



In Response Reply To:  
Region 8-ES

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

California and Nevada Region  
2800 Cottage Way, Room W-2606  
Sacramento, California 95825-1846



Mr. Bill Snyder  
Cal Fire  
PO Box 944246  
Sacramento, California  
94224-2460

**FEB 01 2008**

Subject: U. S. Fish and Wildlife Service review of timber harvest plans and non-industrial timber management plans, transition documents

Dear Mr. Snyder:

As per our November 16, 2007, letter and discussed in numerous meetings and telephone conversations, the U.S. Fish and Wildlife Service (Service) will no longer accept requests for technical assistance directly from applicants after February 1, 2008. To ensure that technical assistance requests contain all required information prior to forwarding to the Service, we will only accept technical assistance requests directly from Cal Fire. We will return incomplete technical assistance requests to Cal Fire, and will not initiate review on timber harvest plans (THPs) and non-industrial timber management plans (NTMPs) until all required information is provided. Once initiated, the expected completion time for most THP/NTMP reviews will be approximately six weeks from receipt of the complete request from Cal Fire.

To assist with this transition, we committed to and are providing Cal Fire with a description of the information required to initiate technical assistance with the Service for northern spotted owl, California red-legged frog, and San Francisco garter snake. In addition, we are providing information to familiarize Cal Fire personnel with the analysis process used by the Service to conduct 'no take' evaluations of THPs, including simple 'no take' scenarios for all three species and habitat criteria currently applied by the Service for northern spotted owls during THP review.

This letter transmits the documents described above. Enclosed please find:

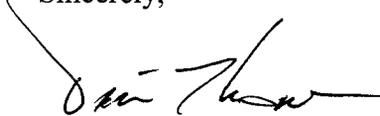
- 1) Information needed for northern spotted owl technical assistance analysis
- 2) Flow chart describing 1-year protocol for northern spotted owl surveys
- 3) Flow chart describing 2-year protocol for northern spotted owl surveys
- 4) Take avoidance scenarios for northern spotted owl
- 5) Take avoidance analysis process for the northern spotted owl - Interior region
- 6) Take avoidance analysis process for the northern spotted owl - Coastal region



- 7) Information needed for California red-legged frog technical assistance
- 8) Take avoidance scenarios for California red-legged frog
- 9) Information needed for San Francisco garter snake technical assistance
- 10) Take avoidance scenarios for San Francisco garter snake

We are scheduled to have a workshop with Cal Fire on February 13, 2008 to discuss the technical assistance process and answer questions that you may have regarding the above documents. Please feel free to contact Darrin Thome or Vicki Campbell at 916-414-6464 if you have any questions regarding this transition.

Sincerely,

A handwritten signature in black ink, appearing to read "Darrin Thome". The signature is fluid and cursive, with a long horizontal stroke at the end.

Darrin Thome  
Acting Assistant Regional Director, Ecological Services

Enclosures

Information Needed for US Fish and Wildlife Service  
Timber Harvest Plan – Northern Spotted Owl Technical Assistance Analysis

- 1) All documentation submitted for Technical Assistance must be legible
- 2) Letter requesting technical assistance providing general information relevant to the Timber Harvest plan (THP):
  - a. THP number
  - b. Township-Range-Section location data
  - c. Presence/absence of northern spotted owls (NSO)
  - d. Other important information that might influence take determination, such as:
    - i. Operating outside of breeding season
    - ii. THP at high elevation (above 6000 feet)
    - iii. Forest type or physiographic province
- 3) Overview map showing location of THP units in relation to NSO activity centers and detection locations
- 4) Silviculture information:
  - a. Silviculture map(s) from THP showing location of THP units and type(s) of silviculture
    - i. Silviculture prescription important in the case(s) where units are within 1.3 miles of NSO activity centers
  - b. Description of silviculture from THP including number of acres of each silviculture prescription
- 5) Current California Department of Fish and Game (CDFG) California Natural Diversity Database (CNDDB)/Spotted Owl Viewer Reports 1, 2, and 3 for area extending 1.3 miles from THP boundary
  - a. Report 1 is sufficient if no NSOs activity centers returned by query
  - b. Version date (upper left corner) must correspond to the present rendition of the CDFG database
  - c. If known NSO locations deviate from CDFG reports, submit documentation from landowner supporting placement of NSO activity centers and detections
- 6) Nesting/roosting and foraging habitat mapped out to 0.7 mile from THP boundary or out to 0.25 mile for THPs that will only operate in unsuitable habitat

- 7) Habitat typing maps pre- and post-harvest for each NSO activity center within 1.3 miles of THP boundary
  - a. Extend typing to a 1.3 miles radius from the best-known location for NSO activity center(s)
    - i. Not always be coincident with CDFG Report 2 or 3
    - ii. Reasons for deviations from CDFG report documented
  - b. Maps shall delineate 1000 foot, 0.5 mile, 0.7 mile, and 1.3 miles radii distances from activity center
- 8) Table listing number of acres of nesting/roosting and foraging habitat within 0.5 mile, 0.7 mile, and 1.3 miles of activity centers pre- and post-harvest based on maps provided for #6.
- 9) Survey data:
  - a. Map of call route
  - b. Survey forms or summary sheet including survey date, survey start time, and survey results
  - c. Follow-up forms, if NSOs detected during surveys
  - d. Maps of detection/response locations, if NSOs detected during surveys
- 10) For operations proposed within 1.3 miles of NSO activity centers, habitat typing must be verifiable
  - a. Aerial photo coverage, or equivalent imagery, of the 1.3 miles area surrounding activity centers within which timber operations are proposed
  - b. Include maps of timber operations within 1.3 miles of known NSOs that have occurred since the date of the aerial photo or equivalent imagery
  - c. Include maps of approved timber operations within 1.3 miles of known NSOs
- 11) If requesting a determination of unoccupied status for an activity center, the following are also required:
  - a. Activity center occupancy history
  - b. Survey history
  - c. Current condition of habitat
    - i. Include discussion of past and approved timber operations and natural events such as fire that has or will alter the condition of the habitat.

# Northern Spotted Owl Take Avoidance Scenarios

## 2/1/08

The following describes how the Fish and Wildlife Service determines whether take is likely to occur for spotted owls. While we believe this is the most effective manner in avoiding take, it is likely not the only manner in which take can be avoided. The below scenarios are recommended tools to avoid take, but are not required approaches imposed by the Fish and Wildlife Service.

- I. Scenario 1: No Take**
  - A. No suitable habitat in harvest units, and
  - B. No suitable habitat within 0.25 mile of timber operations (hauling, roads, units).
  
- II. Scenario 2: No Take**
  - A. No suitable habitat in harvest units, and
  - B. Suitable habitat within 0.25 mile of timber operations, then:
    - 1. Seasonal restriction from February 1 to July 9,
    - OR–
    - 2. Protocol surveys completed with no reproductive behavior and no timber operations until the conclusion of protocol surveys.
  
- III. Scenario 3: No Take**
  - A. Suitable habitat within harvest units, and
  - B. Protocol surveys are complete, and
    - 1. No owls are detected within 1.3 miles of timber operations
    - AND–
    - 2. No historic NSO activity centers within 1.3 miles of timber operations.
  
- IV. Scenario 4: Avoidance of Disturbance and Direct Take Through Habitat Retention**
  - A. Suitable habitat within some or all harvest units, and
  - B. Protocol surveys detect NSO and/or historic activity centers within 1.3 miles of timber operations, and
  - C. All habitat and operational conditions (see 1 and 2 below) shall be followed for each activity center.
    - 1. Habitat conditions that avoid take
      - a. For Coast, see Attachment A
      - OR–
      - b. For Interior, see Attachment B
    - 2. Operational conditions that avoid take
      - a. For harvest units that do not contain suitable NSO habitat, but are within 0.25 mile of suitable NSO habitat

- i. Seasonally restrict timber operations from February 1 to July 9

–OR–

- ii. Protocol surveys completed with no reproductive behavior and no timber operations until the conclusion of protocol surveys

–OR–

- b. For harvest units that contain suitable NSO habitat

- i. Protocol surveys completed with no reproductive behavior and no timber operations until the conclusion of protocol surveys

–OR–

- ii. Protocol surveys completed with reproductive behavior, no operations from February 1 to August 31 within 0.25 mile of activity center.