



In Response Reply To:  
FWS/R8/AES

## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Pacific Southwest Region  
2800 Cottage Way, Suite W-2606  
Sacramento, California 95825



FEB 21 2012

Mr. Ken Pimlott, Director  
CAL FIRE  
P.O. Box 944246  
Sacramento, California  
94224-2460

Dear Mr. Pimlott:

During our 2011 workshops with the timber-industry community, both CAL FIRE and the Fish and Wildlife Service (Service) clearly heard concerns associated with how the 2011 protocol may affect the ability of private landowners to harvest timber in 2011. Some foresters/landowners voiced concern with the two year survey, as they would need to plan in advance of harvest, yet they could not predict when the timber market will be favorable. As a result of input received from forest practitioners after the 2011 field season, the Service has completed a revision of the 2011 NSO protocol. The revisions are not substantive but are intended to clarify the language for the user. The revised protocol can be found at:

<http://www.fws.gov/oregonfwo/Species/Data/NorthernSpottedOwl/Documents/2012RevisedNSOprotocol.2.15.12.pdf>

The Service has determined that the revised 2011 protocol remains our recommended survey strategy. The 2011 protocol was developed to promote consistent and scientifically rigorous procedures to survey for spotted owls and is an important tool in protecting the species. However, the Service recognizes that CAL FIRE has worked on preparing some concepts that they would like to further vet with our agency, which might provide options or flexibility in how we can review survey data or streamline project review. We also realize that we need to provide some input and direction to landowners and foresters as to how to proceed in 2012. To address this immediate need and the fact that the Service recognizes that the 2011 protocol remains problematic for some private landowners in some instances; we are providing a possible avenue for a 1-year 6-visit survey for private landowners on a case by case basis.

The Service will continue to work in cooperation with CAL FIRE to assess plans on a case by case basis to ensure northern spotted owls are protected. In using a 1-year 6-visit survey approach, it is the landowner's responsibility to provide sufficient survey information and project detail to our agencies so that we can fully evaluate harvest plans. Landowners need to build a solid rationale for implementation of projects by providing results of the 1-year survey, a comprehensive history of previous survey information and detailed justification narrative to CAL FIRE. CAL FIRE and the Service will work together to evaluate this information and determine

if it is sufficient to characterize the work environment and the potential risk to the species. It should be recognized that in some circumstances a single independent 1-year survey without additional supporting information may not be sufficient to characterize the plan's impacts and the plan may need to be modified in order to be implemented consistent with no take guidelines.

The Service will continue to explore and evaluate options with CAL FIRE for efficient and effective surveys to address the unique situations of each landowner. We recognize that we may need to assess each situation on a case-by-case basis. We will also continue to work with CAL FIRE to streamline the review process and anticipate that we will have some improvements to share in the upcoming harvest years.

If you have any questions, please contact Erin Williams, Field Supervisor, Yreka Fish and Wildlife Office at (530) 841-3112 or Nancy Finley, Field Supervisor, Arcata Fish and Wildlife Office at (707) 825-5100.

Sincerely,

A handwritten signature in blue ink that reads "Alexander Pitts". The signature is written in a cursive style with a large, stylized "A" and "P".

Deputy Regional Director

cc:

California Department of Fish and Game Director, Sacramento, CA

California Department of Transportation Director, Sacramento, CA

Senator Barbara Boxer, Sacramento, CA

Senator Diane Feinstein, Sacramento, CA

Congressman Mike Thompson, Fort Bragg, CA

Congressman Wally Herger, Redding, CA