Society for Conservation Biology

THE WILDLIFE SOCIETY

American Ornithologists' Union

April 2, 2012

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Re: Request for Environmental Impact Statement of Proposed Active Forest Management in Spotted Owl Critical Habitat

Dear Secretary Salazar:

Our organizations represent many of the leading scientists on issues of endangered species conservation, natural resource management, and scientific integrity. This expertise includes the scientific peer review of recovery plans and critical habitat designations for threatened and endangered species such as the threatened northern spotted owl. We are writing to express our concerns regarding the February 28, 2012 release of the draft critical habitat proposal for the spotted owl, and the related proposed forest policy changes announced by the Department of the Interior (DOI) and the White House. These proposed policy changes have the potential to adversely impact federal lands in the Pacific Northwest to the detriment of spotted owls and other federally threatened and endangered species. Specifically, we are concerned that the decision to move forward with untested "active management" of federally owned forest lands at the landscape level *prior* to validation through the scientific peer-review process represents a potentially serious lapse in the application of the scientific process. This decision may conflict with the DOI's scientific integrity policy as well as the mandates of several environmental laws. Most notably, the decision to move forward with "active management" without a thorough environmental review may conflict with the mandates of the National Environmental Policy Act (NEPA).

The Department of the Interior's Fish and Wildlife Service (FWS) considers active forest management as including those techniques that involve aggressive forest thinning and associated forest canopy reductions in dry forests and modified regeneration harvests in mature moist forests. Given that the primary driver of the spotted owl's decline has been the destruction of old-growth forest habitat by logging, which will be the means used to achieve the anticipated forest thinning and regeneration harvests, we are especially concerned about the potential habitat impacts of adopting untested "active management" forestry technique. Accordingly, we request that the DOI prepare an Environmental Impact Statement (EIS) under NEPA to provide a rational, scientific approach for the testing of active management forestry in order to ensure that such techniques are validated through the peer-review process

prior to their utilization at any commercial or landscape scale in the spotted owl's critical habitat.

In June 2011, the FWS completed a revised recovery plan for the spotted owl, which identified barred owl management and habitat conservation, including active forest management, as the primary actions needed to conserve and recover the spotted owl. The contrast between the DOI/FWS approach to implementing barred owl management versus active habitat management within the owl's critical habitat could not be more stark. With respect to barred owl management, the FWS appears to be endorsing a scientifically rigorous, experimental approach to evaluate the efficacy of possible barred owl control techniques. However, with respect to critical habitat management, the DOI and the White House appear poised to endorse untested active management forestry techniques without comparable scientific validation of the impacts on the spotted owl's critical habitat.

Concurrently with the release of the proposed critical habitat for the spotted owl, the FWS issued a 430-page EIS outlining seven alternative approaches to controlling barred owl populations. Depending on the type of barred owl control techniques and the respective demographic studies, these experiments will take from 4 to 10 years. As the spotted owl critical habitat proposal explains, at the end of the research period, FWS will then decide "how barred owls would be managed in the long term." In contrast, the FWS has not released an EIS to evaluate how to scientifically evaluate different active management techniques applied to forests in critical habitat. Instead, active management projects will be extrapolated mainly from techniques employed in just two proposed pilot projects on Bureau of Land Management (BLM) lands in western Oregon. Neither of these pilot projects has even completed the administrative sale process to allow logging activities to commence, neither appears to have been peer reviewed by scientists and neither project appears to be at a sufficient scale to discern significant impacts or determine whether they will harm or benefit spotted owls, their habitat or their prey in the short or long term.

The Presidential Memorandum accompanying the proposed critical habitat designation also noted: "on the basis of *extensive scientific analysis*, areas identified as critical habitat should be subject to active management, including logging in order to produce the variety of stands of trees required for healthy forests. The proposal rejects the more conservative view among conservation biologists that land managers should take a 'hands off' approach to such forest habitat in order to promote this species' health."[1] We are concerned that this memorandum overstates the quality and quantity of scientific research on the potential benefits of active forest management, especially in the Pacific Northwest on a federally threatened species. In particular, we are unaware of any substantial or significant scientific literature that demonstrates that active forest management enhances the recovery of spotted owls.

In order for its proposals to be scientifically credible, the DOI should prepare an independent EIS to evaluate active forestry management impacts on spotted owls, just as

[1] Presidential Memorandum – Proposed Revised Habitat for the Spotted Owl: Minimizing Regulatory Burdens, 77 Fed. Reg. 12,985, Feb. 28, 2012 (emphasis added).

FWS has done with respect to its new efforts to evaluate barred owl control techniques. This EIS should identify a range of experimental forestry techniques, appropriate scientific methodologies to assess those techniques, and scientific process for evaluating impacts on spotted owls. At the end of a scientifically appropriate period of time, and after a full scientific peer-review of the data collected, the FWS and DOI would be able to make a fully informed decision regarding short- and long-term management of critical habitat. We believe that such an approach is clearly warranted given that the spotted owl is a closed canopy dependent species and active management may degrade habitat for the owl and encourage further expansion of the barred owl. Notably, recent evidence has shown spotted owl extirpation rates related to barred owl invasions are highest for spotted owls with low levels of old growth habitat in nesting areas or high levels of forest fragmentation[2]. Scaling up logging activities throughout the Pacific Northwest, particularly on BLM lands in western Oregon where "active management" is ostensibly going to be integral to pending resource management plan revisions, is therefore premature and not representative of the best available science.

We are aware of the good-faith efforts by the DOI to resolve the conflicts over forest management in the Pacific Northwest. Nevertheless, we remain convinced that to meet the best available science mandate of the Endangered Species Act, the broad aspirations laid out in the President's March 2009 Memorandum on Scientific Integrity, and the DOI's own policy on scientific integrity, an EIS accompanied by full scientific peer-review should be completed to guide any active management forestry practices in the spotted owl's critical habitat. To proceed otherwise places the spotted owl, other threatened species, and the long-term sustainability of the Pacific Northwest forests at risk of irreparable harm.

Sincerely,

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[2]Dugger, K.M., R.G. Anthony, and L.S. Andrews. 2012. Transit dynamics of invasive competition: barred owls, spotted owls, habitat, and the demons of competition present. Ecological Applications (2011) Volume: 21: 2459-2468.

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