

**MULTI-SPECIES HABITAT CONSERVATION PLAN &
SECTION 10(a) APPLICATION**

REGLI ESTATE

July 7, 1995

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INTRODUCTION

This document is intended to satisfy the requirements for a Habitat Conservation Plan (HCP) as described in Section 10 (a) of the U. S. Endangered Species Act (Act). This HCP is required as a prerequisite for an incidental take permit of the northern spotted owl (*Strix occidentalis*) on the Regli property in Humboldt County, California. The HCP covers two spotted owl pairs on 480 acres of property owned by the Regli estate. This document was prepared by Galea Wildlife Consulting for the Regli estate and R.D. Hunt Surveying and Forestry, their forestry consultant.

The northern spotted owl (NSO) was listed as threatened by the U.S. Fish and Wildlife Service (Service) on July 23, 1990, pursuant to procedures established by the Act. This listing prohibits taking of the species, unless explicitly authorized by the Service under section 7, section 10 (a)(1)(A), or section 10(a)(1)(B) of the Act. As defined by the Act, "taking" means "to harass, harm, pursue, shoot, wound, kill, trap, capture, or attempt to engage in any such conduct" (section 3[19]). Such acts may include significant habitat modification or degradation where it actually kills the wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3).

Also, under the Z'berg-Nejedly Forest Practice Act of 1973, which contains the regulations for timber harvest activities within the State of California, a Timber Harvest Plan (THP) is not allowed without a "no take" determination from the California Department of Fish and Game (CDFG) or a permit issued by the Service allowing for an incidental take.

PURPOSE OF AND NEED FOR THE PROPOSED ACTION

The Regli estate is the result of an inheritance of property which includes an obligation to pay considerable inheritance taxes. To help pay the inheritance tax, a THP is necessary to produce income from the inherited properties. However, two pairs of northern spotted owls reside on the estate. The prohibition of harvest operations in the location of one pair, due to the likelihood of take, will greatly reduce the potential for producing adequate revenues to meet the tax obligations for the property. This THP can only be continued at this time by acquiring an incidental take permit.

This HCP addresses and seeks coverage for incidental take of the following species for a period of 20 years:

Endangered:

bald eagle (*Haliaeetus leucocephalus*)

American peregrine falcon (*Falco peregrinus anatum*)

Threatened:

northern spotted owl (*Strix occidentalis caurina*)

marbled murrelet (*Brachyramphus marmoratus*)

The Regli estate also requests an Implementing Agreement (IA) for the HCP with the Service and California Department of Fish and Game (CDFG) for eight species identified below, which are currently unlisted but classified as candidates for listing under the Act. Approval of the IA would assure the Regli estate that, should these currently unlisted species be subsequently listed under the Act, and the Regli estate applies for an amendment to their permit to include the species, no

further mitigation would be required of the estate in accordance with the August 11, 1994, Department of the Interior's "No Surprises" policy. These species are:

- northern goshawk (*Accipiter gentilis*), ⁷
- Pacific fisher (*Martes pennanti pacifica*), — C
- marten (*Martes americana*), — ⁷
- California red tree vole (*Arborimus pomo*),
- Northern red-legged frog (*Rana aurora draytoni*)
- tailed frog (*Ascaphus truei*),
- Del Norte salamander (*Plethodon elongatus*) and the
- southern torrent salamander (*Rhyacotriton variegatus*).

PROPERTY DESCRIPTION

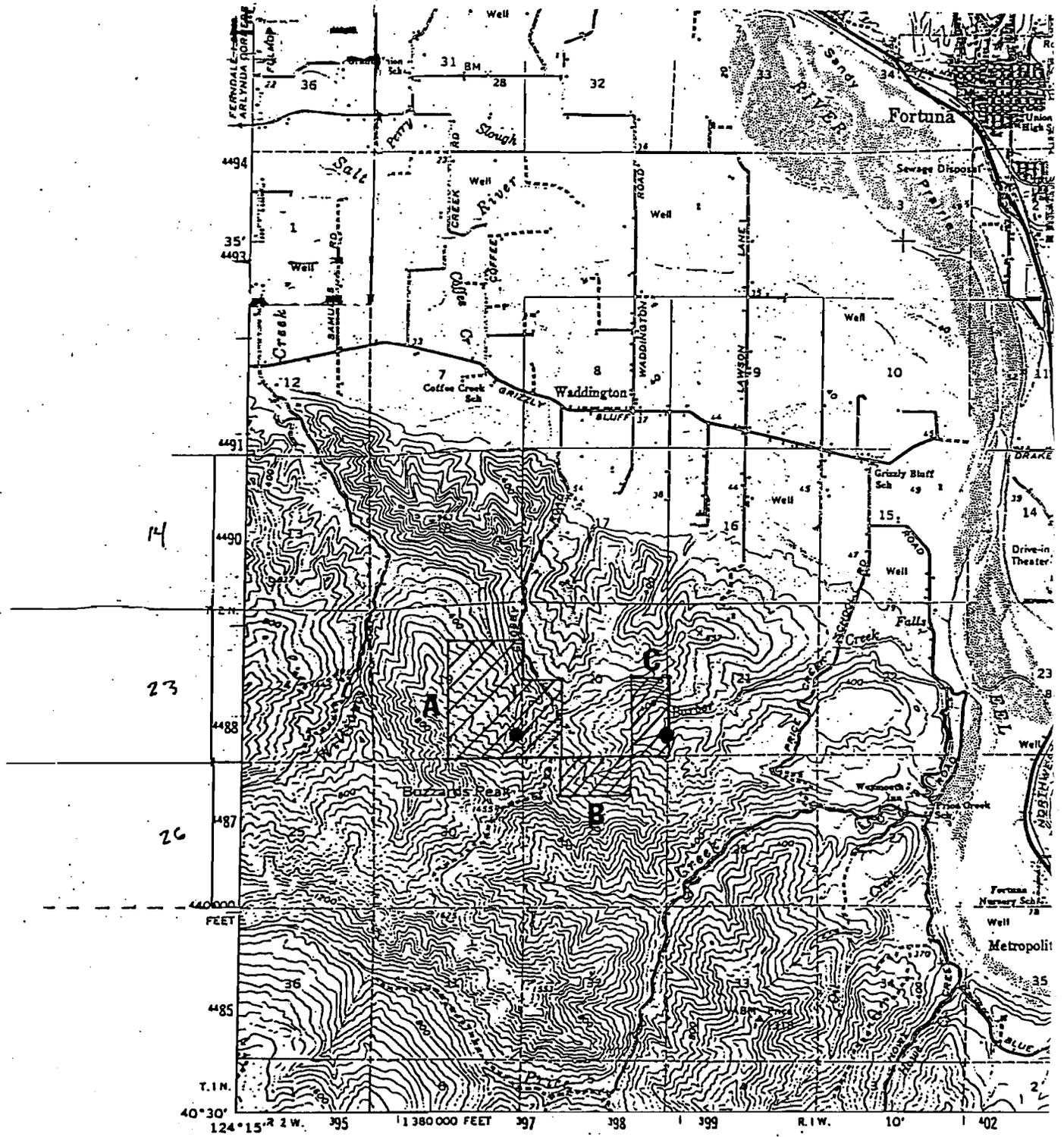
The 480-acre Regli property consists of three adjacent parcels, located southeast of the town of Ferndale (Township 2N, Range 1W, Sections 19, 20, 29, Humboldt Meridian). The property is located between the Williams Creek and Price Creek drainages. Elevation ranges from 400 feet to 1,455 feet at the summit of Buzzards Peak, just south of the property. The topography is variable. Two of the three parcels have considerable timber value and are each utilized by a breeding pair of spotted owls (Figure 1). The merchantable timber types are a dense mix of second-growth white fir, Sitka spruce and redwood, approximately 40 years old, with a component of coastal hardwoods. Within Parcel C is a stand of larger size class second-growth redwood, which is the most favorable habitat for spotted owls on the property.

Historically this property has been burned and cleared for grazing. The result is a mosaic of forested stands and grassy, brushy clearings. There are pockets of older, larger conifers interspersed within the second growth and which provide habitat components for owls to nest and roost in. Therefore suitable nesting and roosting habitat does not occur in large contiguous stands.

Parcel A consists of 320 acres of patchy second-growth white fir, spruce and Douglas-fir in the headwaters of the east fork of Williams Creek (Figure 1). Alders are interspersed in the conifer stands as well as encroaching on the clearings. The largest trees occur in discrete pockets interspersed throughout the parcel with the highest concentration of them in the southeastern portion of the parcel. A pair of spotted owl has been detected since 1991 in this southeastern portion of Parcel A (the Buzzard Peak pair). In 1994 the Buzzard Peak owls nested but reproduction was unknown.

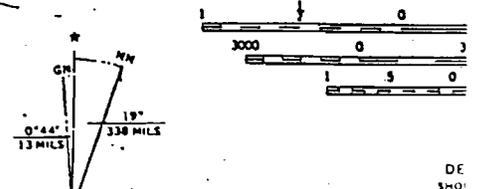
Parcel B is an 80-acre unit with approximately 30 acres of suitable owl habitat and 50 acres of grasslands (Figure 1). Parcel C is also 80 acres and is the easternmost unit, located in the Barber Creek drainage (Figure 1). Parcel C contains a small stand of large second-growth redwood which is the primary timber value for the entire THP. The DBH of trees in this stand ranges from 12 - 46 inches with an average of 24 inches. There are approximately 67 acres of suitable owl habitat and 13 acres of grasslands in Parcel C. A pair of spotted owls (the Barber Creek pair) has occupied this site since 1992 and successfully reproduced in 1993. In 1994, one visit was made to this site to determine status for this pair and the pair apparently had not nested. It is this pair that is the focus of the incidental take permit.

FIGURE 1. LOCATION OF REGLI PROPERTY PARCELS AND SPOTTED OWL ACTIVITY CENTER LOCATIONS ON THE PROPERTY (dark circles), HUMBOLDT COUNTY. PREPARED BY GALEA WILDLIFE CONSULTING.



CAPE MENDOCINO
1168 IV

Mapped, edited, and published by the Geological Survey
Control by USGS, USC&GS, USCE, and State of California
Topography from aerial photographs by photogrammetric methods
and by planetable surveys 1959. Aerial photographs taken 1956
Selected hydrographic data compiled from USC&GS Chart 5832 (1956)
This information is not intended for navigational purposes
Polyconic projection. 1927 North American datum
10,000-foot grid based on California coordinate system, zone 1



The second-growth stand of redwoods where the Barber Creek owls have nested is surrounded by open prairies used for grazing. Barber Creek flows eastward toward the Eel River, running exclusively through agricultural lands. South of the stand, over a high ridge, is Price Creek, where numerous spotted owl activity centers have been located during surveys for timber harvest activity. To this date timber harvests continue, with habitat being set aside for spotted owl pairs as a result of the State's conservation strategy. North of the stand are low rolling hills which separate Barber Creek from the large alluvial flat of the headwaters of a tributary to the Eel River, east of the town of Ferndale. There is no owl habitat in this area. Most of the owl habitat and spotted owl pairs, are west of Barber Creek in the coastal mountains, or on the east side of the Eel River, primarily on private timber lands.

HCP BOUNDARY

This HCP would encompass all 480 acres of the Regli estate (Figure 1). It would not cover those adjacent or surrounding properties of different ownerships.

PROJECT DESCRIPTION

The proposed project is a commercial timber harvest on 113 acres of the 480-acre ownership (66 acres from Parcel A, nine acres from Parcel B and 38 acres from Parcel C). A THP (CDF #1-94-286 Hum) is being prepared for the State of California. Within the timber harvest area the stand is composed primarily of two canopies, the higher canopy created by clumps of second-growth redwood, spruce and fir, and the secondary canopy created by small tan oak and alder, plus large clumps of huckleberry. The THP calls for selection or group selection silviculture method, which would remove larger size class-conifers, damaged and deformed trees, and also some hardwoods (Figure 2).

Post-harvest, the remaining stands will contain approximately 45 conifer trees per acre, an average diameter at breast height (DBH) of 12 - 18 inches and an average canopy closure of 40 percent. Group selection harvesting would create small openings in the overstory, none of which should be over 0.5 acres in size. All three parcels would be impacted by the timber harvest. Parcel A would be selectively harvested with adequate habitat retention to maintain the Buzzard Peak spotted owls. Parcels B and C, where the Barber Creek owls are located, would be harvested using a selection cut also, with at least 40 percent canopy retention after harvest.

ISSUES AND CONCERNS

The primary biological issues are:

1. Will the estimated level of take have significant adverse impacts on local or regional populations of northern spotted owls?
2. Will activities authorized by the permit have significant adverse impacts on other species of concern?

CURRENT STATUS OF SPOTTED OWLS AND HABITAT

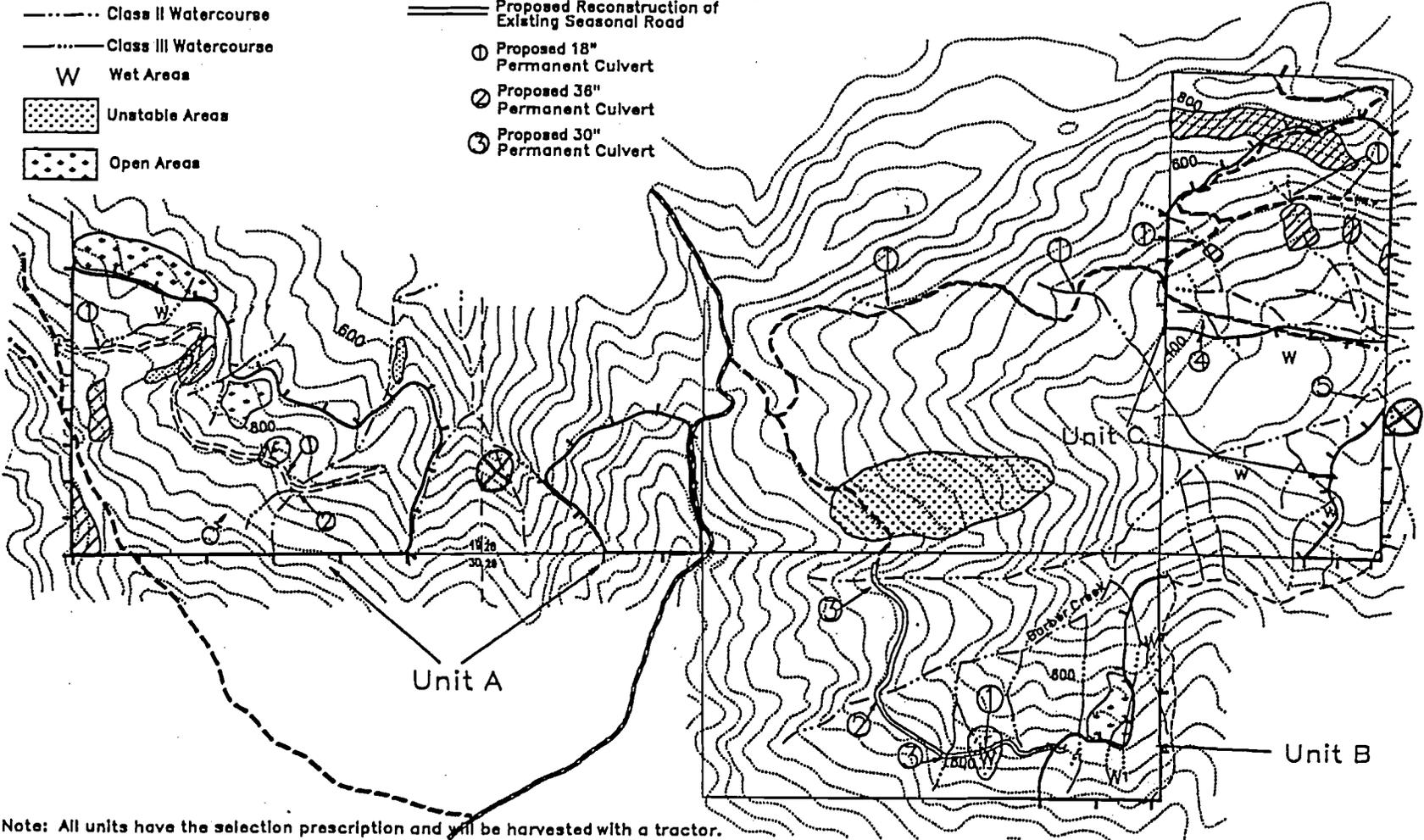
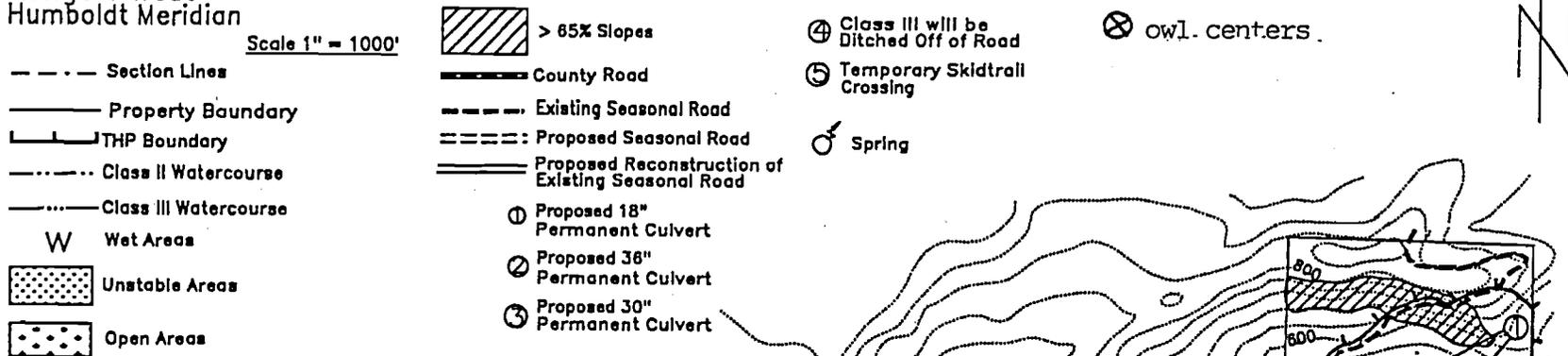
Spotted Owl Surveys

Galea Wildlife Consulting conducted spotted owl surveys at the Regli property in 1993 & 1994 (Appendix A). In August, 1993 we located the Barber Creek owl pair with a juvenile. The owls were located on the

REGLI ESTATE THP – UNITS A, B, & C Harvest Area Map

Sections 19, 20, 29
Township 2 North
Range 1 West
Humboldt Meridian

Scale 1" = 1000'



Note: All units have the selection prescription and will be harvested with a tractor.

east property line of Parcel C. We discontinued surveys for owls at that point as the THP did not appear viable in light of the reproductive owl pair.

In 1994 Galea Wildlife Consulting located the Buzzard Peak owl pair nesting in the east fork of Williams Creek (Figure 3). We also located the Barber Creek owl pair (Figure 4) in 1994 very close to where the juvenile and adult owls were found in 1993. Nesting and reproduction were unknown for the Barber Creek pair in 1994. In 1991 and 1992 surveyors for Gary Howard Consulting Foresters located spotted owl activity centers in Price and Williams Creeks, all within 2 miles of the Barber Creek owl pair.

Once the locations of spotted owl activity centers were established, we determined the amount of habitat available to both the Barber Creek and Buzzard Peak pairs, and attempted to determine the effects the THP would have upon their territories.

Spotted Owl Habitat

Habitat mapping methods - Spotted owl habitat was delineated from 1:11,000 scale, stereo-pair, aerial photographs. The amount of each habitat type was calculated for the area within a 1.3 and 0.7 mile radius circle, where possible, around each activity center. The amount of each habitat type was estimated by counting dots within each habitat type on an overlain acreage grid, then multiplying the number of dots by the appropriate conversion factor. Habitat determinations were verified by ground reconnaissance. Spotted owl habitat types identified included nesting, foraging, roosting, and non-habitat.

Habitat descriptions - Northern spotted owl habitat is usually divided into three main types, nesting, roosting and foraging, based upon a hierarchy of what each specific habitat can be used for. Nesting habitat has requirements for both foraging and roosting habitat, along with habitat requirements which allow the NSO to nest and successfully bring up young. Decadence, broken tops, split-trunks, snags, and other conditions normally found in mature or over-mature trees must be available to provide for good nest sites. The NSO usually prefers larger stands of mature or old-growth conifers, on northern slopes, with limited fragmentation. Usually the stand has multiple canopies, with the secondary canopy normally composed of hardwoods under a conifer overstory. Canopy closure at nest sites is usually 60 % or greater, with conifers at least 24 inches DBH.

The NSO must also be able to roost during inclement weather and forage within nesting habitat. For this reason NSO nesting habitat should also retain all of the qualities of roosting habitat and foraging habitat. Often managers think of NSO nesting habitat as only the immediate area around the nest site as requiring protection, but the NSO also requires ample amounts of both roosting and foraging habitat immediately around the nest site to successfully raise and fledge young.

Although roosting habitat varies, for the purposes of this analysis it is defined as forested stands containing diversity in forest structure with crown closures of at least 40 percent and some trees of at least 11-24 inches DBH. Integrated with the above factors are topography, slope, altitude, aspect and water source, all of which contribute to the ability of an NSO to survive. The NSO also can forage within roosting habitat.

Foraging habitat has the least number of required characteristics. A stand could be considered as foraging habitat as long as an NSO can locate and capture prey while remaining in sufficient cover (normally a minimum of at least 40 percent canopy closure) to escape predation.

BUZZARDS PEAK OWL LOCATION 04-27-94

FORTUNA

T2N R1W SEC. 20 SW 1/64, SW1/16, SW



Nest for Buzzards Peak Owl Center



Barber Creek Owl Center

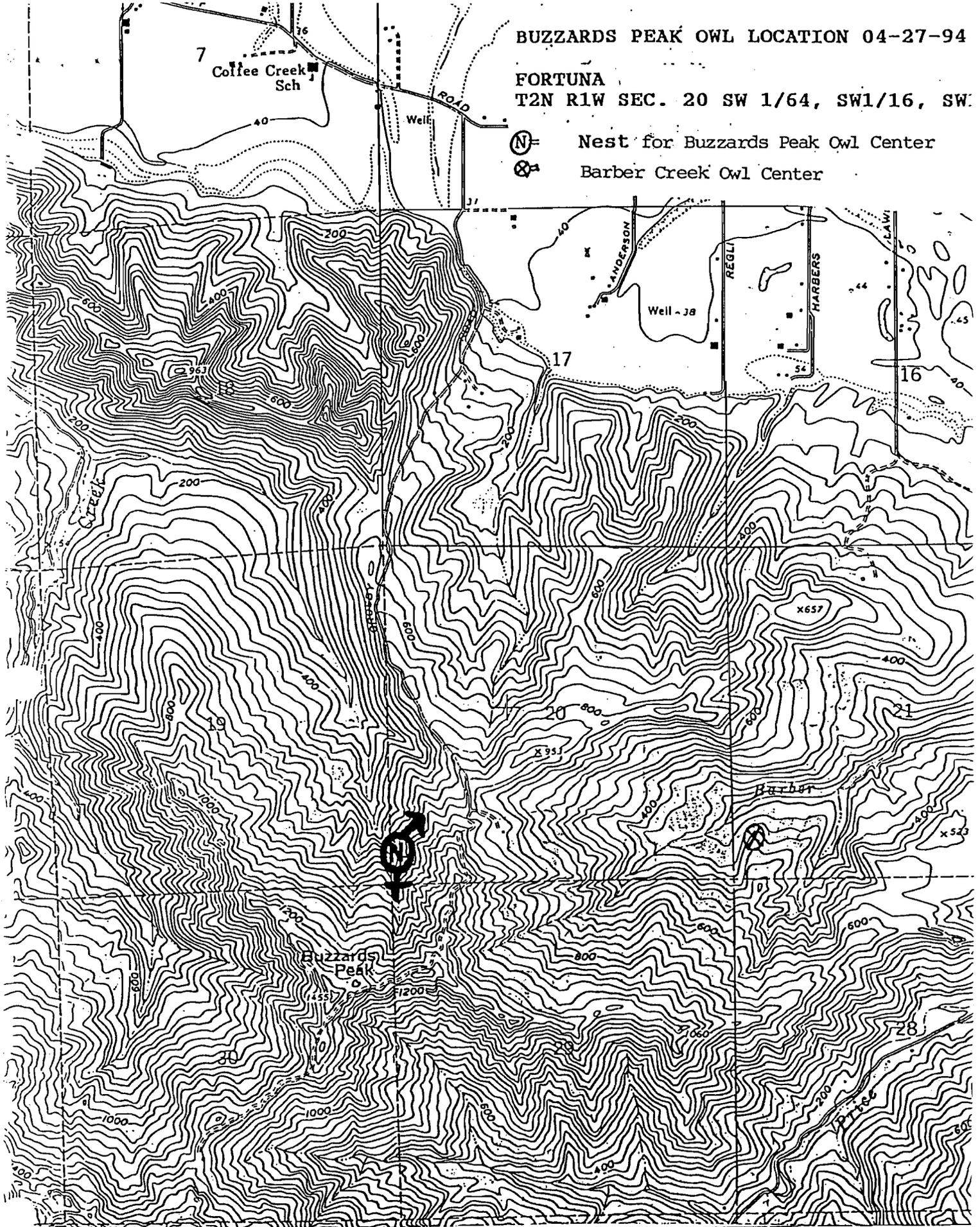
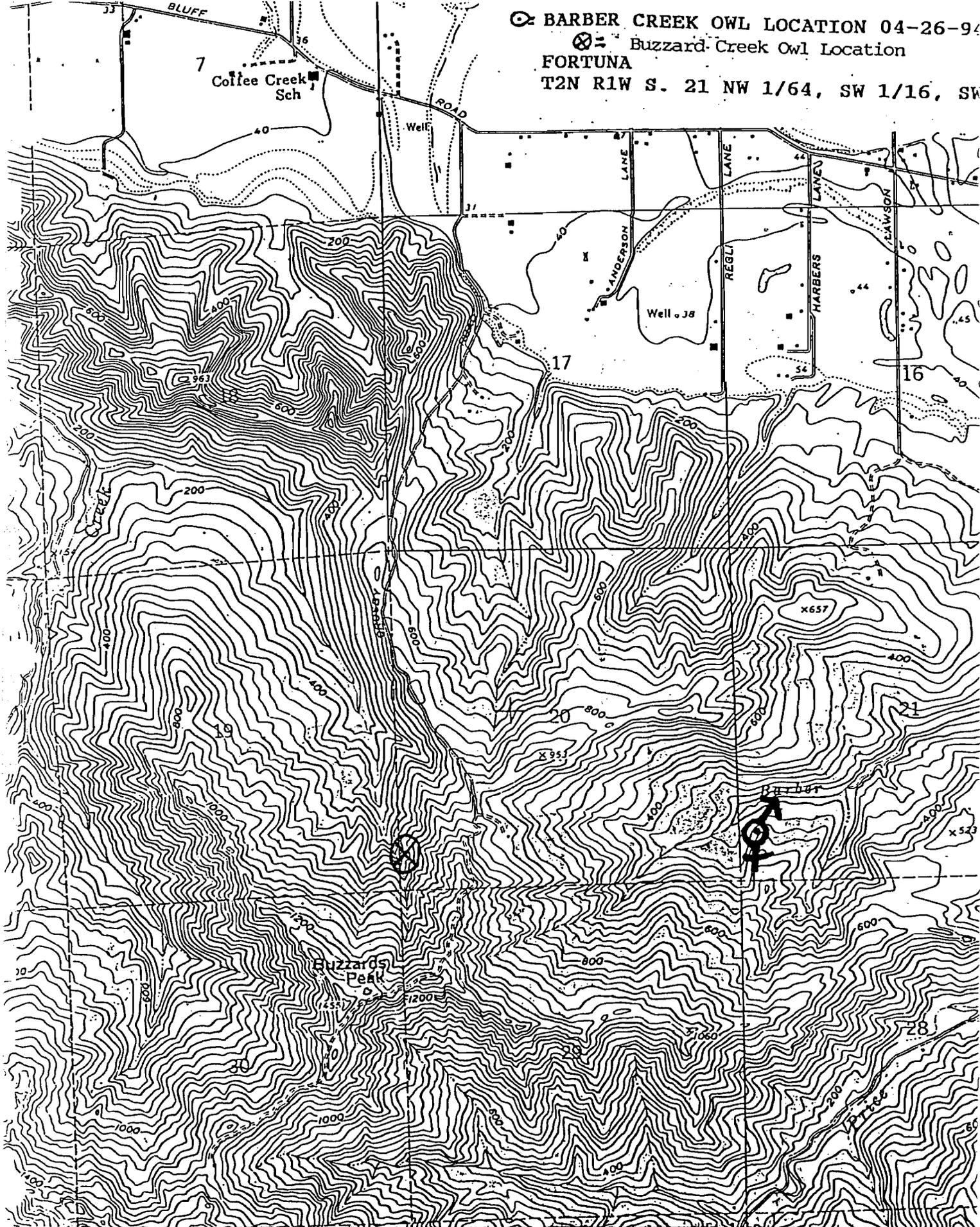


FIGURE 3. LOCATION OF BUZZARD PEAK SPOTTED OWL ACTIVITY CENTER, REGLI PROPERTY, HUMBOLDT COUNTY. PREPARED BY GALEA WILDLIFE CONSULTING



This description does not include any stand where tree density is too dense to allow an NSO to fly through.

Spotted owl habitat within 0.7 miles and 1.3 miles of the Barber Creek activity center - Spotted owl habitat was calculated for 0.7 and 1.3 mile radii around the Barber Creek activity center in Parcel C (Figure 5). The following table lists the breakdown of the pre- and post-harvest amounts of each habitat type within 0.7 and 1.3 miles of the Barber Creek spotted owl activity center.

Table 1 demonstrates that within 0.7 miles of the Barber Creek spotted owl pair, there is currently less suitable habitat than the 500 acres required by the State to maintain an owl territory (California Department of Forestry (CDF) 1992). However, the total amount of NSO habitat within 1.3 miles is currently above the 1,336 acres requirement of the State. The owls have been present in this territory since 1991 and successfully reproduced in 1992.

TABLE 1. SPOTTED OWL HABITAT ACREAGES WITHIN 0.7 AND 1.3 MILES OF THE BARBER CREEK PAIR.

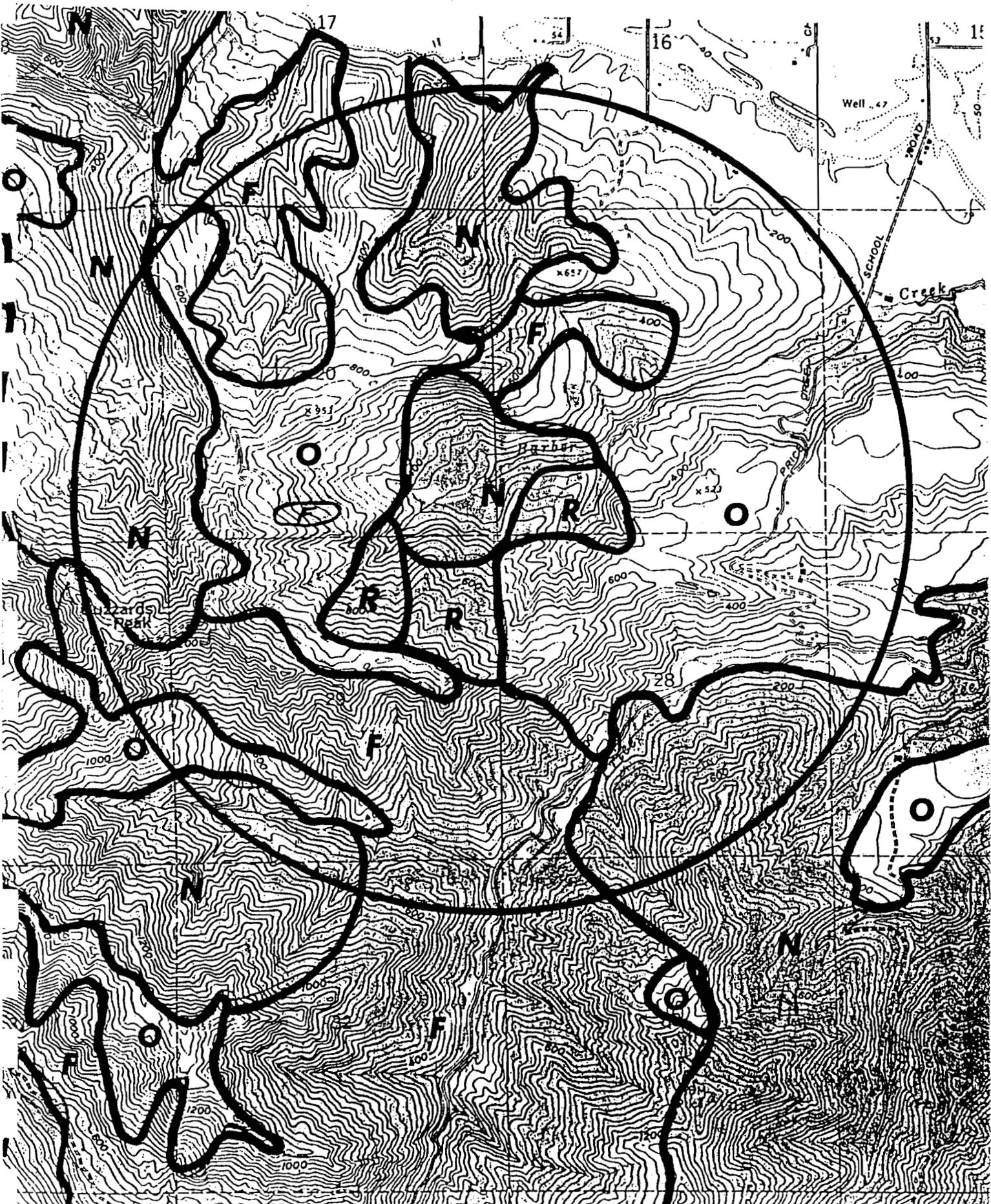
Habitat Types	Pre-Harvest Acreages		Post-Harvest Acreages	
	0.7 miles	1.3 miles	0.7 miles	1.3 miles
Nesting	40	775	2	712
Roosting	103	103	94	94
Foraging	143	664	190	736
Total Acreage of Spotted Owl Habitat	286	1,542	286	1,542
Non-habitat	699	1,855	699	1,855

Figure 5 is based upon habitat maps prepared for timber harvests and shows the spotted owl habitat that surrounded the Barber Creek owl pair as recently as 1994. Current habitat estimates are not possible as timber harvests are ongoing and maps for 1995 were not prepared. It should be noted that known nesting habitat for owls on the Regli property consists of second-growth redwood and fir roosting habitat that contains microsites of nesting habitat.

The non-suitable owl habitat (non-habitat) depicted in Figure 5 is mostly agricultural with some clear-cuts or young tree plantations. The Barber Creek owls are utilizing habitat located on the eastern edge of a forested area where the forest meets open agricultural land (to the north and east). All available habitat west and south of the pair is currently occupied by known owl pairs. The population density that spotted owls will tolerate in this habitat type is unknown. Simpson Timber Company, with holdings in close proximity to the Regli property, reports spotted owl centers as close as one mile apart (it should be noted, however, that those owls may have a relatively low reproductive rate). There is little suitable or unoccupied habitat for dispersal of young from the Barber Creek territory.

Spotted owl habitat within 0.7 and 1.3 miles of the Buzzard Peak activity center - Spotted owl habitat was calculated for 0.7 miles around the Buzzard Peak owl pair activity center. We utilized an ellipse for the 1.3 mile analysis because an ellipse more appropriately

FIGURE 5. SPOTTED OWL HABITAT DELINEATIONS (N = Nesting, R = Roosting, F = Foraging, O = Non-habitat) WITHIN 1.3 MILES OF BARBER CREEK ACTIVITY CENTER, REGLI PROPERTY. PREPARED BY GALEA WILDLIFE CONSULTING.



reflects the shape of the available habitat within the Williams Creek drainage (Figure 6). The ellipse was delineated to approximate the acreage found within a 1.3 mile radius and ranges from 0.85 to 1.9 miles from the owl activity center. All habitat harvested within the ellipse for the Buzzard Peak pair will be maintained as suitable foraging habitat after the selection cut and the spotted owl nesting habitat is set aside. The following table lists acres of suitable habitat within 0.7 and "1.3 miles" of the spotted owl activity center before and after harvest.

TABLE 2. SPOTTED OWL HABITAT ACREAGES WITHIN 0.7 AND "1.3 MILES" OF BUZZARD PEAK PAIR.

Habitat Types	Pre-Harvest Acreages		Post-Harvest Acreages	
	0.7 miles	"1.3 miles"	0.7 miles	"1.3 miles"
Nesting	300	692	234	607
Roosting	22	182	22	173
Foraging	270	471	336	565
Total Spotted Owl Habitat Acreage	592	1,345	592	1,345
Non-Habitat	393	2,051	393	2,051

Table 2 demonstrates that within 0.7 and "1.3" miles of the Buzzard Peak spotted owl pair, sufficient habitat exists to maintain their territory according to State forest practice regulations (CDF 1992).

DIRECT EFFECTS OF REGLI THP ON SPOTTED OWLS

Barber Creek Owl Pair

The THP proposes to harvest 72 acres of nesting and roosting habitat within the Barber Creek territory (47 acres within 0.7 miles and 25 acres from 0.7 to 1.3 miles). The harvest would convert all 72 acres from nesting and roosting habitat to foraging habitat. The harvest would remove 38 of the 40 acres of nesting habitat within the core nesting area of the Barber Creek owls in Parcel C (Table 1). This will not meet the State standard for the number of acres of suitable nesting habitat required for a pair of owls (18 acres within 500 feet of the nest) (CDF 1992). This harvest may eliminate future NSO nesting in this area. However, the habitat left after harvest in Parcel C will still remain suitable for foraging.

Buzzard Peak Owl Pair

The THP proposes to harvest 94 acres within "1.3 miles" of the Buzzard Peak activity center (66 acres within 0.7 miles and 28 acres from 0.7 to "1.3" miles). The harvest will convert roosting or nesting habitat to foraging habitat, with no overall loss of acres of suitable spotted owl habitat. According to State forest practice regulations (CDF 1992), there will be adequate habitat to maintain the Buzzard Peak pair after the proposed timber harvest within the 0.7 and "1.3" mile areas. The drainage this owl pair occupies is composed primarily of young second-growth forest which is rapidly growing and improving as spotted owl preferred habitat, and mitigation measures described in this HCP will

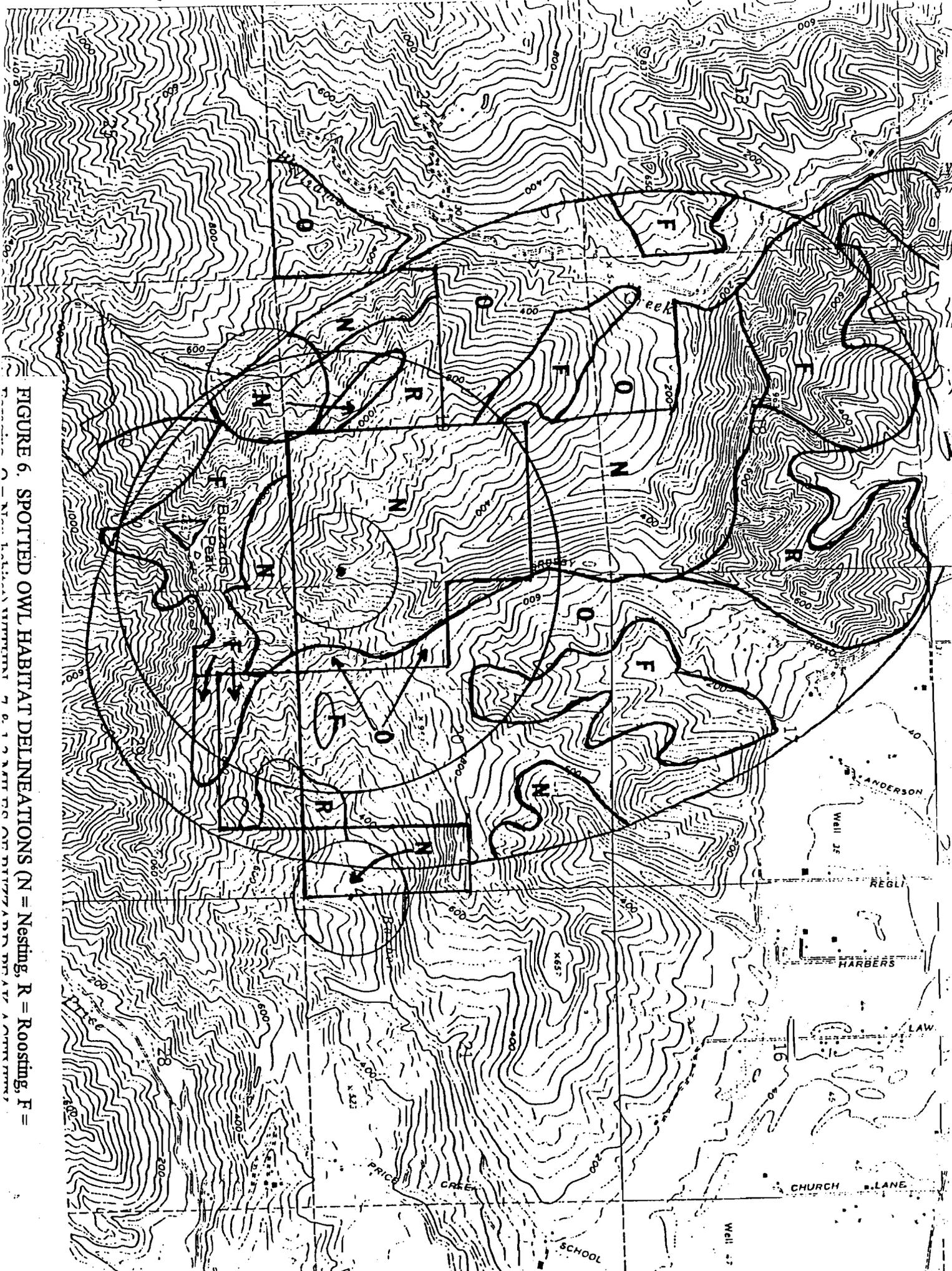


FIGURE 6. SPOTTED OWL HABITAT DELINEATIONS (N = Nesting, R = Roosting, F =

For more information, contact the U.S. Fish and Wildlife Service, 700 1st Street, SW, Washington, DC 20540.

allow further improvement in habitat conditions for this pair in the near future.

Summary

The proposed harvest is expected to cause take of the Barber Creek owl pair due to removal of suitable nesting habitat within the core area. For the Buzzard Peak owls, there will be adequate quality and quantity of habitat after harvest to support the pair. However, because individual owls may react differently to changes in their environment, take of both owl pairs is being requested.

EFFECT OF THP ON LOCAL SPOTTED OWL POPULATIONS

A great deal of information is available regarding spotted owl activity centers around the Regli property, due to the monitoring efforts of land owners and survey work required before THPs can be approved. The only population estimates for spotted owls within the coastal population come from a 5 year study on Simpson lands. Simpson reported stable or increasing spotted owl populations on their property (O'Dell in litt 1995). Densities of owls in the coastal population are thought to be high based on the coastal climate, tree species and abundant prey base (Pacific Lumber Company (PALCO) unpub. rep 1992). We estimated that within a ten mile radius of the proposed project area there are approximately 84,400 acres of suitable habitat for the northern spotted owl. Approximately two-thirds of this area has been surveyed by other parties. As of 1994, seven separate spotted owl pairs and their associated activity centers have been located and identified within two miles of the Regli THP (Figure 7). Approximately 37 spotted owl activity centers have been identified within 10 miles of the Regli THP (Figure 8). All of these activity centers are known to CDFG and to CDF and are therefore protected. All of these activity centers are on private land (see Appendix B for a listing of these activity centers and their legal descriptions).

Figure 8 indicates the distribution of spotted owl pairs in the area around Ferndale in Humboldt County, especially to the south. The Barber Creek owl's activity center is shown by the largest star in Figure 8, and all other stars on the map are known and confirmed activity centers. It appears that spotted owls are fairly well distributed in the area surrounding the Regli property. The incidental take of the Barber Creek owls is not expected to substantially impact the distribution of spotted owls in this area. In addition, the Regli property is expected to continue contributing one reproductive pair of owls (Buzzard Peak) to the local population.

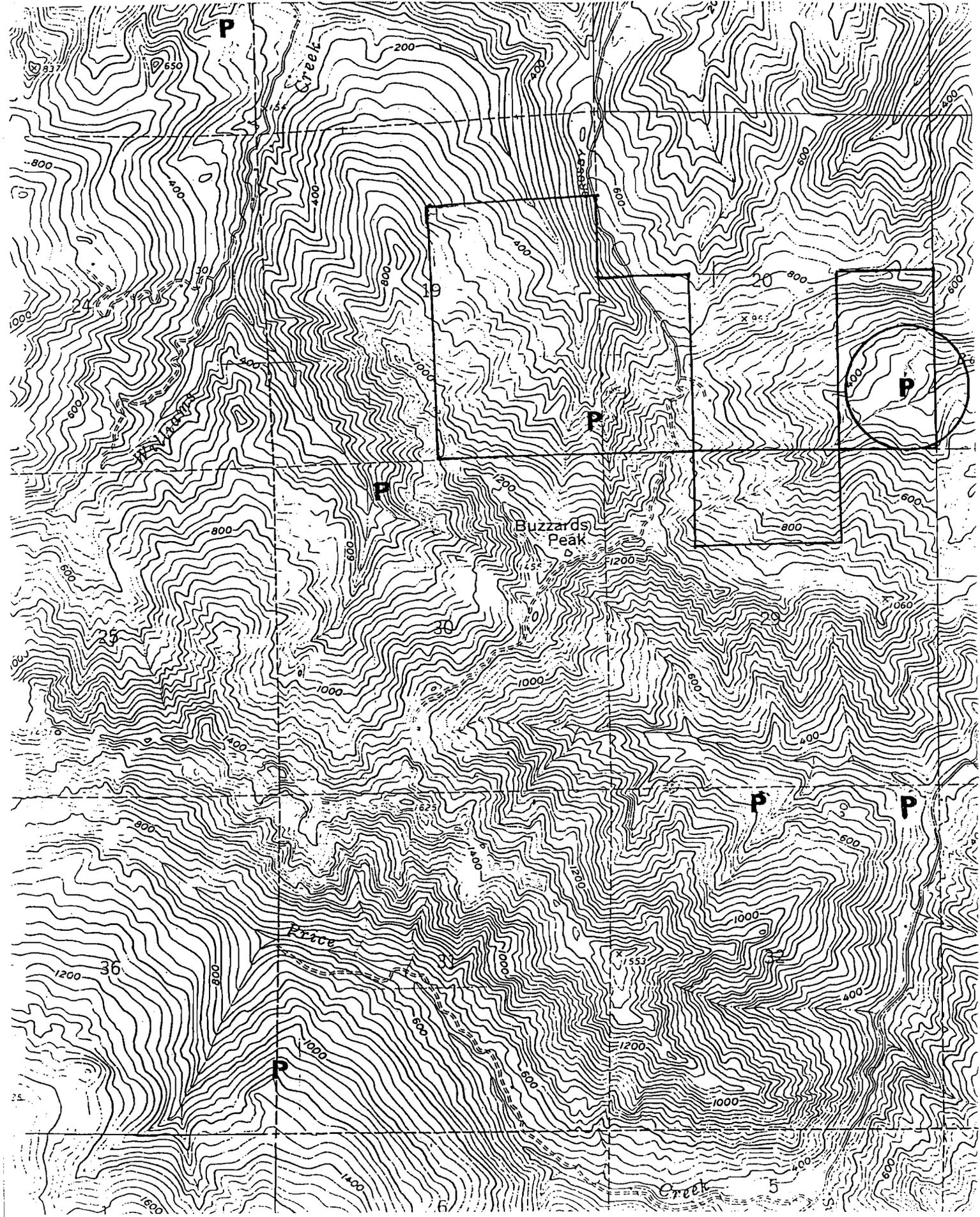
MINIMIZATION OF TAKE

The proposed actions may result in the "take" of one pair of northern spotted owls (Barber Creek) by impairing breeding, feeding or sheltering, as a result of habitat removal in Parcel C. Take will be minimized by:

1. Avoiding harassment or killing of nesting owls or their young by establishing seasonal restrictions on harvesting within 500 feet of nesting sites. A seasonal restriction will be applied from March 1 to July 31 or until nesting activities are completed for the Barber Creek and Buzzard Peak owl pairs to prevent the disturbance of breeding activities should they be nesting during timber harvest activities. There is the option of dropping the seasonal restrictions if reproductive surveys are completed

FIGURE 7. LOCATIONS OF SPOTTED OWL ACTIVITY CENTERS WITHIN 2 MILES OF REGLI PROPERTY, HUMBOLDT COUNTY. PREPARED BY GALEA WILDLIFE CONSULTING.

□ HCP Area



□ HCP Area

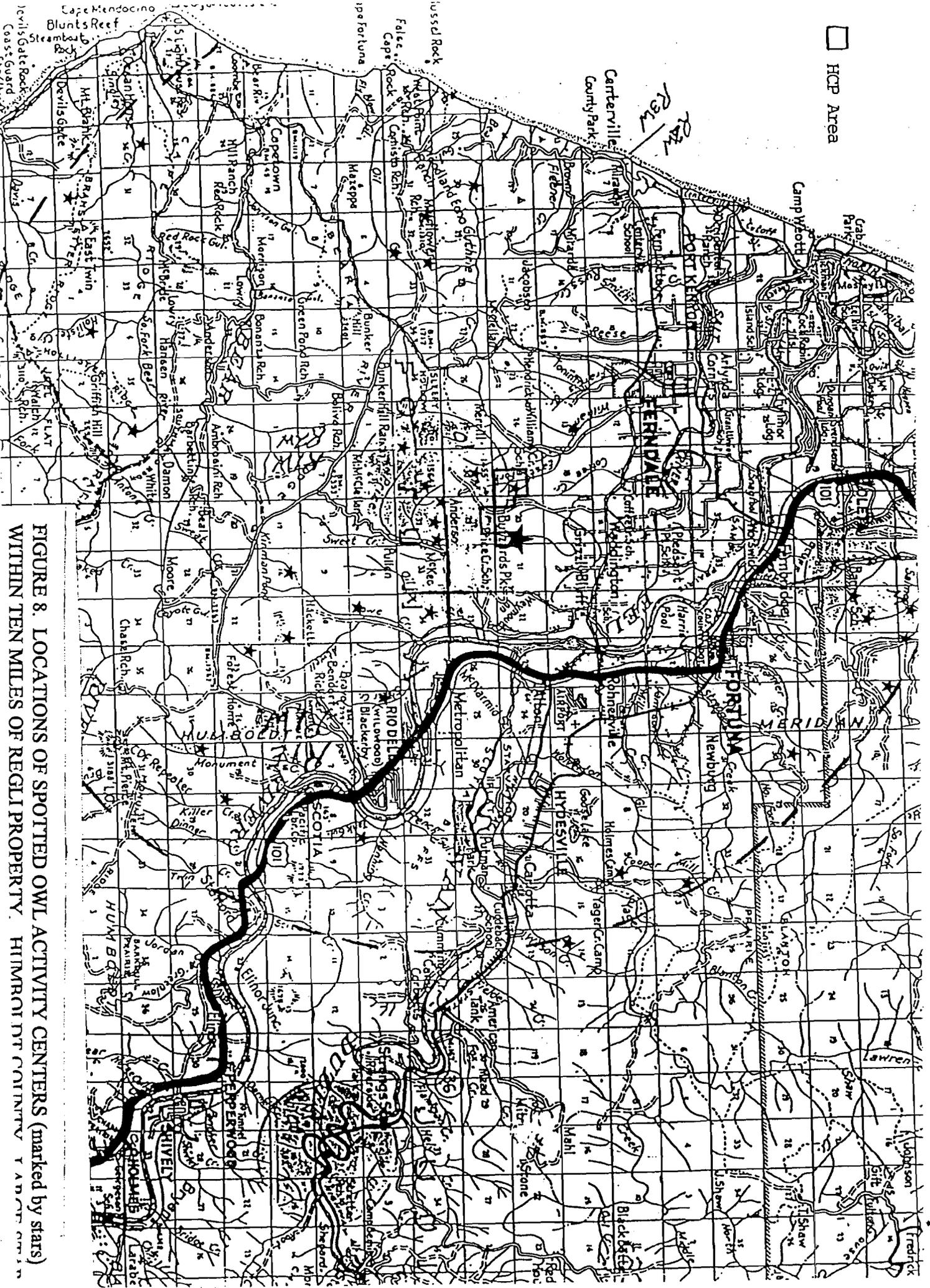


FIGURE 8. LOCATIONS OF SPOTTED OWL ACTIVITY CENTERS (marked by stars) WITHIN TEN MILES OF REGUI PROPERTY. HIMBROU DT COINTTY TARDT

reproductive surveys are completed to the March 12, 1992 NSO survey protocols endorsed by the Service, and the status of the owls is determined to be non-nesting or no young produced.

2. Monitoring breeding activities to reduce impacts of harvest activities on dependant offspring. In the event that the Barber Peak or Buzzard Creek owls produce young, biologists will monitor the movements of owls to exclude harvest activities within 1,000 feet of dependant offspring, until the time that they either leave the area or the timber harvest is completed.
3. Reducing the likelihood and degree of harm by leaving harvested habitat in a condition suitable for foraging after harvest.

MITIGATION PROPOSALS

We propose the following as mitigation for the incidental take of the Barber Creek owl pair.

1. Parcel A, which consists of 320 acres, will be harvested and spotted owl habitat retained in the following manner;
 - a. Eighty acres (25%) around the Buzzard Peak nest site will be set aside as a core area and not harvested, thus retaining adequate nesting habitat. Habitat for this pair will be retained for at least the life of the HCP.
 - b. One hundred sixty four acres (51%) will not be impacted by the proposed timber harvest and will be allowed to develop and increase in suitability as spotted owl habitat .
 - c. Sixty six acres (21%) will be harvested using a selection harvest method that will retain foraging habitat , then the habitat will be allowed to develop into at least roosting habitat before any future timber harvests can take place.
 - d. In the event of fire, landslides or disease, salvage harvest may be conducted. Mitigations include removing only commercially valuable trees that are dead or dying, and maintenance of snags and decadent trees for wildlife value. Any such future harvest will be subject to the State's timber permit process that ensures that no take of listed species will occur.
 - e. Open grass areas (approximately 10 acres, or 3 %) will be planted with conifers to increase future forested acres and potential spotted owl habitat.
2. Parcel B, which is now approximately 50 acres of grassland, will be planted with conifers to increase potential spotted owl habitat in the future. Planting will consist of a mix of Sitka spruce and Douglas-fir at a spacing of approximately 8-12 feet in a random, non-linear fashion. Seedlings will be planted inside three foot cleared areas for protection from grasses. Vexar tubes will be placed over seedlings to protect them from browsing. If the survival rate is 50 percent or less, replanting will be done between surviving seedlings. Seedlings are expected to reach a height of 40 feet at the age of 20 years. All tree plantings will occur within 5 years of completion of the proposed timber harvest.
3. Parcel C will be harvested in a manner that retains spotted owl foraging habitat post-harvest. The timber harvest may negatively

impact the Barber Creek owl pair, however the stand will not be reduced to completely unsuitable spotted owl habitat. The stand could still be utilized for foraging by spotted owls in the area, most likely the Buzzard Peak owl pair. Wherever possible, as much spotted owl and other specific wildlife habitats will be retained to minimize the impacts of the harvest in the following manner:

- a. Thirty eight acres (48 %) will be selectively harvested and will retain 40 percent canopy closure along with other foraging habitat characteristics described earlier in this document.
 - b. The remaining 42 acres (52 %) will not be impacted and will be allowed to continue developing as spotted owl habitat. Open areas left from timber harvesting, or open grass areas around the stand will be planted with conifers post-harvest.
4. All Parcels- Slash piles created by the timber harvest will not be burned unless required for fire safety considerations. Fuels treatments will follow CDF regulations regarding slash piles left near roads, structures, and high volume fire-fuel sources. If burning is required, it will be done as soon as possible after piles are created provided burning permits are acquired and weather conditions permit. Slash piles not burned for fire safety considerations will be left to provide increased dead and down woody material and habitat for spotted owl prey species.
 5. Monitoring: The estate's wildlife biologist will monitor spotted owls during the harvest to insure that conditions of the HCP are met, and spotted owl habitat is retained wherever possible. The landowners will provide funding for the wildlife biologist to continue monitoring the status of owls on the property throughout the THP permit period. Funding for monitoring will be provided by timber sale receipts. The estimated cost of monitoring is 0.3 percent of anticipated total revenues. All other costs including timber harvest, THP, and planting are estimated at 43.6 percent of the total anticipated revenues from timber harvest. Inheritance taxes total approximately 25 percent of timber harvest revenues. All costs total 68.6 percent of total expected revenues from timber harvest (Appendix C).
 6. Biannual reports of owl status and progress of harvest operations will be submitted to the Service for at least the first five years after harvest implementation. A post-harvest report will be submitted to the Service describing forest conditions after the harvest (average DBH, canopy closure, basal area). In addition, the Service may inspect harvest operations at any time.

Summary of Mitigation

Habitat in excess of that required by State regulations (CDF 1992) will be maintained for the Buzzard Peak spotted owl pair for at least the life of this HCP (Table 2). Post-harvest, all three parcels will be managed with the purpose of increasing the amount of conifer production, and thereby spotted owl habitat. This will include planting conifers on approximately 60 acres of currently unforested area. Spotted owl habitat will be retained in as large a contiguous stand as possible, considering property ownership boundaries.

Unforeseen Circumstances

The following applies only if the incidental take permit requested in this HCP is issued and the HCP and THP are implemented.

In the event that unforeseen circumstances occur during the life of the HCP and THP then the following measures will be implemented:

1. Monitor all forested habitat in the HCP area according to March 12, 1992 NSO survey protocols endorsed by the Service to determine the status of the owls.
 - a. If owls are determined to be absent after harvest activities, the Applicant and the Service will determine an adequate monitoring period to determine whether owls will reuse the area.
 - b. If owls are present, the Applicant and the Service will determine an adequate period to monitor their status.
2. The Applicant and the Service will reassess any future timber harvest activity in the HCP area in light of the status of the owls and the habitat as determined in 1 above.

EFFECTS RATING OF THIS PROJECT UPON NORTHERN SPOTTED OWL POPULATION

For the purposes of this HCP, to increase consistency and streamline the permit process, the Sacramento Field Office of the Service is currently utilizing an "effects rating" to determine how each project will impact populations of threatened or endangered species. By using a categorization scheme where five variables are assessed as to impacts upon a species, a project could be rated as having a high, medium or low effect, and the required action relative to the National Environmental Protection Act (NEPA) could be determined.

Table 3 demonstrates the effects this project will have on all five categories relative to northern spotted owl populations. This project rates as a low effect project in all categories, except one (Table 3, item 4). The northern spotted owl is thought to have a relatively low reproductive rate because they do not breed until 2-3 years of age, they may not nest every year and they have very small clutch sizes (1-2 eggs) (Thomas et al. 1990). Therefore, impacts to reproduction are of great concern. However, the loss of one reproductive pair in an area where populations appear to be stable and owl densities appear high, is not expected to be significant.

This HCP proposes reforestation of approximately 60 acres of nonforested habitat designed to increase forested habitat and potential spotted owl habitat in the future. This could provide the Buzzard Peak territory, and perhaps other neighboring territories, with increased prey base and dispersing habitat to help secure long-term stability of the local spotted owl population. The Service has determined that this HCP has a medium effects rating.

Table 3. Effects Rating of Regli HCP on Northern spotted owl populations.

CATEGORY	EFFECT ON POPULATION
1. Percentage of range or population affected.	Insignificant portion of range (480-acres) or numbers (2 pair)
2. Percentage of ecologically critical portion of range affected.	No ecologically critical range affected.
3. Period of adverse conditions.	Highly transitory adverse conditions, of only minor invasiveness.
4. Potential for reproduction.	Species has low reproductive rate.
5. Size of area affected.	Relatively small (480 acres)

REGIONAL CONSERVATION STRATEGIES FOR SPOTTED OWL POPULATIONS

Three elements of a regional conservation strategy for the northern spotted owl are occurring in Humboldt County. The first is the State of California's monitoring and review of timber harvest plans to insure that no unpermitted taking of spotted owls will occur due to timber harvest activities. This review process is the result of a memorandum of agreement between the Service and the State, where the State has assumed the responsibility to manage northern spotted owls within California. The result has been the identification and protection of hundreds of spotted owl activity centers in Humboldt County alone, outside of Federal lands.

A second element of the conservation strategy is the result of the President's Forest Plan for Federal forests, where large areas of spotted owl habitat have been set aside to insure the long-term survival of the species. The spotted owls on the Regli estate are part of a coastal population which occurs almost exclusively on private lands (Federal Register 60,9484). Portions of Humboldt County contain Federal lands that have stable, protected northern spotted owl populations. The Regli HCP will maintain habitat for one reproductive pair of spotted owls on the property which is consistent with the strategy to maintain connectivity between coastal populations on private land and inland populations on Federal lands.

A third element of the conservation strategy has been developed by large industrial timberland owners, three of which occur in Humboldt County. There are spotted owl management plans for Simpson Timber Company (1992), PALCO (1992), and the Louisiana Pacific Timber Company (in progress) (M. Pious pers. comm.) which are being proposed or implemented on their cumulative hundreds of thousands of acres of timberlands in northern California. Of these, the PALCO plan has a direct bearing on this HCP as the majority of PALCO's landholdings are very close to the Regli estate, beginning just east of the Eel River. PALCO currently manages 200,000 acres of forest and 158 spotted owls (based upon 1991 surveys). PALCO is maintaining 1,500 acres of suitable habitat for each resident single or owl pair across their ownership as well as maintaining connecting habitat corridors along watercourses. The Regli owls occur on the central western boundary of PALCO lands at the northern edge of forested habitat adjacent to the agricultural bottom lands at the mouth of the Eel River. The suitable owl habitat on the Regli Estate will supplement the coastal population of owls on PALCO lands by providing habitat for a reproductive pair as well as for dispersing individuals.

Endangered Species Act - 4(d) Rule

When a species is federally listed as threatened, one of the requirements of the Act is a prohibition on "take" for listed species on non-Federal lands. These prohibitions can be lifted for threatened species with a special rule pursuant to section 4(d) of the Act. A 4(d) special rule was proposed for the northern spotted owl on February 17, 1995 (Federal Register 60, 9484). This proposed rule was developed to complement the Forest Plan strategy for spotted owls on Federal lands by providing supplemental support for the conservation of owls on some non-Federal lands. At the same time the rule proposes to ease incidental take of northern spotted owls on non-Federal lands that are not deemed necessary for the conservation of the owl. The proposed rule provides relief for small landowners, and incentives to complete habitat management planning to permit "take" in areas still restricted under section 9.

The Regli property occurs within the California Coastal Area, a "California Conservation Planning Area" proposed in the rule. Federal lands are limited in the California Coastal Area, therefore non-Federal lands are important to the conservation of owls here. The large number of landowners in this area (30,000 to 50,000) greatly complicates the task of developing a conservation strategy. Therefore, prohibitions on incidental take would not be lifted at this time in the California Coastal Area except for landowners with small parcels of 80 acres or less. This relief for small landowners is not allowed if the 80 acres is part of the nearest 70 acres of suitable habitat for a spotted owl nest core area. Relief from take prohibitions for other landowners would be available contingent upon completion of habitat conservation planning that meets the criteria of California's Natural Communities Conservation Planning program (NCCP). Through this NCCP process, the California Resources Agency will further refine an acceptable owl conservation program for this area that addresses the question of additional relief from section 9 prohibitions.

SIGNIFICANT IMPACTS UPON OTHER SPECIES OF CONCERN.

As a required portion of a THP in the state of California, a section on the cumulative effects the THP may have upon wildlife habitats is included. This entails conducting habitat assessment for all threatened, endangered or "sensitive" species which may be found in the immediate area. Galea Wildlife Consulting has conducted such assessments for this THP. Habitat assessments were conducted for the peregrine falcon, marbled murrelet, bald eagle, northern goshawk, fisher, marten, California red tree vole, red-legged and tailed frogs, the Del Norte and southern torrent salamander.

Bald Eagle - Federal Status : Endangered; State of California:
Endangered

This species has low densities throughout its range, and densities increase during winter as migrants arrive from northern habitats. Local distributions are dependant upon availability of specific habitats, and in this area densities are very low. Seasonally, potential for occurrence is greater in the spring and winter. The proposed action lies within the geographic range of the bald eagle. This species prefers to nest in large, old-growth, or dominant live trees with open branch structure, especially ponderosa pine. Nests are usually located near a permanent water source.

No bald eagles were observed by biologists or foresters during biological surveys for the THP or during additional field work. The HCP area is composed of second-growth forest, with few trees large enough to

support an eagle nest. Based on the habitat characteristics, bald eagles are not likely to nest on the Regli property; therefore implementation of the HCP is not likely to result in take of the bald eagle.

Peregrine Falcon - Federal status: Endangered; California status: Endangered

The proposed action occurs within the range of the peregrine falcon. This species is a relatively uncommon breeding resident and uncommon migrant. Most eyries in the vicinity are identified and none occur on the Regli property. The population is recovering slowly, and the species is abundant in most areas. This species breeds near wetlands, lakes, riparian areas or other water, mostly in woodland, forest and coastal habitats. Nests are normally on a scrape or ledge on cliffs or high rock outcroppings. No peregrine nesting habitat exists within the THP area, and no peregrines were observed during wildlife surveys; therefore implementation of the HCP is not likely to result in take of the peregrine falcon.

Northern Goshawk - Federal status: Candidate (Category 2); California status: Species of Special Concern

This species is a scarce to uncommon resident in the north coast ranges, inhabiting mature, dense conifer forests in middle and higher elevations. Goshawks are more common inland than in the coastal fog belt. No goshawks have been detected historically in the HCP area or within other private timber lands in the coast range. No goshawks were detected during spotted owl surveys (which often detect goshawks), nor during timber sale layout. Goshawks are not expected to occur on the Regli property; therefore implementation of the HCP is not likely to result in take of the northern goshawk.

Marbled Murrelet - Federal status: Threatened; California status: Endangered

This species occurs year-round in marine subtidal and pelagic habitats along the north coast. Murrelets are locally common offshore during the breeding season (April-August). Groups of more than 50 are unusual. Murrelets prefer coastlines with mature stands of redwood and Douglas-fir, which are used for nesting and probably roosting.

This species is the only California alcid to nest inland. All nest sites have been found very high in old-growth trees in relatively large stands of old-growth. Young dispersing from nest sites may occasionally land on ground or in nearby river systems, and are then cared for by adults. Most young make their initial flights to the ocean. No marbled murrelet habitat was located within the plan area and no surveys were conducted; therefore implementation of the HCP is not likely to result in take of the marble murrelet.

Tailed Frog - Federal Status: Candidate (Category 2); California Status: Species of Special Concern

The tailed frog is considered uncommon, known only from northwestern California. This species occurs along perennial, well-vegetated watercourses in montane hardwood-conifer, redwood, Douglas-fir and ponderosa pine forests, from sea level to 6,500 feet. Tailed frogs reproduce in areas with annual rainfalls of at least 100 cm (40 in) and cold, permanent streams, which are critical as larvae require 2 to 3 years to transform.

A Class II watercourse (Williams Creek) flows through Parcel A, which becomes a Class I watercourse further down the drainage. Another Class II watercourse flows through Parcel C (Barber Creek). Segments of the watercourses in the THP have historically been negatively impacted by

cattle grazing and timber harvesting prior to modern stream protection rules, and have little potential as habitat for tailed-frogs. Watercourses within the HCP area will be fully protected as a Class II watercourse. No amphibian surveys were conducted. Class II stream zones should protect habitat for the tailed frog; therefore any take that may occur will not significantly impact the species.

Northern red-legged Frog - Federal Status: Candidate (Category 2) ;
California Status: Species of Special Concern

This species is found in coastal riparian and aquatic areas and sometimes damp woods, of north coast California. They are relatively common in this area. The red-legged frog is of concern in other areas of California due to declining habitat and predation by introduced species of bullfrogs, which do not occur in this area. They breed in watercourses or standing water.

Red-legged frogs are relatively common in Humboldt County, and they have been observed on the property. These frogs are commonly found in grassy areas foraging, although they utilize riparian areas for breeding. Much of the riparian habitat on the property has historically been impacted by cattle grazing and timber harvesting prior to modern stream protection rules. Watercourses within the THP will be fully protected as a Class II watercourse, which will protect breeding habitats for this species; therefore any take that may occur will not significantly impact the species.

Southern Torrent Salamander - Federal Status: Candidate (Category 2);
California Status: Species of Special Concern.

This species is found in coastal forests of northwestern California. It is relatively common in its preferred habitats of cold, well-shaded permanent streams and seeps within redwood, Douglas-fir, mixed conifer, montane riparian and montane hardwood-conifer forests.

A Class II watercourse (Williams Creek) flows through Parcel A and becomes a Class I watercourse further down the drainage. Another Class II watercourse flows through Parcel C (Barber Creek). Segments of the watercourses in the THP have historically been negatively impacted by cattle grazing and timber harvesting prior to modern stream protection rules, and have little potential as habitat for torrent salamanders. No amphibian surveys were conducted within the watercourses. Watercourses within the THP will be fully protected as a Class II watercourse; therefore any take that may occur will not significantly impact the species.

Del Norte Salamander - Federal Status: Candidate (Category 2),
California Status: Species of Special Concern

This species is found in coastal forests of Del Norte, Humboldt, Siskiyou and western Trinity counties. It is relatively common in preferred habitats of moist, rocky soils and rubble, slides or under dead and down woody material. It is found in a variety of forest types, including redwood, valley-foothill riparian, Douglas-fir, montane riparian and montane hardwood-conifer forests up to 2,500 feet. It breeds in moist soils and does not require standing water.

A Class II watercourse (Williams Creek) flows through Parcel A, which becomes a Class I watercourse further down the drainage. Another Class II watercourse flows through Parcel C (Barber Creek). Segments of the watercourses in the THP have historically been negatively impacted by cattle grazing and timber harvesting prior to modern stream protection rules. No rocky soil types were noted within the stands which would qualify as preferred habitat for this species. Watercourses within the

THP will be fully protected as a Class II watercourse; therefore any take that may occur will not significantly impact the species.

California Red Tree Vole - Federal Status: Candidate (Category 2);
California Status: Species of Special Concern

This species is a relatively common species of which very little is known. They are found primarily in Douglas-fir and true fir forests, and occasionally redwoods. They are arboreal and difficult to detect except for their stick nests in trees, which may be a poor indicator of presence as non-detectable nests are also used.

Numerous nests are often located within one stand, suggesting a colony. Stands are normally mature, often with old-growth trees, a variety of stem size trees and hardwoods. Large, visible nests are prevalent within larger trees on large limbs fairly close to the main trunk of Douglas-fir and true fir trees but are also found on much smaller trees as well. The smaller, non-detectable nests of one individual have been located after trees have fallen, suggesting that numbers and range may be far greater than currently known.

Red tree vole nests were not detected within the harvest units, however, suitable habitat may be available. Red tree vole nests have been found in the vicinity of the Regli property. The impacts of removing elements of mature forest will probably affect red tree voles but this impact is not expected to be large. Managing harvested stands for spotted owl foraging habitat should help promote the quality of habitat required by this species. The HCP is designed to increase acreage of conifer forest in the future which should also benefit this species. For these reasons, any take that may occur will not significantly impact the species.

Pacific Fisher - Federal Status: Candidate (Category 2); California Status: Species of Special Concern

This is a relatively uncommon species. Large territories and low density makes sightings difficult and rare. This species prefers montane conifer habitats, and is relatively intolerant of human activity. Fishers typically remain above snowline in winter. Dens are found in small caves, hollow logs, and under down material on forest floor.

Fishers have not historically been detected within the assessment area, and potential for fisher use of the assessment area is very low as the area is highly developed and impacted. Fisher require large tracts of mature forested area especially for denning. Fisher are not expected to occur on the property; therefore implementation of the HCP is not likely to result in take of the Pacific fisher.

Marten - Federal Status: none; California Status: Species of Special Concern

This is a relatively uncommon species. Large territories and low density makes sightings difficult and rare. This species prefers montane conifer habitats and is relatively intolerant of human activity. Marten typically remain at or above snowline in winter. Dens are found in tree cavities and hollow logs.

Marten have not historically been detected within the assessment area, and potential for marten use of the assessment area is very low as the area is highly developed and impacted. Marten prefer large tracts of mature forested area especially for denning. Marten are not expected to occur on the property; therefore implementation of the HCP is not likely to result in take of the marten.

TIME PERIOD FOR PERMIT

The applicant requests that this HCP be limited to a twenty year period, as outlined in the Implementing Agreement. After the term of the THP, and up to twenty years from the time of the HCP permit, the Regli estate will not pursue another timber harvest on the property except under the following conditions:

1. Conifer Removal - Once the harvested area on a parcel has regrown and is classified as roosting habitat for spotted owls, another timber harvest could be submitted. If a future timber harvest should be required in the HCP area within the next twenty years, the estate agrees to obtain the proper permits, survey and locate any spotted owls on the property before any future harvest, and retain sufficient habitat after any future harvest for at least one nesting pair as determined by the Service.
2. Alder removal - The estate may wish to remove alder on the property to increase conifer release and growth. Alders in second-growth stands along the coast normally die out as conifers replace them, and do not contribute to canopy closure as conifers shade them out. Should the estate wish to remove alder either by submitting a THP and selling the volume, or without a THP and not sell the alder, the estate will be able to do so at any time so long as spotted owls are not harmed or harassed nor suitable habitat affected.

ALTERNATIVES

The following summarizes the six alternatives considered in this conservation plan. The applicant's preferred alternative is number 5.

1. No action. The owner would not harvest timber from the property, and would lose the property to the Internal Revenue Service (IRS). For this reason, this was not selected as the preferred alternative, and was eliminated from further consideration by the applicant. There would be no immediate habitat impacts nor any take of owls.
2. Operating without taking. Timber harvest would be limited to a level that would not take northern spotted owls. Revenues from the harvest would be expected to be well below that required to pay for the harvest activities and the inheritance taxes, and the owner would risk losing the property. For this reason, this was not selected as the preferred alternative. There would be some habitat impact and no immediate take of owls.
3. Delaying operations until completion of the California Board of Forestry Conservation Plan. If the Board of Forestry receives an incidental take permit from the Service, harvest by the owners might be allowed under the Board's permit. However, the Board's plan is still in the early draft stages. Due to the size and complexity of that plan, significant comments and interpretation are expected. Thus, a date at which a permit might become available to the owners is unknown. This uncertainty led to rejection of this alternative by the applicant.
4. Design a THP which would harvest a greater amount of timber volume by not maintaining home ranges for spotted owls. Such a THP would eliminate habitat for two pairs of spotted owls. This alternative would result in greater financial return to the applicant, but would more severely affect spotted owls and their habitat. This approach was rejected because it would not satisfy the requirements of the Act for minimization and mitigation of take, and is unnecessary to alleviate the estate's financial burden.

5. Operating under the applicant's proposed conservation plan (Preferred Alternative). This plan may result in take of one northern spotted owl pair due to habitat modification. However, the plan is designed to leave important components of owl habitat at the end of operations, and could result in re-establishment of suitable spotted owl habitat in the future. This plan is expected to generate the necessary capital while providing for conservation of the listed species.
6. Divide the property into smaller units and sell land to increase capital. The property is located on the hills overlooking the scenic Eel River valley and the historic town of Ferndale. Spotted owl activity centers could be isolated and the rest of the land subdivided into valuable ranchettas. No THP would be necessary so long as no timber was sold in the process. Current local land division regulations do not consider endangered species requirements as does the THP process. This could be a permanent loss of habitat for spotted owls and all other species in the area. This is the second most preferred alternative to the landowner, should an incidental take permit not be granted, as it would be the only way to raise capital and prevent losing the property to the IRS.

SUMMARY

In summary, northern spotted owl populations along coastal Humboldt County are thought to be relatively stable. A majority of spotted owl pairs in the immediate area are protected by conservation strategies. The density of owls in the coastal population in the vicinity of the Regli estate appears to be higher than average and numerous pairs are known and protected. The potential "taking" of habitat for one spotted owl pair should not significantly affect the overall local spotted owl population. Habitat for one reproductive spotted owl pair at Buzzard Peak will be maintained within the HCP area.

There is no suitable habitat on the Regli property for the bald eagle, peregrine falcon, northern goshawk, marbled murrelet, Del Norte salamander, fisher or marten. Historically timber harvest and grazing have reduced the value of riparian habitat for forest amphibian species on the Regli property. However, there is still the potential for suitable habitat for the northern red-legged frog, southern torrent salamander, and tailed frog on the property. California State watercourse protection regulations would be implemented in this proposed timber harvest and should mitigate effects on any amphibian species that may occur there. Habitat for the red tree vole occurs on the Regli property. While suitable habitat for the vole will be degraded after timber harvest it is not thought to be a significant impact. The mitigations proposed in the HCP for spotted owl habitat should also help mitigate effects on red tree vole habitat.

REFERENCES

California Department of Forestry and Fire Protection. 1992. California Forest Practice Rules. Title 14. California code of Regulations, May 2, 1992.

Simpson Timber Company. Habitat Conservation Plan for the Northern Spotted Owl on the California Timberlands of Simpson Timber Company. April 15, 1992

O'Dell, Tharon. Resource Manager, Simpson Timber Company. February 28, 1995. Arcata, CA

Pacific Lumber Company. The Pacific Lumber Company Spotted Owl Management Plan. November 16, 1992.

Personal Communications:

Pious, Malcom. Louisiana Pacific Timber Company, Trinidad, CA 1995

APPENDIX A.
SPOTTED OWL SURVEY RECORDS FOR REGLI THP
CONDUCTED BY GALEA WILDLIFE CONSULTING

SPOTTED OWL LOCATION FORM

PROJECT: Skaggs HOURS _____
 DATE: March 1994 RESULTS: 2 ♂ Stoc responses MILES _____
 SURVEYORS: Lewis/Grogan/Antrim EXPENSES _____
 LOCATION: Ferndale, CA. Non-Charge _____

SPOTTED OWL DETECTIONS & LOCATIONS:

No	Sex	Age Class	Time(24 hr) detected	How detected?	Legal Description						Housing Outcome
					T	R	S	S(1/64)	S(1/16)	S(1/4)	
01	M	U	1813	V	2N	1W	20	NE	SE	SE	No mice give
02	M	U	1857	V	2N	1W	19	NE	SE	SE	No mice give
03											
04											
05											

[SEX: M=male; F=female; U=unknown] [AGE CLASS: A=adult; S=subadult; J=juvenile; U=unknown]
 [HOW DETECTED: V=vocal; O=observed; VO=both] [HEALTH: L=live; D=dead]
 [LEGAL DESCRIPTION: T=township(north or south); R=range(east or west); S=section 1; S(1/64)=1/64 or NE or SE]

[HOUSING OUTCOME (fate of House): U=unknown; E=eaten; C=cached(or owl falls asleep with mouse under talon for 1 hr.); R=refused(in view for 30-60 min. & owl watching); H=taken to nest; Y=taken to first young; S=taken to second yg; F=gave to female who ate it; G=gave to female who cached it; T=taken to owl of opposite sex; A=gave to owl of opposite sex who takes it to yg]

SPOTTED OWL STATUS SUMMARY: (Circle conclusions)

Territory Occupancy Status: *No Owls *Presence *Pair *Uncertain
 Nesting Status: *Unknown *Nesting *Non-Nesting *Failed
 Nest Tree Location: T _____ R _____ S _____ S(1/64) _____ S(1/16) _____ S(1/4) _____
 Reproductive Status: *Unknown *Reproduction *Non-Reproduction *Failed

COMMENTS:

USGS Hap:At

Weather: (Circle appropriate)

Precipitation: *None *Trace *Drizzle *Light *Heavy *Snow
 Wind: *Calm (less than 1 mph) *Light (1-7 mph)
*Moderate (8-18 mph) *Strong (19-38 mph)
 Cloud cover: *Clear *Partly Cloudy *Overcast
 Moon visible: *Yes *No

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 Crockett City, CA 95531

SPOTTED OWL LOCATION FORM

PROJECT: SKAGGS HOURS: _____
 DATE: 3/2/94 RESULTS: located owls - No MICE TAKEN TILES: _____
 SURVEYORS: J. Lewis, B. Cobbin EXPENSES: _____
 LOCATION: FERRDALE, CA Non-Charge: _____

SPOTTED OWL DETECTIONS & LOCATIONS:

No	Sex	Age Class	Time (24 hr) detected	How detected?	Legal Description						Hous In
					T	R	S	S(1/64)	S(1/16)	S(1/4)	
01	M	U	1300	V	2N	1W	19	S/W	S/E	S/E	NO MICE
02	F	A	1300	V	2N	1W	19	S/W	S/E	S/E	1R 2R
03											
04											
05											

[SEX: M-male; F-female; U-unknown] [AGE CLASS: A-adult; S-subadult; J-Juvenile; U-unknown]
 [HOW DETECTED: V-vocal; O-observ; VO-both] [HEALTH: L-living; D-dead]
 [LEGAL DESCRIPTION: T-towship(north or south); R-range(nest or west); S-section 1; S(1/64) or 1/16 or 1/4 or SE]

[EXISTING OUTCROP (date of House): U-unknown; E-entire; C-catched(or owl falls asleep with mouse under talon for 1 hr.); R-refused(in view for 30-60 min. & owl watching); H-taken to nest; Y-taken to first young; S-taken to second yr; F-gave to female who ate it; G-gave to female who cached it; L-taken to owl of opposite sex; A-gave to owl of opposite sex who takes it to yr]

SPOTTED OWL STATUS SUMMARY: (Circle conclusions)

Territory Occupancy Status: *No Owls *Presence (Pat) *Uncertain
 Nesting Status: (Unknown) *Nesting *Non-Nesting *Failed
 Nest Tree Location: T _____ R _____ S _____ S(1/64) _____ S(1/16) _____ S(1/4) _____
 Reproductive Status: *Unknown *Reproduction *Non-Reproduction *Failed

REMARKS:

located owl pair after 2 hour search of drainage, owls appeared to be adults, and were fairly agitated and took NO MICE. Located activity center where owls were located.

Weather: (Circle appropriate)

Precipitation: (None) *Trace *Drizzle *Light *Heavy *Snow
 Wind: (Calm) (less than 1 mph) *Light (1-9 mph) *Strong (10-30 mph)
 *Moderate (10-10 mph)

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STOC SITE VISIT REPORT

PROJECT: SKAGGS LOCATION: FERNDALE, CA.

DATE: 3/2/94 SURVEYOR(s): J. Lewis, B. Gobbin

LEGAL DESCRIPTION: T R 2N1W Sec #19 PROPERTY OWNER: SKAGGS

TIME START & END: ~~1100~~ 1100 - 1500

WEATHER: Temp. _____ Precip. _____ % Cloud Cover _____ Wind _____

STATUS BEFORE VISIT: Previous Detections in AREA

RESULT OF VISIT: Owl Pair located, attempted mouing, unsuccessful

SUMMARY OF EFFORT: Left office 1000, arrived on site at 1100

STARTED DOWN INTO drainage in direction of previous nights
response on heading of 320°, calling and looking for signs
of owl activity, 1300 heard ♂ STOC @ 157° 300 yds
1309 locate ♂ STOC IN small stand OF GRAND FIR
IN drainage in S.E. corner of Sec 19. 1311 1st mouse
released + offered 1313 ♀ STOC appears at scene
2nd mouse is offered to her, ~~13~~ ♂ STOC is 75
feet in tree 2nd uninterested in mouse offered, 1318
♀ STOC swoops 2nd takes mouse in talon, then drops (

HABITAT DESCRIPTION: N, NE FACING aspect approx 2/3
down slope from ridge top. Small grove of GRAND FIR
AND SITKA SPRUCE. Average DBH of trees in activity
AREA where owls were found was 20". Area surrounding

This area was marginal habitat, this being the
best habitat encountered on route searched. Understory
was mainly swordfern and small seed trees, being
very open in immediate ~~area~~ vicinity of activity
center. Canopy closure approx 80%. Several wood
rat nests were located at the site and in
 FRANK GALEA WILDLIFE CONSULTING

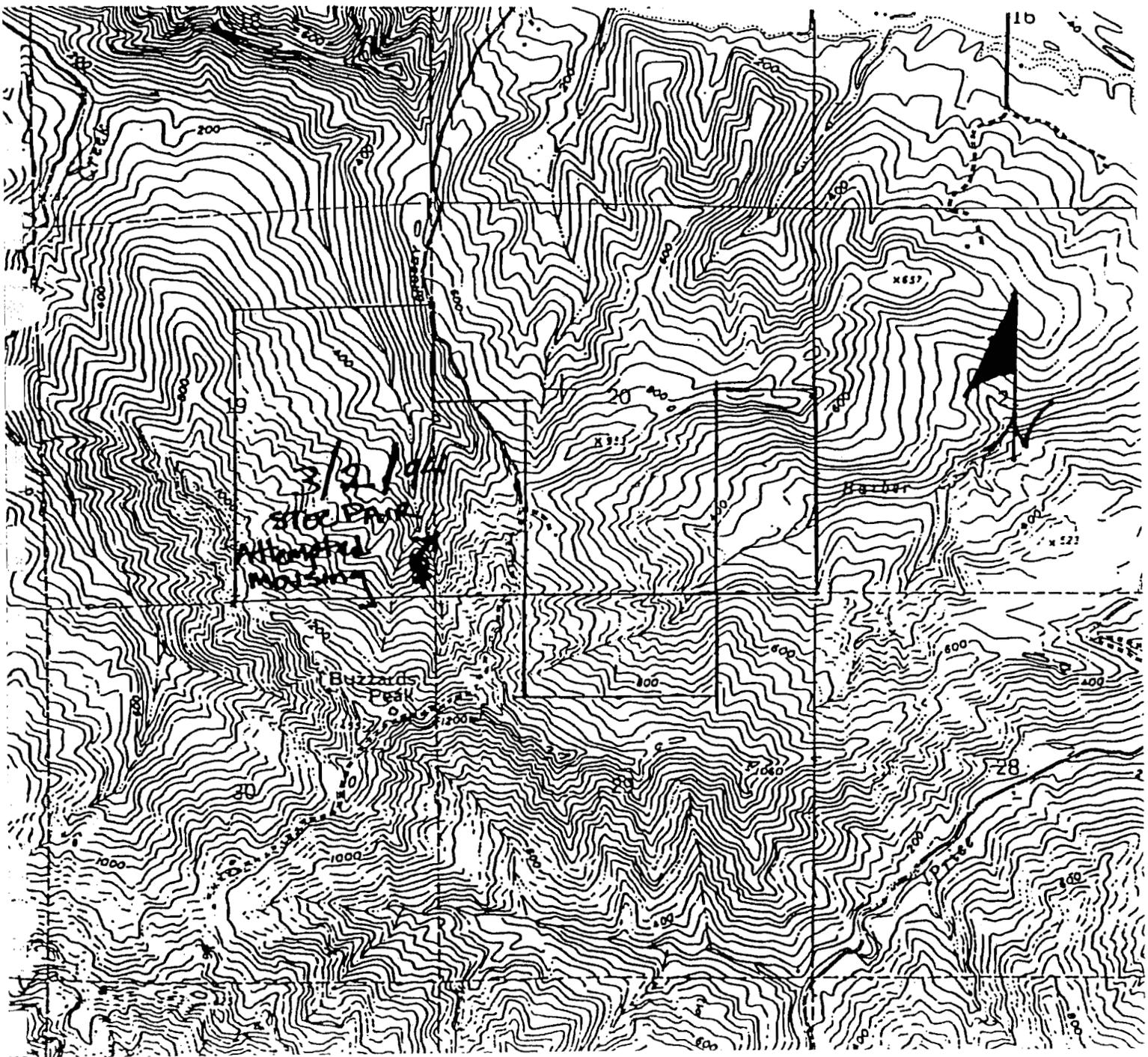
Client: Skaggs
Name of Plan: Skaggs
General Location: Ferndale
Section(s): 19, 20, & 29
Township(s): 2 North
Range(s): 1 West
Base Meridian: Humboldt
Approximate Acreage: 530

SKAGGS TWP 3/2/94
1st Mousing of Western Par-
Unsuccessful

J. Lewis - Biologist
B. Goggin - tech

Fortuna 7.5 Minute Quadrangle

—————> Property Boundary
June 1993



SITE VISIT REPORT

PROJECT: SKAGGS BUZZARDS PEAK LOCATION: FORTUNA

DATE: 04-27-1994 SURVEYORS: J. SEEGER B. GOGGIN

LEGAL DESCRIPTION: T2N R1W S.20 PROPERTY OWNER: _____

TIME START AND END: 0648-0813

WEATHER: TEMP. 47 F Precip. 0 % Cloud Cover 100 Wind NW 2-15

STATUS BEFORE VISIT: Known pair from 93. Moused pair March 94.

RESULT OF VISIT: Found Female Stoc on nest.

SUMMARY OF EFFORT: We began the walk in a 1/4 mile past the Barber creek entry point. The route was flagged double on road then singles straight to nest location. At 0705 we began hooting. At 0720 the male responded. At 0723 the male was seen and mouse one was out. At 0736 the male flew down slope. At 0738 a nest structure was seen and at 0740 the female was seen by both J. Seeger and B. Goggin on the nest. The nest was in the crotch of a Grand fir about 35 feet up. We could see the female clearly with the naked eye.

HABITAT DESCRIPTION: Grand Fir overstory approx. 100 feet tall with 80% canopy closure and ave. DBH 15" mixed with Sitka spruce. The understory consisted of spruce, grand fir and red alder. The shrub cover consisted of sword fern, thinleaf huckleberry, salmon berry, and cow parsnip. The ground cover was relatively open with less than 5% moss covering the area near the nest tree. The slope was approximately 15% with a Northwestern aspect. The nest was in the crotch of a Grand fir about 35 feet up. We could see the female clearly with the naked eye.

FRANK GALEA WILDLIFE CONSULTING

SPOTTED OWL LOCATION FORM

PROJECT: Skaggs Buzzards Peak HOURS: 8.0
 DATE: 04-27-94 RESULTS: Found Female on Nest NILES: 68
 SURVEYOR: J. Seeger B. Groggin EXPENSES: —
 LOCATION: Fortuna Non-Charge: —

1) OWL DETECTIONS & LOCATIONS:

Sex	Age Class	Time (24 hr) detected	How detected?	Legal Description						Housing Owl
				I	R	S	S(1/64)	S(1/16)	S(1/4)	
M	A	0720 0722	V O	2N	1W	20	SW	SW	SW	My/R
F	A	0740	O	2N	1W	20	SW	SW	SW	—

[SEX: M-male; F-female; U-unknown] [AGE CLASS: A-adult; S-subadult; J-Juvenile; U-unknown]
 [HOW DETECTED: V-vocal; O-observed; VO-both] [LEGAL DIR: I-East; R-West; S-South; S(1)-NW or NE or SW or SE]
 [LEGAL DESCRIPTION: I-Location (north or south); R-range (east or west); S-section (I, S(1)-NW or NE or SW or SE)]

[EXISTING OWL: (Fate of House): U-unknown; E-eggs; C-catched (or owl falls asleep with mouse under talon for 1 hr.); R-refused (in view for 30-60 min. & owl watching); N-nest; Y-yet; Y1-yet to first young; S-taken to second yr; F-given to female who ate it; H-given to female who caught it; T-taken to owl of opposite sex; A-given to owl of opposite sex who takes it to yr]

2) OWL STATUS SUMMARY: (Circle conclusions)

Territory Occupancy Status: *No Owl *Presence *Pair *Uncertain
 Nesting Status: *Unknown *Nesting *Non-Nesting *Failed
 Nest Location: 2N 1W 5 20 S(1/64) SW S(1/16) SW S(1/4) SW
 Reproductive Status: *Unknown *Reproduction *Non-Reproduction *Failed

REMARKS:

Both J. Seeger and B. Groggin saw the female in the nest.

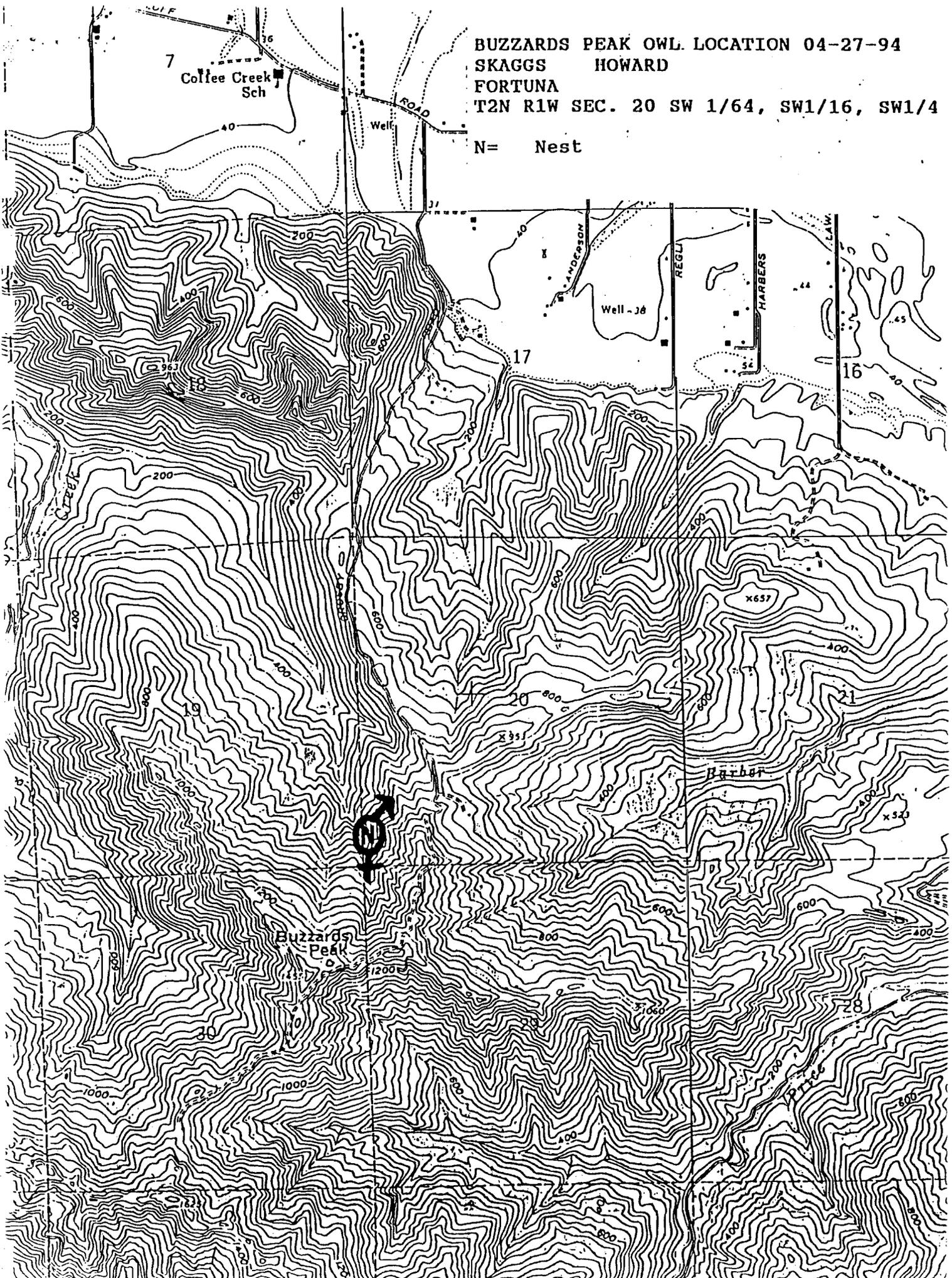
USES ONLY

Notes: (Circle appropriate)
 Precipitation: *None *None *Trace *Drizzle *Light *Heavy *Snow
 Wind: *Calm (less than 1 mph) *Light (1-7 mph)

FRANK L. GALEA
 WILDLIFE CONSULTING
 200 Raccoon Court

BUZZARDS PEAK OWL LOCATION 04-27-94
SKAGGS HOWARD
FORTUNA
T2N R1W SEC. 20 SW 1/64, SW1/16, SW1/4

N= Nest



SITE VISIT REPORT

PROJECT: SKAGGS BARBER CREEK LOCATION: BUZZARDS PEAK

DATE: 04-26-1994 SURVEYORS: J. SEEGER B. GOGGIN

LEGAL DESCRIPTION: T2N R1W S.21 PROPERTY OWNER: _____

TIME START AND END: 1748-2036

WEATHER: TEMP. 45 F Precip. 0 % Cloud Cover 100 Wind NW 5-10

STATUS BEFORE VISIT: Known pair from 93. detected in march 94.

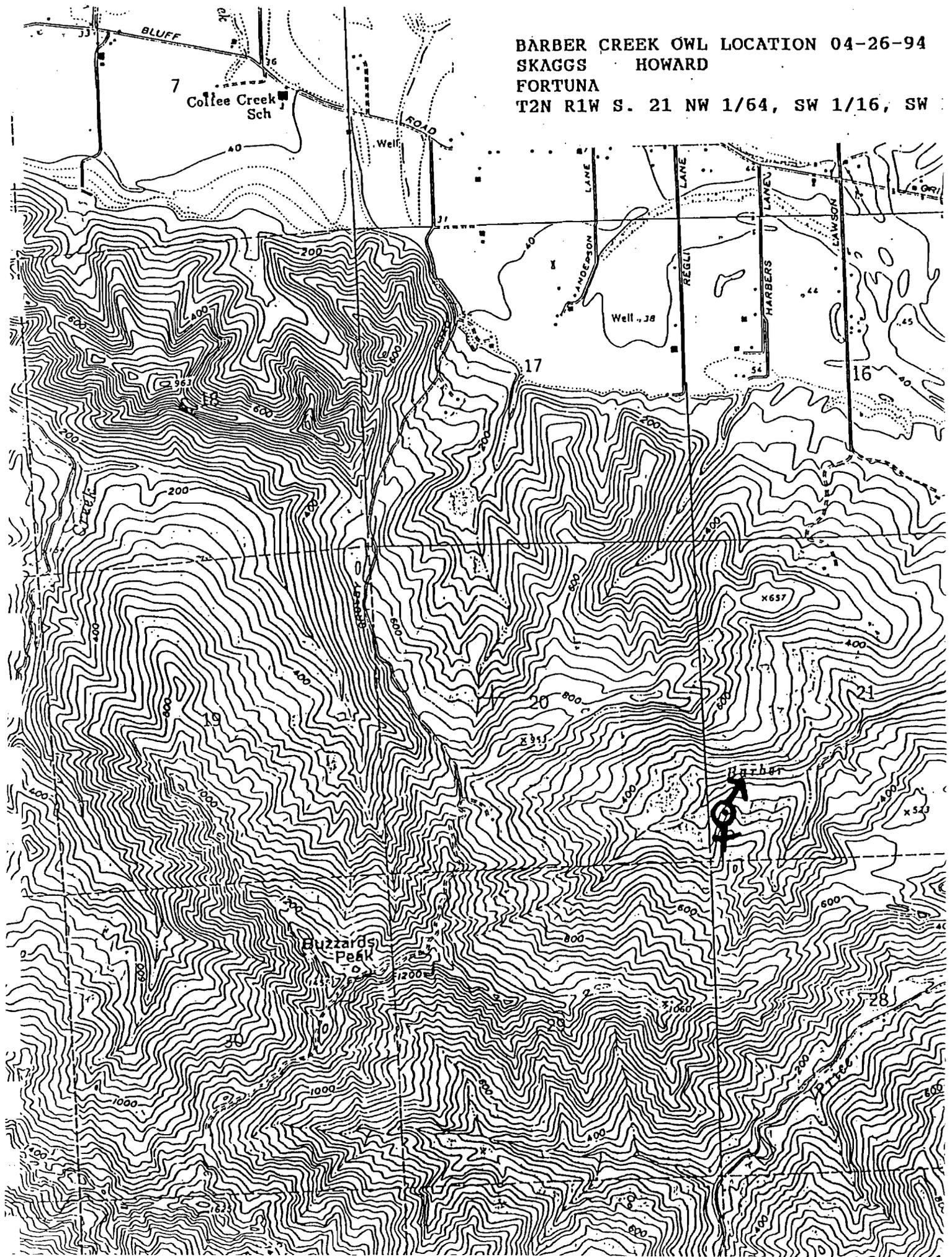
RESULT OF VISIT: Moused male Stoc, Heard female in same vicinity.

SUMMARY OF EFFORT: Began calling at 1815 where flagging ended along Barber creek, past the fenceline. At 1830 we crossed to the south side of Barber creek along the fenceline and continued hooting. At 1902 the female responded with a contact call and the male began hooting. At 1904 mouse one was put out. Two Grey Jays were mobbing the male. At 1913 the male coughed up a pellet. At 1925 mouse one was taken. At 1949 mouse one was eaten by the male. Mouse two was put out at 1950. We were forced to leave at 2004 due to darkness.

HABITAT DESCRIPTION: Spruce overstory 100 feet tall with 80% canopy closure mixed with second growth redwood, Cedar, and Grand fir. The understory consisted of redwood, cedar, and spruce also. The ground cover was open with sword fern being the dominant plant. Moss covered 15% of the ground where the male was moused. The slope was less than 10% and the aspect was facing Northwest. There was at least one Woodrat midden for every square 10 yds.

FRANK GALEA WILDLIFE CONSULTING

BARBER CREEK OWL LOCATION 04-26-94
SKAGGS HOWARD
FORTUNA
T2N R1W S. 21 NW 1/64, SW 1/16, SW



SPOTTED OWL LOCATION FORM

PROJECT: Skaggs - Barber creek # HOURS 10.0
 DATE: 04-26-94 RESULTS: Moused ♂ Stoc NILES 69
 SURVEYORS: J. Seeger B. Goggin EXPENSES —
 LOCATION: Fortuna Non-Charge —

ED OWL DETECTIONS & LOCATIONS:

Sex	Age Class	Time (24 hr) detected	How detected?	Legal Description						Housing
				T	R	S	S(1/64)	S(1/16)	S(1/4)	
M	A	1903 1902	O V	2N	1W	2I	NW	SW	SW	M/E M2U
F	U	1902	V	2N	2W	2I	NW	SW	SW	—

[SEX: M-male; F-female; U-unknown] [AGE CLASS: A-adult; S-subadult; J-Juvenile; U-unknown]
 [HOW DETECTED: V-visual; O-observed; VO-both] [LEGAL DIR: T-North; R-East; S-South; I-Intersection]
 [LEGAL DESCRIPTION: T-township (north or south); R-range (east or west); S-section (1/64, 1/16, or 1/4)]

[EXISTING DWELLING (date of house): U-unknown; C-catch; R-refused; A-given to male; O-given to female; P-given to owl of opposite sex who takes it to nest]
 [EXISTING DWELLING (date of house): U-unknown; C-catch (or owl falls asleep with mouse under talon for 1 hr.); R-refused (in view for 30-60 min. & owl watching); M-taken to nest; Y-taken to first young; S-taken to second year; F-given to female who ate it; G-given to female who cached it; T-taken to owl of opposite sex; A-given to owl of opposite sex who takes it to nest]

SPOTTED OWL STATUS SUMMARY: (Circle conclusions)

Territory Occupancy Status: *No (N) *Presence *Pair *Uncertain
 Nesting Status: *Unknown *Nesting *Non-nesting *Failed
 Nest Area Location: T _____ R _____ S _____ S(1/64) _____ S(1/16) _____ S(1/4) _____
 Reproductive Status: *Unknown *Reproduction *Non-Reproduction *Failed

DETAILS:

Male did Fly from Initial Detection area to a nest structure.
The Female was not heard after the Initial detection. We were forced to leave due to darkness.

Other: (circle appropriate)

Precipitation: *None *Trace *Drizzle *Light *Heavy *Snow
 Wind: Calm (less than 1 mph) *Light (1-1 mph)

FRANK L. GALEA
 WILDLIFE CONSULTING
 200 Raccoon Court

APPENDIX B.
SPOTTED OWL DATA BASE RECORDS,
STATE OF CALIFORNIA AND PACIFIC LUMBER TIMBER COMPANY

State of California-Resources Agency
DEPARTMENT OF FORESTRY and FIRE PROTECTION
18 Fortuna Boulevard
Fortuna, CA. 95540
(707) 725-4413

Pete Wilson - Governor

July 2, 1993

247

Jennifer A. Boyd
R. D. Hunt Surveying & Forestry
P. O. Box 236
Arcata, CA 95521

attn: Ronald D. Hunt

Enclosed are the results of the Northern Spotted Owl database check that you requested.

No owls are recorded in the affected area.

Owls are recorded in the affected area. Enclosed are data from the database. Please refer to the attached explanation sheets to aid you in interpreting the data.

Sincerely,

J. R. McCollister
Unit Chief

By:

John E. Marshall
John E. Marshall
Resource Manager

owlcheck

REPORT #1

REPORT OF AREAS SEARCHED
NORTHERN SPOTTED OWL DATABASE SYSTEM

RPF: RONALD D. HUNT

#: 313

COUNTY	TOWNSHIP	RANGE	SECTION	TERRITORY
HU	2N	1W	15	
HU	2N	1W	16	
HU	2N	1W	17	
HU	2N	1W	18	
HU	2N	1W	19	
HU	2N	1W	20	
HU	2N	1W	21	
HU	2N	1W	22	
HU	2N	1W	27	
HU	2N	1W	28	HU060
HU	2N	1W	29	
HU	2N	1W	30	HU344
HU	2N	1W	31	
HU	2N	1W	32	HU060
HU	2N	2W	13	HU100
HU	2N	2W	24	
HU	2N	2W	25	
HU	2N	2W	36	

NOTE: THREE SEPARATE REPORTS ARE GENERATED IF NORTHERN SPOTTED OWL RECORDS ARE KNOWN FROM THE REQUESTED SEARCH AREA. THE SECOND AND THIRD REPORTS WILL NOT PRINT IF OBSERVATION RECORDS ARE NOT ENCOUNTERED DURING THE SEARCH. IF THE TERRITORY COLUMN IS EMPTY, THERE WERE NO RECORDED OBSERVATIONS WITHIN THE SEARCH AREA FOR THIS 4/25/91 RELEASE OF THE DFG NORTHERN SPOTTED OWL DATABASE.

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

NORTHERN SPOTTED OWL DATABASE SYSTEM
SIGHTINGS REPORTED FOR ENCOUNTERED TERRITORIES

RPF: RONALD D. HUNT

#: 313

TWN	RNG	SEC	LOCATION	DATE	NUM	N	LANDOWNER
TERRITORY: HU060							
2N	1W	32	NENE32	800329	M		PVT
2N	1W	28	NENW28	860611	C		PVT
2N	1W	32	NE32	900816	B		
2N	1W	32	NE32	900827	B		
2N	1W	32	NE32	900831	B		
TERRITORY: HU100							
2N	2W	13	13NWSE	910329	2		PVT
2N	2W	13	13NWSE	910415	2		PVT
2N	2W	13	13NWSE	910419	1		PVT
2N	2W	13	NE13	840910	M		PVT

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

REPORT #2

NORTHERN SPOTTED OWL DATABASE SYSTEM
 REPORT OF TERRITORIES ENCOUNTERED

RPF: RONALD D. HUNT

#: 313

TWN	RNG	SEC	LOCALE	ACTIVITY TYPE CENTER	ELEV	QUADNO	USFSNO	OWNER	DATELAST	STAT
TERRITORY: HU060										
2N	1W	32	PRICE CR	Y90 32NE	120	4012452		PVT		
								900831		B
2N	1W	28	PRICE CR	Y90 32NE	120	4012452		PVT		
								900831		B
TERRITORY: HU100										
2N	2W	13	WILLIAMS CR	S84 13NE	120	4012452		PVT		
								840910		M
TERRITORY: HU344										
2N	1W	30	BUZZARDS PK-S	P91 30SE	850	4012462		PVT		
								910731		P

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

REPORT #1

REPORT OF AREAS SEARCHED
NORTHERN SPOTTED OWL DATABASE SYSTEM

RPF: RONALD D. HUNT

#: 313

COUNTY	TOWNSHIP	RANGE	SECTION	TERRITORY
<u>HU</u>	<u>2N</u>	<u>1W</u>	<u>33</u>	<u>HU239</u>

NOTE: THREE SEPARATE REPORTS ARE GENERATED IF NORTHERN SPOTTED OWL RECORDS ARE KNOWN FROM THE REQUESTED SEARCH AREA. THE SECOND AND THIRD REPORTS WILL NOT PRINT IF OBSERVATION RECORDS ARE NOT ENCOUNTERED DURING THE SEARCH. IF THE TERRITORY COLUMN IS EMPTY, THERE WERE NO RECORDED OBSERVATIONS WITHIN THE SEARCH AREA FOR THIS 4/25/91 RELEASE OF THE DFG NORTHERN SPOTTED OWL DATABASE.

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

REPORT #2

NORTHERN SPOTTED OWL DATABASE SYSTEM
REPORT OF TERRITORIES ENCOUNTERED

RPF: RONALD D. HUNT

#: 313

TWN	RNG	SEC	LOCALE	ACTIVITY TYPE CENTER	ELEV	QUADNO	USFSNO	OWNER	DATELAST	STAT
TERRITORY: HU239										
2N	1W	33	OIL CR	Y90 33SENESE	800	4012452		PVT---	900831	R

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

NORTHERN SPOTTED OWL DATABASE SYSTEM
SIGHTINGS REPORTED FOR ENCOUNTERED TERRITORIES

RPF: RONALD D. HUNT

#: 313

TWN	RNG	SEC	LOCATION	DATE	NUM	N	LANDOWNER
TERRITORY: HU239							
2N	1W	33	NE33 NW34	900831	1		PVT---
2N	1W	33	NE33 NW34	900827	1		PVT---
2N	1W	33	SENESE33	900802	R		PVT---
2N	1W	34	NW34	900816	U		PVT---

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE



November 4, 1991

Mr. William H. Hiney
 c/o Gary Howard
 639 11th Street
 Fortuna, CA 95540

Bill:

Enclosed is a copy of your map with the locations of pairs of spotted owls that we are aware of at this time.

The following list may be helpful:

<u>#</u>	<u>"40"</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Status</u>	<u># Owls</u>
159	SW SW	4	1N	1E	Nesting pair plus two fledglings	4
123	NE SE	9	2N	1E	Nesting pair	2
122	SW NW	3	2N	1E	Nesting pair	2
604	SE SW	15	3N	1W	Nesting pair plus two fledglings	4
172	SE SW	3	1N	1W	Nesting pair plus fledgling	3
501	NE NE	32	2N	1W	Nesting pair	2
502	SE SE	33	2N	1W	Nesting pair	2
134	SW NW	14	1N	1W	Pair	2
142	SW SE	30	1N	1E	Pair	2
190	NW SW	20	1N	1E	Pair	2
152	SW SE	2	1S	1W	Nesting pair plus fledgling	3

REF # 581.

DEPARTMENT OF FORESTRY and FIRE PROTECTION
118 Fortuna Boulevard
Fortuna, CA. 95540
(707) 725-4413

GARY HOWARD
P.O. Box 263
FORTUNA CA 95540

Date: August 6, 1992

ENCLOSED ARE THE RESULTS OF THE NORTHERN SPOTTED OWL DATABASE CHECK YOU REQUESTED.

----- No owls are recorded in the affected area.

X
----- Owls are recorded in the affected area. Enclosed are data from the database. Please refer to the attached explanation sheets to aid you in interpreting the data.

J.R. McCollister
Unit Chief

By: *John E. Marshall*
John E. Marshall
Acting Resource Manager

* 7/20/92 H0344?
11/6/92 01495

REPORT #1

REPORT OF AREAS SEARCHED
NORTHERN SPOTTED OWL DATABASE SYSTEM

RPF: GARY F. HOWARD

#: 1017

COUNTY	TOWNSHIP	RANGE	SECTION	TERRITORY
HU	2N	1W	17	
HU	2N	1W	18	
HU	2N	1W	19	
HU	2N	1W	20	
HU	2N	1W	29	
HU	2N	1W	30	HU344
HU	2N	1W	31	
HU	2N	1W	32	HU060
HU	2N	2W	13	HU100
HU	2N	2W	23	
HU	2N	2W	24	
HU	2N	2W	25	
HU	2N	2W	26	
HU	2N	2W	35	
HU	2N	2W	36	

NOTE: THREE SEPARATE REPORTS ARE GENERATED IF NORTHERN SPOTTED OWL RECORDS ARE KNOWN FROM THE REQUESTED SEARCH AREA. THE SECOND AND THIRD REPORTS WILL NOT PRINT IF OBSERVATION RECORDS ARE NOT ENCOUNTERED DURING THE SEARCH. IF THE TERRITORY COLUMN IS EMPTY, THERE WERE NO RECORDED OBSERVATIONS WITHIN THE SEARCH AREA FOR THIS 4/25/91 RELEASE OF THE DFG NORTHERN SPOTTED OWL DATABASE.

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

REPORT #2

NORTHERN SPOTTED OWL DATABASE SYSTEM
REPORT OF TERRITORIES ENCOUNTERED

RPF: GARY F. HOWARD

#: 1017

TWN	RNG	SEC	LOCALE	ACTIVITY TYPE CENTER	ELEV	QUADNO	USFSNO	OWNER	DATELAST	STAT
TERRITORY: HU060										
2N	1W	32	PRICE CR	Y90 32NE	120	4012452		PVT		
								900831		B
TERRITORY: HU100										
2N	2W	13	WILLIAMS CR	S84 13NE	120	4012452		PVT		
								840910		M
TERRITORY: HU344										
2N	1W	30	BUZZARDS PK-S	P91 30SE	850	4012462		PVT		
								910731		P

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

Ref # 581

NORTHERN SPOTTED OWL DATABASE SYSTEM
SIGHTINGS REPORTED FOR ENCOUNTERED TERRITORIES

RPF: GARY F. HOWARD

#: 1017

TWN	RNG	SEC	LOCATION	DATE	NUM	N	LANDOWNER
TERRITORY: HU060							
2N	1W	32	NENE32	800329	M		PVT
2N	1W	28	NENW28	860611	C		PVT
2N	1W	32	NE32	900816	B		
2N	1W	32	NE32	900827	B		
2N	1W	32	NE32	900831	B		
TERRITORY: HU100							
2N	2W	13	13NWSE	910329	2		PVT
2N	2W	13	13NWSE	910415	2		PVT
2N	2W	13	13NWSE	910419	1		PVT
2N	2W	13	NE13	840910	M		PVT

CONFIDENTIAL INFORMATION - NOT FOR PUBLIC RELEASE

REF # 581

August 3, 1992

Data base information request for Northern Spotted Owl, Marbeled Murrlet or any other known rare, endangered, threathened or species of special concern within the described area.

Reference:

proposed THP
USGS 7.5' Quad(s) - Fortuna & Ferndale

Description of Project Area:

Williams and Price Creek drainages.

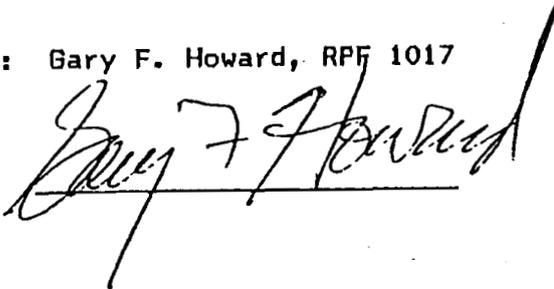
In Township 2 North, Range 2 West, Sections 13, 23, 24, 25, 26, 35 and 36.

In Township 2 North, Range 1 West, Sections 17, 18, 19, 20, 29, 30, 31, 32,

Please send information to:

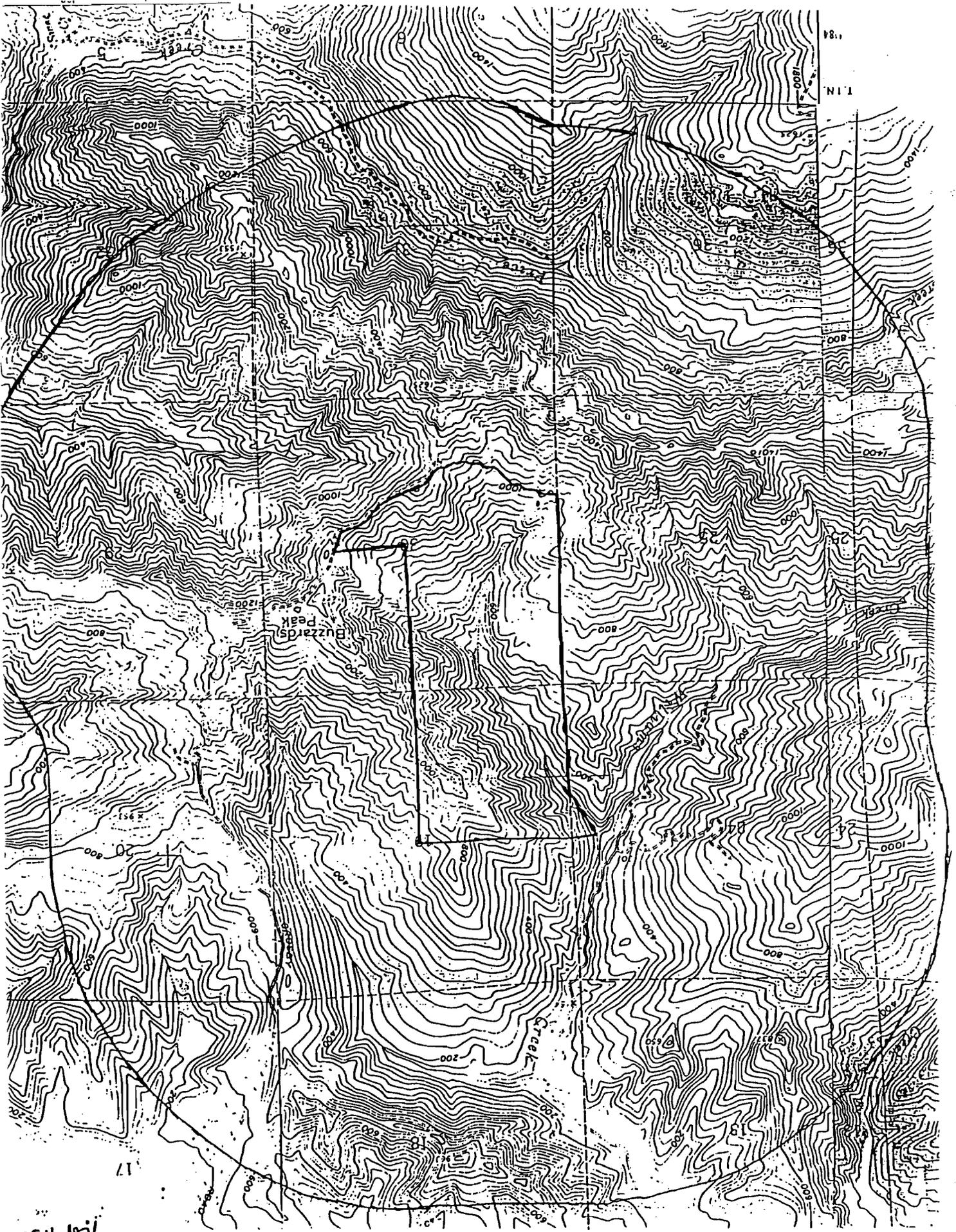
Gary F. Howard, RPF #1017
P. O. Box 263
Fortuna, CA. 95540
(707) 725-2987

Signed: Gary F. Howard, RPF 1017



RECEIVED

AUG 04 1992
RESOURCE MANAGEMENT
DEPARTMENT OF FORESTRY
AND FIRE PROTECTION



17
1957 #581

APPENDIX C.
REGLI ESTATE TIMELINE AND
THP COST ANALYSIS

TO: Ann Cristy, US Fish and Wildlife Service
FROM: Joanne Skaggs, Administrator
Otis Skaggs, Secretary ''
SUBJECT: Justification of Our Follow-Through On HCP
DATE: May 22, 1995

Upon being asked the question "What assurances can you give to make us believe you will follow through on your part of the Habitat Conservation Plan?" we would, in addition to saying that we have a sentimental attachment to the property, believe it would be a sound financial investment. Our first task is to generate sufficient funds to pay required inheritance taxes. In order to do this we have proposed to harvest a segment of the merchantable timber (1400 mbf out of an estimated volume of approximately 4000mbf) but the endangered species act prevented the harvest plan going through because there were two pair of spotted owls nesting within the area proposed for harvesting. The proposed harvest is larger than we would like but tax considerations and the possibility that we may not be permitted to again for twenty years forces us to propose the larger cut in order to assure funds sufficient to cover anticipated expenses for the twenty year period. The following brief comments should show that we are committed to completing the proposed project.

1. A covenant placing terms of the proposed HCP should be recorded as part of the deed to the property. This would assure that should the applicants die or sell the property before the terms of the HCP are met, the new owners would be required to meet those terms before clear title to the property could be transferred.
2. The title to the property still resides within the Ed Regli Estate which is being monitored by the Superior Court of Humboldt County. The courts Approval is needed before funds or property can be distributed.
3. Estimates of anticipated income and expenses have been enclosed to show how we arrived at the conclusion to propose harvesting timber in order to meet financial obligations and

to begin conversion of unforested areas back to conifers. Personal expenses such as taxes, attorneys fees and loan interest been intentionally omitted from the cost estimates.

4. The following is a chronological listing of major events pertaining to the HCP.

1990 April, Ed Regli died leaving 480 acres of timber and grazing land to Joanne V. Skaggs and her brother Michael P. Muessig provided that they pay their inheritance taxes.

1990 Sept., Cattle were removed from parcel A (320 acre parcel)

Oct , Ron Hunt Forestry and Surveying were selected to prepare a timber harvest plan.

1991 Not much was done on THP because they found a Spotted Owl when the forester went to look at the Timber in Parcel C .

1992 No THP Spotted Owls still there.

Note—After two years without cattle grazing on Parcel A conifer seedlings were observed encroaching into open areas.(predicted result of keeping cows out)

1993 No THP Spotted Owls still there.

1994 THP filed. received Phase One approval—Spotted Owl is still holding us up.

All assets of the ED Regli Estate were distributed with the exception of the 480 acres left to Joanne Skaggs and Michael Muessig. The cousins were able to get their harvest plans approved and harvests completed. Joanne was appointed as the Administrator of remaining 480 acres.

Met with Ken Sanchez and Mike Horton —an agreement in principle was reach on terms for the HCP.

Long term grazing lease expires on parcels B and C and was not renewed.

1995 Forest improvement Matching Funds were applied for with California Dept of Forestry.

Tentative approval was given for planting 10 acres of open area in parcel A. Funds will be available after the state budget is approved.

Convinced neighbor that it is his responsibility to contain his cattle to his property.

*****TO BE COMPLETED*****

- 1995 Neighbors fences will be finished this summer.
HCP -in US Fish & Wildlife office
THP -waiting on HCP approval
Logging-on hold waiting for THP
Post Harvest Report to go to the US F&W service
- 1996 Complete THP -to include required fire prevention slash disposal and repairing winter storm damage.
Plant the 10 acres of open ground in Area A
Apply for forest improvement funds to plant AreaS B&C. THP area should not need replanting because a sufficient number of trees will be left to meet stocking requirements.
- 1997 Plant conifers in open areas of Areas B & C -approximately 70 acres.
- 1998 Monitor seedling survival-replant as needed during next winter.
Begin plans to convert from an alder to a coniferous forest type.
- 2001 All requirements of HCP are to be completed.
All follow up required by California Forest Practice Rules for a THP to be completed.
Forest improvement stocking requirement of 450 trees per acre to be met in Parcel A
- 2002 Forest improvement stocking requirement of 450 trees per acre to be met on Parcels B&C.
- 2005 Last date to close the estate and distribute property.
- 2016 Proposed HCP ends.

**COST / BENEFIT ANALYSIS FOR REGLI ESTATES THP
INFORMATION REQUESTED BY OTIS SKAGGS ON 5/18/95**

** The below figures are approximations.

1. Cost of the Timber Harvesting Plan:

Cost to Date: \$	976.00
	4,418.50
	8,110.27
	5,526.91
	4,594.19
	4,221.80 (Work in Progress, not yet billed)
	<u>1,000.00</u> (est. cost for remaining work)
	\$28,847.67 -

2. Estimated Gross Income from Timber Harvesting Plan:

a. Estimated Volume to be removed:

Unit A:	300 MBF (grand fir - spruce mix)
Unit B:	100 MBF (grand fir - spruce mix)
Unit C:	1000 MBF (redwood)

b. Estimated Prices:

Grand fir and Spruce:	\$375.00 per MBF
Redwood:	650.00 per MBF

* These are subject to change.

c. Estimated Gross Income:

1. Grand fir and Spruce:	300 MBF (Unit A)
	<u>100 MBF (Unit B)</u>
	400 MBF Total
	400 MBF X \$375.00/MBF = \$150,000
2. Redwood:	1000 MBF X \$650.00/MBF = \$650,000
3. Total:	Grand fir and Spruce: \$150,000.00
	Redwood: <u>650,000.00</u>
	\$800,000.00 +

3. Estimated Logging Cost:

Range: \$170.00 - 200.00 / MBF

* This price is based on other client's current costs and is subject to change.

Low Figure: \$170.00/MBF X 1400 MBF = \$238,000.00 -

High Figure: \$200.00/MBF X 1400 MBF = \$280,000.00 -

4. Estimated Cost of Reforesting the Area Within the THP:

The THP will undergo a selective harvest and will be stocked immediately following the operations. No reforestation will be necessary, and therefore there will be no cost.

5. Estimated Cost of Planting Areas Outside of the THP Area:

If spacing is 8' X 8' cost range is \$49,943 - to \$61,256 -

If spacing is 12' X 12' cost range is \$26,197 - to \$29,585 -

* These figures are estimates and are subject to change.

6. Cost of Owl Calling/ Wildlife Work:

Cost to Date:	\$	216.00
		284.90
		1,211.80
		<u>2,370.00</u>
		\$4,082.70;-

* These figures are only through April 12, 1995. The billing to finish the plan is not included.

7. Cost of Future Owl Calling:

* Monitoring the owl during harvest	\$1,000
* Writing a post harvest report for Fish and Wildlife	400
* Monitoring the status of the owl throughout the lifetime of the THP & writing annual reports for the Fish and Wildlife	<u>1,000</u>
TOTAL:	\$2,400 -

8. Cost of Other Mitigations: No other mitigations required by the HCP.

Estimates for Planting Prairie Areas for Regli Estates

Spacing	8'X8'	681	Trees per Acre (TPA)
TPA	Acres	# Trees	
681	80	54450	

Estimates by Rob Nelson		Unit Price	Total
Spraying (per acre)		\$90	\$7,200
Scalping (per thousand)		\$200	\$10,890
Planting (per thousand)	low	\$180	\$9,801
	high	\$240	\$13,068
Placing Vexar (per thou)		\$250	\$13,613
Vexar Cost (each)		0.18	\$9,529
Bamboo Cost (per tree)		0.10	\$5,445
Seedlings (per thou)		\$160	\$8,712
High Estimate (includes scalping and high planting)			\$61,256
Low Estimate (includes spraying and low planting)			\$54,299

Estimate by Bob MacMullin		Unit Price	Total
Spraying (per acre)		\$90	\$7,200
Planting (per tree)		0.23	\$12,251
Placing Vexar (per tree)		0.11	\$5,990
Vexar Cost (each)		0.17	\$9,257
Bamboo Cost (per tree)		0.10	\$5,445
Vexar Shipping (each)		0.02	\$1,089
Seedlings (per thou)		\$160	\$8,712
Total			\$49,943

Spacing 12'X12' 303 Trees per Acre (TPA)

TPA Acres # Trees
 303 80 24200

Estimates by Rob Nelson		
	Unit Price	Total
Spraying (per acre)	\$90	\$7,200
Scalping (per thousand)	\$200	\$4,840
Planting (per thousand)		
low	\$180	\$4,356
high	\$240	\$5,808
Placing Vexar (per thou)	\$250	\$6,050
Vexar Cost (each)	0.18	\$4,235
Bamboo Cost (per tree)	0.10	\$2,420
Seedlings (per thou)	\$160	\$3,872
High Estimate (includes spraying and high planting)		\$29,585
Low Estimate (includes scalping and low planting)		\$25,773

Estimate by Bob MacMullin		
	Unit Price	Total
Spraying (per acre)	\$90	\$7,200
Planting (per tree)	0.23	\$5,445
Placing Vexar (per tree)	0.11	\$2,662
Vexar Cost (each)	0.17	\$4,114
Bamboo Cost (per tree)	0.10	\$2,420
Vexar Shipping (each)	0.02	\$484
Seedlings (per thou)	\$160	\$3,872
Total		\$26,197