

Marbled Murrelet Emergency Measures 12Aug2025

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Marbled Murrelet and Marbled Murrelet Critical Habitat Conservation Measures for Emergency Responses

August 8, 2025

The following conservation measures were developed by the U.S. Fish and Wildlife Service's Washington Ecological Services (WA ES) Office to help federal action agencies minimize and avoid adverse effects to listed species and designated critical habitat when responding to emergency situations in accordance with 50 CFR § 402.05. If you have any questions regarding these conservation measures or need additional technical assistance, please contact us at: washingtonfwo@fws.gov

The safety of first responders and the public are the highest priorities during emergency responses. Only those conservation measures that do not create a safety hazard should be employed. Federal action agencies should document how the recommended conservation measures were implemented and the results of the implementation in minimizing effects to listed species and their habitats; as well as the amount or extent of any incidental take that occurred because of the response activities. Section 7 consultation for emergency response actions should be initiated once the emergency response has been completed and human life and property are no longer at risk.

If your federal agency proposes to implement an action that is not part of an emergency response, as defined in 50 CFR § 402.05, and your proposed non-emergency action may affect a listed species or designated critical habitat, please contact WA ES (washingtonfwo@fws.gov) for technical assistance.

Recommended Conservation Measures for Emergency Responses

General Terrestrial Conservation Measures

- 1) Project activities that generate noise or visual disturbance should not occur within disruption distances of unsurveyed or occupied murrelet nesting habitat between April 1–September 23 (the nesting season).
 - a. Work involving chainsaws and heavy equipment should not occur within 110-yards of suitable habitat.
 - b. Helicopters should use the smallest, quietest helicopters that can accomplish the task efficiently and minimize overflights over suitable habitat during the nesting season and use the same flight paths when practicable.
 - c. Helicopters should not be operated within the following pre-defined distances of suitable habitat, based on helicopter type, except when they are on direct approach or departure from landing zones:
 - Type I: 265 yards
 - Type II: 150 yards
 - Type III: 110 yards

- d. Helicopter operations will not occur within injury distance, based on helicopter type, of suitable murrelet habitat, including when in direct approach or departure from landings
 - Type I: 100 yards
 - Type II and Type III: 50 yards
 - e. Small fixed-wing aircraft operations should not occur within 110 yards of suitable habitat.
 - f. Drilling and crushing of rock should not occur within 5 yards of suitable habitat to avoid injury and shall not occur within 120 yards of suitable habitat to avoid disruption.
 - g. Blasting operations should not occur within 110 yards of suitable habitat to avoid injury and should not occur within 0.25 mile of suitable habitat to avoid disruption.
 - h. See Guidelines for Blasting on Olympic National Forest for further blasting recommendations
 - i. Burning activities should not occur within 0.25 mile of suitable habitat.
 - j. The use of drones should not be permitted within 110 yards of suitable habitat.
 - k. Tree climbing should not be permitted within 110 yards of suitable habitat.
- 2) If activities must occur within disruption distances of unsurveyed or occupied murrelet habitat between April 1 – September 23, such activities should begin at least 2 hours after sunrise and end at least 2 hours before sunset.
 - 3) Projects should begin with activities in the area farthest from suitable habitat when conducting activities during the nesting season.
 - 4) During all project activities, wildlife should be prevented from accessing food or food waste on site or in the vicinity of project operations to minimize nest predation. Any food or food waste should be removed daily and securely stored at all times.
 - 5) No trees known to be active or historical nest trees should be removed during any time of year no matter how many years have passed since the tree was known to be a nest tree.
 - 6) Trees to be removed in suitable habitat during the murrelet nesting season should be inspected by a wildlife biologist to determine whether it is a suitable nest tree.
 - 7) A wildlife biologist should be notified immediately if a murrelet active nest or individual is found, and measures to avoid disruption to normal behaviors should be applied until the breeding season has passed.
 - 8) When feasible, removal of platforms, trees with platforms, and trees providing cover to platforms should be avoided, even if it is not known whether the stand is occupied by murrelets.
 - 9) Avoid openings within 330 feet of suitable habitat, including, but not limited to, landings, new road construction, temporary roads, gaps, new quarry sites, quarry site expansion.
 - 10) Road reconstruction and placement of new temporary roads should be minimized.
 - 11) Activities should encourage protection and development of suitable nest trees.
 - 12) Activities should avoid removal of habitat within 0.5 mile of murrelet critical habitat.

General Marine Conservation Measures

- a. Activities that generate underwater sound above the following thresholds should be avoided in areas where marbled murrelet may be foraging.
 - >208 dB cumulative sound exposure level/ SEL may result in barotrauma (injury-harm).
 - >202 dB cumulative sound exposure level/ SEL may result in auditory injury (injury-harm).
 - >150 dB RMS may result in a significant behavioral response, including the disruption of feeding, under some circumstances-scenarios (e.g., long duration interruptions to feeding/ loafing, etc.; weeks or months).
- b. Avoid using an impact hammer to drive piles in water whenever possible. For projects involving in-water work that includes using an impact hammer on steel piles larger than 12 inches. If an impact hammer must be used, implement a bubble curtain and wooden block sound attenuation device to reduce the sound level and probability of injury.
- c. For projects involving in-water work using an impact hammer on steel piles larger than 12 inches, a marbled murrelet monitor(s) should be present for monitoring masking and injury zones. For piles between sizes of 12 – 24 inches, an injury zone distance of 42 meters should be employed. For projects between sizes 25 – 36 inches, an injury zone distance of 168 meters should be employed.
- d. Night work along shorelines during the nesting season within 110 yards of suitable marbled murrelet nesting habitat should avoid directing nighttime lighting at potentially suitable nesting habitat.