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Ruling Protects 12,000 Acres of Marbled Murrelet Habitat in Southwest Washington

Judge Heller of the King County Superior Court ruled last week that the Washington State Department of Natural Resources (DNR) violated the State Environmental Policy Act (SEPA) by prematurely attempting to allow logging on lands that have been protected for consideration in a long term conservation plan. The nineteen-page opinion placed renewed emphasis on having a Long-Term Conservation Strategy planning process that considers all viable options to balance important economic considerations with the preservation of Washington's natural heritage.

Seattle Audubon and Olympic Forest Coalition (OFCO) have been actively working with DNR to develop a Long-Term Conservation Strategy for the Threatened Marbled Murrelet. The conservation objective is to recover populations of the murrelet, a Washington seabird that nests in old forests near marine waters, by conserving forests near marine waters as habitat. However, during the planning process, Seattle Audubon and OFCO disagreed with DNR's attempt to allow significant logging of protected areas without the completed public process to develop a LTCS, and filed suit. Conservation groups hope that, as a result of Judge Heller's decision, DNR will have increased options available as it develops its long-term plan. The Long-Term Conservation Strategy will shape forestry on DNR-managed lands for decades, and protecting forest habitat helps the murrelet, preserves old-growth ecosystems, and provides clean air and water both for humans as well as other species, including salmon.

"It's heartening to see that the court recognizes the importance of a Long-Term Conservation Strategy to recover Marbled Murrelets on State lands, especially one that respects the terms of the Habitat Conservation Plan and is developed with all stakeholders involved" said Marina Skumanich, Seattle Audubon Interim Executive Director.

In addition to working with DNR on long term planning, conservation groups have successfully lobbied the State Legislature for \$1.5 million in funds to protect State lands and compensate counties for potential timber harvest revenue. Seattle Audubon and OFCO recently submitted



comments and met with DNR regarding murrelet conservation on State lands, and will continue to work with DNR to develop plans that protect old forest ecosystems.

Seattle Audubon and OFCO were represented in the litigation by the Washington Forest Law Center, a non-profit legal firm that represents public interest groups in forest policy advocacy and litigation regarding State and private lands in the Pacific Northwest.

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