



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. Ruben Grijalva, Director  
Cal Fire  
PO Box 944246  
Sacramento, California  
94224-2460

MAY 22 2008

Subject: Clarification of guidelines for review of timber harvest plans

Dear Mr. Grijalva:

As you know, our office has provided you with guidelines for determining when take, as defined by the Endangered Species Act of 1973, of federally listed species is likely to occur with implementation of timber harvest plans (THP). Specifically, we have generated take avoidance guidelines for northern spotted owls, California red-legged frogs, and San Francisco garter snakes.

The purpose of this letter is to clarify the nature of the guidelines we produced, and explain how we believe they are best applied. The guidelines describe how the U.S. Fish and Wildlife Service (Service) determines when take is likely at a course scale. That is, without any site-specific information, the guidelines outline the general methods that the Service employs to determine if take is likely. As stated in the guidelines, "while we believe [the guidelines are] the most effective manner in avoiding take, it is likely not the only manner in which take can be avoided."

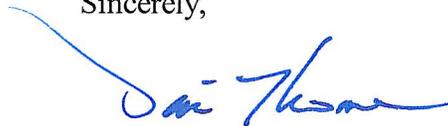
In years past, it was commonplace for our biologists to travel to the THP site and assess the habitat, conditions, local climate, habitat edge, and many other site-specific factors that aided in determining if take would be likely. We encourage your staff to adopt a similar approach in assessing THPs, as there are many instances when site-specific conditions provide insights that the guidelines cannot capture by virtue of their broad nature in describing the likelihood of take. The guidelines were not intended to be a hard rule for when take is likely; they simply describe how we evaluated the likelihood of take in a general manner.

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We encourage your staff to assess each THP in light of site-specific conditions and under the broader context of the guidelines we provided.

If you have any questions, please don't hesitate to contact Darrin Thome or Vicki Campbell at 916-414-6464.

Sincerely,



*Acting*

Assistant Regional Director, ES

CC:

Phil Detrich, Ventura Fish and Wildlife Office  
Susan Moore, Sacramento Fish and Wildlife Office  
Mike Cory, Arcata Fish and Wildlife Office  
Vicki Campbell, Region 8