



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Southwest Regional Office
2800 Cottage Way, Room W-2606
Sacramento, California 95825-1846



IN REPLY REFER TO:
FWS/R8/ES

MAR 18 2011

Ken Pimlott
California Department of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Dear Mr. Pimlott:

In 1992, the Fish and Wildlife Service (Service) produced a recommended survey protocol to detect the presence of spotted owls for project-clearance purposes. This protocol contained the option of conducting a 1-year intensive survey, or 2 years of less intense surveys. Since that time, survey data has indicated that the western invasion of the barred owl has suppressed northern spotted owl responses to presence/absence surveys. To increase the effectiveness of spotted owl surveys for timber harvest clearance, the Service has revised the recommended spotted owl survey protocol. In 2010, the Service circulated a draft revised survey protocol to improve detection of spotted owls. Given variations in responses between years and decreased spotted owl response rates, additional surveys are needed to establish spotted owl presence in areas being proposed for timber harvest. Among other changes, the 2010 draft revised survey protocol eliminated the 1-year survey method in favor of the 2-year method to improve detection of spotted owls.

The Service solicited review and feedback of the draft 2010 Protocol during the 2010 field season. The protocol benefitted through input from the various users representing federal and state agencies and timber organizations. On February 7, 2011, the Service released a recommended survey protocol, and subsequently conducted workshops in February with the timber-industry community to inform practitioners of changes.

During these 2011 northern spotted owl survey protocol (2011 protocol) information meetings, both the California Department of Forestry and Fire Protection (CAL FIRE) and the Service clearly heard concerns associated with how the 2011 protocol may affect the ability of landowners to harvest timber in 2011. Some foresters/landowners voiced concern with the two-year survey, as they would need to plan in advance of harvest, yet they cannot predict when the timber market will be favorable.

In response to these concerns, the Service is recommending a continuation of the transition period as originally proposed within the 2010 protocol transition letter. Thus, the one-year survey could still be used to gather additional data to inform the new protocol and would

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accommodate the 2011 harvest season. It should be noted, that the 2011 protocol was developed to promote consistent and scientifically rigorous procedures to survey for spotted owls, thus the Service still recommends that the 2011 protocol be utilized for harvest to begin in 2012. Landowners who may harvest in 2012 should conduct surveys in both 2011 and 2012.

For 2011, modifications are outlined below to allow a 1-year 6-visit survey for landowners who wish to harvest in 2011 due to improved timber market conditions to provide for flexibility in implementing timber harvest plans and non-industrial timber management plans in 2011. Landowners should begin planning now to implement the appropriate 2-year surveys for 2012 harvest consistent with the 2011 protocol.

To summarize:

- Landowners in California are encouraged to implement the 2011 protocol and associated *NSO Protocol Transition Guidance for Klamath/Cascades and Coastal Provinces of California – Surveys Initiated in 2009-2011* (Enclosure 2 to the 2011 protocol), beginning with the 2011 survey season.
- However, landowners intending to harvest in 2011, who did not implement any surveys in 2010, may use a 1-year, 6-visit survey prior to harvest following the 2011 survey approach (see sections 3.0 – 9.0, 14.0 –17.0 of the 2011 protocol).
 - Landowners should provide a full disclosure of previous survey history and data and results of the 2011 surveys for evaluation to CAL FIRE.
- Landowners intending to harvest in 2012 should conduct surveys in 2011 and 2012 according to the 2011 protocol and Enclosure 2.
 - Landowners who may harvest in 2012 that have previous year's surveys and surveys conducted using the 2011 protocol should refer to Enclosure 2. All available survey data, barred owl detections, and timber harvest techniques should be made available and evaluated by CAL FIRE or the Service as appropriate before timber harvest can begin in 2012.

CAL FIRE and the Service will continue to explore and evaluate options for efficient and effective surveys to address the unique situations of each landowner. We recognize that we may need to assess each situation on a case-by-case basis.

For the longer-term, the Service will reconvene the Barred Owl Work Group; multi-stakeholder groups responsible who helped the Service develop the 2011 protocol. The Service will ask this group to re-assess possible options for a scientifically credible 1-year survey approach. This will be a challenging task, as the current science led the Service to eliminate the 1-year survey as a recommended approach.

Mr. Pimlott

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The Service's Region 8 (California, Nevada, and the Klamath Basin) is coordinating with Region 1 (Oregon, Washington and Idaho) on this particular issue. If you have similar concerns for the portion of the species range in Region 1, please contact Betsy Glenn at the Oregon State Office (503) 231-6179 to discuss technical assistance options which will be handled on a case-by-case basis. If you have any questions for Region 8, please contact Erin Williams, Field Supervisor, Yreka Fish and Wildlife Office at (530) 841-3112 or Nancy Finley, Field Supervisor, Arcata Fish and Wildlife Office at (707) 825-5100.

Sincerely,

A handwritten signature in black ink that reads "Alexandra Pitt". The signature is written in a cursive, flowing style.

Deputy Regional Director

cc:

USFS Regional Forester, Region 5, Vallejo, CA
BLM California State Director, Sacramento, CA
California Department of Fish and Game Director, Sacramento, CA
California Department of Transportation Director, Sacramento, CA
Senator Barbara Boxer, Sacramento, CA
Senator Diane Feinstein, Sacramento, CA
Congressman Mike Thompson, Fort Bragg, CA
Congressman Wally Herger, Redding, CA