across the state? They can't – but apparently they can expense their dinner.

All expenses were charged to an office of governor credit card and the charges approved by administration executives. Yet, when we reached out to the governor for comment, spokesperson Bryan Hockaday said oversight is the responsibility of the Oregon State Police superintendent.

“Requirements for the Dignitary Protection Unit's activities are set by the OSP Superintendent, not by the Governor's Office. The Superintendent has direct oversight of the Dignitary Protection Unit, and directs these officers based on OSP's assessment of Governor Brown's safety, including the daily threats made against the Governor.”

The State Police Superintendent Travis Hampton responded on-the-record:

“When Oregon's Governor takes an active role in traveling Oregon communities, the Oregon State Police expect our Dignitary Protection Unit expenses to proportionally increase. She has not required any expenses unique to any other Oregon Governor we have served, independent of the staff time to provide adequate protection commensurate with her hours worked away from a secure facility.”

It has been choppy waters for Governor Brown – a self-

professed reformer – who promised clean government and a new day in Salem.

Recently, we found Brown soliciting hundreds of state vendors for \$518,000 in campaign cash; paying for her personal law license with a state credit card; admitting to using public credit for personal expenses; redacting 4,000 items from her official calendar; and using state agency employees and resources to log and redact 500 campaign events.

We recently found Brown's office designated 52 employees as lobbyists, but disclosed zero dollars in lobbying expenditures. Our oversight forced Brown to amend her filings, disclosing \$165,489 in payments to her lobbyists on the Oregon Ethics Commission website.

Over the last decade, the Oregon governor's mansion has been rocked by numerous scandals. In 2011, a former Oregon governor confessed to third-degree rape of a 14-year-old girl. In 2015, then-governor John Kitzhaber resigned during an ethics scandal focused on alleged personal gain from state contracts flowing to his live-in girlfriend's non-profit organizations.

Now, Governor Brown seems to be having fun at taxpayer expense while hiding her activities from public view. These patterns are troubling. Oregonians should bring the heat, so the governor sees the light.

*Adam Andrzejewski is the CEO and Founder of OpenTheBooks.com – one of the largest private databases of government spending in the world. Our complete email correspondence with the office of governor spokesperson is available on our website.*

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