

**ENVIRONMENTAL ACTION STATEMENT SCREENING FORM  
FOR  
BLENCOWE SAFE HARBOR AGREEMENT FOR NORTHERN SPOTTED OWL  
(June 6, 2022)**

**I. Project Information**

**A. Project name:** Safe Harbor Agreement between the U.S. Fish and Wildlife Service and Craig and Christopher Blencowe

**B. Affected species:** Northern Spotted Owl (*Strix occidentalis caurina*)

**C. Project size (in acres):** 6,600 acres initially

**D. Brief project description including conservation elements of the plan:**

The project (Federal action) is the issuance of an Incidental Take Permit associated with a Programmatic Safe Harbor Agreement (Agreement) between the U.S. Fish and Wildlife Service (Service) and Craig and Christopher Blencowe (Permittees). The Agreement provides incentive to the Permittees to conserve northern spotted owls while conducting timber management under the Permittees' State of California approved Non-industrial Timber Management Plans (NTMPs). The lands covered under the Agreement would include (at the start of the permit term) three properties, as follows: Bradford Ranch (2,263 acres), Miller Tree Farm (1,849 acres) and Weger Ranch (2,394 acres), Mendocino County, California.

The Agreement is expected to promote the recovery of the Covered Species on non-Federal properties within Mendocino County. The proposed duration of the Agreement and the associated Enhancement of Survival permit are 40 years. The proposed Enhancement of Survival permit would authorize the incidental taking of the Covered Species associated with the restoration, enhancement, and maintenance of suitable habitat for the Covered Species during routine and ongoing silvicultural activities and the potential future return of any property included in the Agreement to baseline conditions.

The intent of the forest management activity on the Enrolled Lands is to enhance and maintain, though time, the complex native coastal redwood ecosystem, providing a healthy, vigorous and diverse forest that improves functionality of northern spotted owl habitats, protects wildlife, fish, and soils, while providing for the long-term and sustained-yield production of quality forest products. In general, the management goals of the NTMP for each property will improve functionality of northern spotted owl habitat by: 1) increasing the average quadratic mean diameter (at breast height; dbh) of the conifer trees on the Property after each harvest entry; 2) retaining a greater average post-harvest basal area (square feet per acre) for trees greater than 12 inches dbh than the post-harvest basal area for trees of these dimensions from the previous

harvest entry; 3) increasing number of legacy trees averaged on the property, including trees with broken tops, complex crowns, cavities, basal hollows and other defects, and/or mistletoe infections, regardless of size, with a target goal of one legacy tree per acre; and 4) retaining downed cull logs and snags.

The Permittees' harvest operations will be conducted in accordance with the NTMPs and the Agreement, based on uneven-aged, sustained yield management. Uneven-aged management creates multiple age classes within timber stands, usually through individual tree or small group selection silviculture, and provides the opportunity for the development and maintenance of high quality functional northern spotted owl nesting/roosting and foraging habitats. Sustained yield under this Agreement restricts the amount of timber available to harvest to that which is projected to grow, usually over a ten year cycle. This growth could be captured by the continual selective harvesting of the biggest trees on the property, keeping the stand in a relatively younger age class and effectively preventing the development of a large tree component, a critical characteristic of high quality spotted owl habitat. However, under this particular Agreement, the Permittees will retain an older tree component and create and maintain the multi-storied, complex canopy forest associated with higher quality spotted owl habitat. The Permittees do not intend to return to baseline conditions at the end of the Agreement period (SHA term of 40 years), and will continually improve habitat conditions throughout the 40-year Permit period.

## **II. Does the SHA fit the criteria of a NEPA Categorical Exclusion (516 DM 2, Appendix 1 and 516 DM 8)?**

Yes. The Agreement follows the Service's Safe Harbor Agreement final policy and regulations.

### **A. Are the effects of the SHA less than significant on the rangewide population of federally listed, proposed, or candidate species or other wildlife and their habitats covered under the SHA?**

Yes. The Enrolled Lands currently provide approximately 6,600 acres of northern spotted owl nesting/roosting habitat, as would any additional lands enrolled under this programmatic Agreement, all of which are expected to remain and become improved nesting/roosting habitat by the end of the programmatic Agreement.

Although listed salmonids are not covered under the Agreement, proposed forest management activities are described in detail in the Permittees' State of California approved NTMPs, which include 200-foot slope distance watercourse management zone on all year-round fish bearing streams, and a 100 foot watercourse management zone along each side of intermittent streams that support aquatic life. Trees may be cut within these zones pursuant to a riparian habitat restoration and maintenance plan. During the spring of 2022, the Service consulted with NOAA Fisheries regarding our proposed issuance of an enhancement of survival permit in association with this Agreement and possible impacts to listed salmonids. NOAA Fisheries staff (West Coast

Region Office, Santa Rosa, California) reviewed the Blencowe Safe Harbor Agreement documents and concluded that issuance of an enhancement of survival permit by the Service will not affect listed salmonid species.

**B. Are the effects of the SHA minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.)?**

Yes. The Permittees' NTMPs are considered to be the functional equivalent of an Environmental Impact Report under the CEQA and operations under the NTMPs have already been approved by the State of California as minor or negligible on other environmental values or resources.

Effects to air quality, geology and soils, water quality and quantity, and socio-economic resource effects from approval of the Agreement are expected to be negligible because timber management and maintenance are expected to occur regardless of approval of the proposed Agreement and issuance of the permit.

Impacts to historic and cultural resources from approval of the Agreement are expected to be negligible since an archeological survey is required by the State of California prior to approval of the NTMPs. Consequently, if historical resources occur on the properties, specific site locations and protection measures are described in the "Confidential Archaeological Addendum," which is an appendix attached to the NTMP for a specific property. In addition, timber management is expected to occur regardless of approval of the proposed Agreement and issuance of the permit.

Effects to recreation are expected to be negligible since the proposed action is restricted to private land and these lands are not open to public recreation. In addition, timber management is expected to occur regardless of approval of the proposed Agreement and issuance of the permit.

Effects to visual resources are expected to be negligible as a result of approval of the Agreement and issuance of the permit because timber management is expected to occur regardless of approval of the proposed Agreement and issuance of the permit.

**C. Would the impacts of this SHA, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant?**

No significant cumulative effects are expected to occur as a result of approval of the Agreement and issuance of the permit. Timber management is expected to occur regardless of approval of the proposed Agreement and issuance of the permit. The Agreement simply facilitates the landowners' desires to create and maintain high quality northern spotted owl habitat on their properties, and provides them some assurance that in doing so they won't be subject to regulation

beyond that in the Agreement.

**III. Do any of the exceptions to categorical exclusions apply to this SHA? (from 516 DM 2.3, Appendix 2)**

There are no exceptions to categorical exclusions that apply to this Agreement.

**Would implementation of the SHA:**

**A. Have significant adverse effects on public health or safety?**

No. Timber management is expected to occur regardless of approval of the proposed Agreement and issuance of the permit.

**B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?**

No. There are no historic or cultural resources, parks, registered National Landmarks, recreation or refuge lands, wilderness areas, wild or scenic rivers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas known to occur at the site. Operations that would otherwise occur under these NTMPs or NTMPs associated with lands enrolled under this programmatic Agreement in the future would have already been reviewed and approved by the State of California.

**C. Have highly controversial environmental effects?**

No. Given the minor or negligible impacts to all resources, there is no scientific controversy over environmental effects.

**D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?**

No. The proposed timber management is routine and common in this area and would have minor or negligible effects. Therefore, approval of the Agreement would not have highly uncertain or potentially significant environmental effects or involve unique or unknown environmental risks.

**E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?**

No. Future actions would be reviewed on their own merits in meeting requirements under the

Endangered Species Act, its implementing regulations, and other laws. Effects from approval of the Agreement are minor or negligible, therefore, approval of the agreement would not represent a decision in principle about future actions with potentially significant environmental effects.

**F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?**

No. Approval and implementation of the Agreement is not directly related to other actions with significant cumulative environmental effects.

**G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?**

No. Properties listed or eligible for listing on the National Register of Historic Places do not occur on the enrolled properties and would not be affected. Any future property enrolled under this programmatic Agreement would be reviewed and approved under the State-approved NTMP process.

**H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?**

The Enrolled Lands will be surveyed periodically in association with proposed timber harvest, and suitable habitat maintained for the duration of the Agreement and permit. In the event that any northern spotted owl activity centers become established on the Enrolled Lands, they will be managed in a manner that would be unlikely to result in incidental take. The Service considers that as many three activity centers could become established on the Enrolled Lands (one activity center on each property) over the permit term.

The project area is not within or near designated critical habitat for any species, therefore, no adverse effects to critical habitat will occur.

**I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?**

No. There are no wetlands or flood plains on the Enrolled Lands and approval and implementation of the Agreement is not considered a water development project, therefore, compliance with these orders and statute are not required. Any future property enrolled under this programmatic Agreement would be reviewed and approved under the State-approved NTMP process.

**J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?**

No. Approval of the Agreement will be in accordance with all applicable laws. In fact, one specific condition of the permit will be that it be carried out in accordance with all applicable federal, state, or local laws.

**IV. ENVIRONMENTAL ACTION STATEMENT**

Based on the analysis above, the Blencowe Programmatic Safe Harbor Agreement meets the qualifications for Safe Harbor Agreement whose implementation represents a class of actions which do not individually or cumulatively have a significant effect on the human environment. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents:

- (1) *Programmatic Safe Harbor Agreement with Craig Blencowe and Christopher Blencowe for Northern Spotted Owl, Mendocino County, California*
- (2) *Intra-Service Formal Consultation on Proposed Issuance of a Section 10(a)(1)(A) Enhancement of Survival Permit for Northern Spotted Owl and Christopher Blencowe, Mendocino County, California.*
- (3) *Bradford Ranch Non-industrial Timber Management Plan (1-97NTMP-043 MEN)*  
(approved by CAL FIRE May 13, 1998).
- (4) *Miller Tree Farm Non-industrial Timber Management Plan (1-92NTMP-001 MEN)*  
(approved by CAL FIRE March 10, 1992).
- (5) *Weger Ranch Non-industrial Timber Management Plan (1-01NTMP-005 MEN)*  
(approved by CAL FIRE January 14, 2002).

Concurrence:

Bill McIver  
(1) Project Biologist



6/6/2022  
Date

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(2) Field Supervisor

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Date