

News Release

U.S. Fish and Wildlife Service
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Date: August 10, 2020

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Service Seeks Public Comment on Revisions to Critical Habitat for Northern Spotted Owl

The U.S. Fish and Wildlife Service (Service) is seeking public comment on its proposal to reduce the designated critical habitat for the northern spotted owl, listed as threatened under the Endangered Species Act (ESA), by 204,653 acres or two percent of the 9.6 million acres that were designated for the owl in 2012 in California, Oregon and Washington.

This draft proposal is being prepared under the section of the ESA that allows the Secretary of the Interior to exclude certain areas from critical habitat for economic, national security or other relevant factors so long as such exclusion does not cause the species to go extinct.

“The proposed exclusions will allow fuels management and sustainable timber harvesting to move forward while supporting the recovery of the northern spotted owl,” said Robyn Thorson, Service’s Regional Director for the Columbia-Pacific Northwest. “To strike this balance, the Service employed the best available science and worked closely with federal, state and tribal partners to evaluate needed exclusions, meet our legal obligations and update management plans.”

The proposed acreage exclusion is located in 15 Oregon counties from which 184,476 acres are on Bureau of Land Management (BLM)-administered lands. Based on the best available science, BLM’s revised Resource Management Plans (RMPs) for western Oregon incorporate key aspects of the Northern Spotted Owl Recovery Plan, so there is not an expected appreciable detriment to spotted owls by excluding these lands from the critical habitat designation.

Additionally, a relatively small amount of tribal lands, approximately 20,000 acres, is being proposed for exclusion. These are lands recently transferred under the [Western Oregon Tribal Fairness Act](#) to the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians and the Cow Creek Band of Umpqua Tribe of Indians.

These proposed critical habitat revisions are part of a settlement agreement with labor representatives, the timber industry and several counties that brought a legal challenge against the 2012 critical habitat

designation. Under the settlement, the Service agreed to submit a revised critical habitat rule that identifies proposed exclusions under section 4(b)(2) of the ESA.

Section 4(b)(2) of the ESA specifies that an area may be excluded from critical habitat if the benefits of excluding the area outweigh the benefits of including the area, as long as it will not result in extinction of the species. A major consideration in designating critical habitat includes whether the exclusion of a specific area is likely to result in conservation, or in the continuation, strengthening or encouragement of conservation partnerships. Exclusions can also be based on economic, national security or other relevant impacts, so the Service is seeking public comment on whether additional exclusions should be evaluated. If additional exclusions are proposed, the Service will evaluate whether the benefits of excluding the area outweigh the benefit of including the area as well as whether the proposed exclusions will result in extinction of the species.

As [defined by the ESA](#), critical habitats contain the physical or biological features that are essential to the conservation of listed species and that may need special management or protection. The designations do not provide additional protection for a species on non-federal lands unless proposed activities there involve federal funding or permitting. Designation of critical habitat does not affect land ownership or establish a refuge, reserve, preserve or other conservation area, nor does it allow the government or public to access private lands.

The Service is seeking public comments on the proposed changes, including whether it should consider other areas for exclusion based on economic, national security or other relevant impacts and will base its final decision on the best scientific data available, substantive information submitted during the comment period, and information about the economic impacts of the proposal.

The proposed rule will publish in the *Federal Register* August 11, 2020, opening a 60-day public comment period. For instructions on how to comment and to find a link to the proposed rule, go to www.fws.gov/oregonfwo.

For additional information regarding critical habitat and the Endangered Species Act, click [here](#).

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