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UNITED STATES DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

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NORTHERN SPOTTED OWL DRAFT
RECOVERY PLAN.

ORIGINAL

PUBLIC COMMENT MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, MAY 23, 2007

6:30 P.M.

REDDING, CALIFORNIA

REPORTED BY: DEBBIE J. BENSON, C.S.R.

LICENSE NO. 6527

1388 Court Street, Suite A-2
Redding, CA 96001
(530) 243-2400
Fax (530) 243-2410

PRESENTATION PANEL

ROBERT RUESINK,
PRESIDING OFFICER

PHIL DETRICH,
PROJECT LEADER, YREKA FIELD OFFICE

DAVID WESLEY,
RECOVERY TEAM LEADER

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1 MR. RUESINK: Would you please take your seats.
2 I'd like to open the meeting.

3 We are on the record. Good evening. On behalf
4 of the United States Fish and Wildlife Service, I
5 welcome you to this public meeting and the Draft
6 Recovery Plan for the Northern Spotted Owl.

7 My name is Robert Ruesink; the last name is
8 spelled R-u-e-s-i-n-k. I will be serving as presiding
9 official for this listening session this evening. My
10 role is to conduct this session in order that we receive
11 your comments accurately. I am not involved in any
12 decision making regarding this issue.

13 Here also are the following representatives
14 from the U.S. Fish and Wildlife Service. On my far
15 right is Dave Wesley. Dave is the Deputy Regional
16 Director of the Pacific Region and the team leader for
17 the Northern Spotted Owl Recovery Team.

18 To my immediate right is Phil Detrich. Phil is
19 the field supervisor of the Yreka Fish and Wildlife
20 office.

21 We have a court reporter here this evening
22 whose purpose is to ensure that we accurately record and
23 preserve in the record any comments and statements that
24 you make regarding this issue.

25 Outside the meeting room where you first came

1 in, you saw an information area. We have written and
2 display materials about this Draft Recovery Plan in that
3 area, as well as staff from the U.S. Fish and Wildlife
4 Service, Forest Service, and Bureau of Land Management
5 to assist you and answer any questions you might have.

6 At this point, I'd like to introduce Dave
7 Wesley who will give a presentation on the Draft
8 Recovery Plan.

9 MR. WESLEY: Good evening. Thank you all for
10 coming. Rather than stand up here and do it from the
11 dais, I'd feel more comfortable getting down and walking
12 around, so if you permit me to do that. My purpose is
13 to spend a few minutes with you to explain a little
14 about the recovery planning process, a little bit about
15 what the recovery team did to develop this plan and give
16 you background about the plan.

17 I know many of you have heard about the plan,
18 but some of you may not have had a chance to read it all
19 or understand what it is, so I thought I'd take a few
20 minutes and give you a background on it, a little bit of
21 update what it says. So we'll take your comments after
22 I get done.

23 Of course, the species we're here to talk about
24 is the Northern Spotted Owl. And the species was listed
25 in 1990 as a threatened species under the Endangered

1 Species Act. In 1990, there was an interagency
2 scientific committee that was formed to gather
3 information about the Spotted Owl and prepare a
4 scientific summary of what was known about the species
5 at the time.

6 There was critical habitat designated for the
7 species through a legal process and published in the
8 Federal Register in 1992. In 1992 also, a group of
9 scientists were commissioned by the Fish and Wildlife
10 Service to prepare a Draft Recovery Plan.

11 They did that plan, and in December of 1992
12 they completed that draft, but the draft was never
13 finalized. There was a decision made that plan wouldn't
14 go forward because of the upcoming developing of the
15 Northwest Forest Plan.

16 In 1994, the government approved and sanctioned
17 the Northwest Forest Plan, which at that time was
18 considered to be the federal contribution to the
19 recovery of the Northern Spotted Owl.

20 And in 2004, in accordance with the
21 requirements under the Endangered Species Act, the Fish
22 and Wildlife Service conducted a five-area review.
23 We're required on a periodic basis to look at the
24 species list, go ahead and do an analysis on the science
25 to see if the listing is appropriate.

1 That was done in 2005 under a contract to
2 another consulting firm. And what was nice about that
3 is it summarized all of the scientific information that
4 was available since the draft plan in 1992 and the
5 completion of that report in 2004. So when the recovery
6 team was formed and we began our work a couple of years
7 later, we were able to use a lot of this information,
8 and it was fortunate for us that we had a lot of that
9 information already analyzed and put together for us.

10 So what's in a recovery plan? A recovery plan
11 is basically a road map that tells us what we need to do
12 in order to recover a species or take it off the
13 Endangered Species List. It includes a number of
14 components.

15 One of those is a strategy, what is necessary
16 to recover, how do you get to recovery of the species.
17 There are specific objectives. What is it we're looking
18 for? What are the specific things necessary for us to
19 achieve before we can recover? They have to have some
20 measurable criteria.

21 One of the things the law is very clear about:
22 We can't just get to a point we say, oh, we think it's
23 capable of being delisted. We have to have specific
24 criteria measurable that we announce ahead of time and
25 say these are the things we're looking for that must be

1 met before we can delist the species. We also must
2 specifically describe particular recovery actions that
3 would be necessary to be taken to get the species off
4 the list.

5 I want to remind you a recovery plan is
6 advisory only. It is not a regulation. It's not a
7 regulatory process. It's an advisory document. Like I
8 said, it's a road map, doesn't have any force and effect
9 of law. It helps inform people about the species. It
10 helps inform regulatory agencies about information they
11 need to be able to conduct information and analysis for
12 the Spotted Owl. In and of itself, it has no regulatory
13 authority for responsibility.

14 So how do we develop this recovery plan? We
15 started in April of 2006 by appointing a recovery team.
16 We completed a draft in September of 2006. And that was
17 our target. We were told we needed to have it done by
18 the end of September in 2006. And we submitted it to
19 the Washington office and it was reviewed, and they
20 asked us to look at it and come up with some other
21 alternatives I'll explain to you in a little bit.

22 And then we made those revisions in April of
23 this year. We announced the draft in the Federal
24 Register and we're now in the process of the 60-day
25 comment period. By law, again, we have a comment period

1 of 60 days for the public to submit comments, so we're
2 looking to get your comments in by the 25th of June.
3 That may be extended. We do have some requests and
4 we're in the process of processing those requests.

5 Right now I'd encourage you, if you do have
6 comments, make them to us. If you have written
7 comments, try and get them to us by June 25th. That
8 would be very good.

9 We also committed to have a public meeting. We
10 realize there's a lot of interest about the Spotted
11 Owl. The regulations and the law do not require us to
12 have these public meetings. We felt it was important
13 that we do that. So we're having two in Oregon, one in
14 California, and one in Washington. Our goal will be to
15 have the plan completed a year from the date which we
16 announce the draft; so in April of 2008.

17 How did we get the assistance from the recovery
18 team? The recovery team provided advice. You have to
19 understand, the recovery plan in and of itself is a
20 document of the Fish and Wildlife Service. We did have
21 a lot of opinions about where to go on some of the
22 science and some of the hard work that was there.

23 What's in the final draft? We may not
24 represent the views of every one of the members, but it
25 is a document that the Service prepared based upon the

1 information that was done and prepared and the work that
2 was done by the recovery team. We did have 12 members.
3 We felt it was important to get a broad spectrum of
4 folks, so we had representatives from the five major
5 federal agencies involved with the Spotted Owl.

6 There's the Department of Agriculture, with the
7 Forest Service, and four bureaus within the Department
8 of Interior: the Fish and Wildlife Service, Bureau of
9 Indian Affairs, the Bureau of Land Management -- what's
10 the fifth one? -- the Park Service. Thank you. I
11 always forget the last one. So those five federal
12 agencies. We had a representative from the three
13 states, from California, Oregon, and Washington, and
14 then we had representatives from the timber industry as
15 well.

16 They were -- I'll get to it here. The timber
17 industry, we had two folks from there and we had two
18 folks from the environmental community. We had a total
19 of ten. We do have a few of the members here tonight.
20 Let's see who's here.

21 Lowell Diller is here. Lowell is one of the
22 timber company representatives. In the back, Ed Murphy
23 from the timber company and Mike Taskey from the Bureau
24 of Land Management. I was the representative from the
25 Fish and Wildlife Service. I don't see anybody else,

1 but that's the group. It was a great group.

2 The group was supported by a group called the
3 IST, Interagency Support Team, which was made up of
4 staff from Fish and Wildlife Service, the Bureau of Land
5 Management, the Forest Service. They did a tremendous
6 job in supporting the team and providing a lot of help
7 helping us get our job done.

8 The team met 28 times, either in person or via
9 conference call. So we spent a lot of time together.
10 We got to know each other, I think, quite well. Who
11 preferred what kind of coffee and those kinds of things,
12 but it was a great group to work with and we had a lot
13 of exchange between ourselves.

14 We also incorporated the use of scientists. We
15 had three different panels where we incorporated and
16 asked scientists -- the leading scientists in Spotted
17 Owl and Spotted Owl management -- come and had workshops
18 with them, and used them to guide our information, the
19 information and criteria, specifically the measures that
20 we would use.

21 We also then kept hearing we should build on
22 the science done from the earlier plan, the 1992 plan,
23 that large scale blocks are important and the fact the
24 best thing to be able to continue to use for recovery of
25 the owl. And some portions of the plan are already peer

1 reviewed, primarily the biological section.

2 As you can imagine, there's a lot of science
3 and knowledge known about the recovery of the owl. We
4 already had the biology portion of it reviewed. We will
5 be having the entire document peer reviewed, and I'll
6 explain that in a couple of minutes.

7 What are the objectives? Pretty much the
8 standard kind of thing we see in recovery plans where
9 it's important to have adequate populations of the
10 species; in this case, of course, the Northern Spotted
11 Owl. Those populations have to be sufficiently large
12 and distributed throughout the range of the owl.

13 You also then can't just have the birds by
14 themselves. You have to have the habitat for them to be
15 able to survive, and you also have to have that habitat
16 in good condition and also spread throughout the range
17 of the owl.

18 The third thing is we have to be able to deal
19 with the threats. What are those actions causing this
20 bird to be endangered or be threatened? We have to be
21 able to look at those things, figure out a way to
22 mitigate or eliminate or reduce them, and then keep them
23 at a point the species could be taken off the Endangered
24 Species List.

25 One of the things we found as we worked our way

1 through the process, Barred Owls are a lot more of a
2 threat currently than they were originally thought to
3 have been. Barred Owls are a native American raptor
4 more traditionally found in the East. They've come west
5 as a result of some speculation. They've come west as a
6 result of man's impact on the environment.

7 We've allowed more trees to grow up and habitat
8 created that allows the owls to move to the west.
9 They're a little larger, more aggressive. They have
10 ability to out compete the Spotted Owls.

11 The habitat loss, of course, is another
12 important element that is a threat that needs to be
13 maintained. We don't want to lose site of the fact that
14 those are in fact an important element, maintaining and
15 making sure there is adequate habitat for the owl.

16 Again, as I was talking about the Barred Owl,
17 one of the recommendations in the plan is to form a
18 working group of scientists and managers to deal with
19 the Barred Owl. The Barred Owl is a big threat that's
20 occurring right now, and we need to be able to look at
21 how we will address that. We'll do that through a
22 working group. They want to do research to better
23 understand the threat, and then there's some proposal --
24 actually be some experimental removal to see how the
25 Spotted Owls respond.

1 If you remove the Barred Owls, will the Spotted
2 Owls come back? How will we do that? Where will we do
3 it? How often would we do it? And what ways would we
4 do it? But the issue with regard to the Barred Owl
5 needs to be addressed.

6 When you get to habitat, the recovery plan is
7 different than many other recovery plans in that it has
8 two options on how to address the habitat. Initially
9 our plan only had one option, but as the result of some
10 requests by some folks back in Washington, when this
11 plan went back to Washington, we were asked to develop a
12 second option to look at that.

13 We do have two different options, and I'll
14 explain both of those to you. Option one builds on the
15 previous work done by many of the previous authors with
16 regard to setting aside specific areas for habitat
17 protection. It uses specific areas with targeted
18 recovery.

19 These areas are called "managed owl
20 conservation areas." When you came in, if you look at
21 the maps, there's a series of maps that show the managed
22 owl conservation areas. In the draft that you have
23 before you or in the plan, there's about 7.7 million
24 acres of land that's included in the managed owl
25 conservation areas for Option 1.

1 Option 2 also recognizes the need for large
2 habitat blocks. Rather than have static reserves on the
3 land, it develops a rule set that would develop or guide
4 land managers on how to establish those areas. It gives
5 flexibility to local land managers to be able to
6 determine where those lines on the map would be and how
7 those areas would be established. It still requires
8 that these large blocks be preserved and these large
9 blocks be on the land for the owl, but they do give some
10 discretion for the local managers to retain it.

11 How those blocks were established used the
12 basic science used in Option 1 in the number of pairs of
13 owls necessary to support and the distance between those
14 pairs of owls. In the example that's in the recovery
15 plan, rather than just put out that information the way
16 it was, we felt it was necessary to have an example
17 people could look at to visualize. What we did was ask
18 the recovery team and the IST to work together and come
19 up with an example.

20 We have in the plan just -- what's in the plan
21 now is strictly an example of what Option 2 would look
22 like. The one that's there includes actually less than
23 in the MOCA but could include more. The one in the
24 recovery plan is just under 7 million acres. There's
25 about a 700,000 acre difference between the two