Phase 2 Spotted Owl/Goshawk Survey questions/discussion topics for the Planning WG Ad Hoc

**Background information:**

***Framework ROD 2004***

#### California Spotted Owl Surveys

33. Conduct surveys in compliance with the Pacific Southwest Region’s survey protocols during the planning process when proposed vegetation treatments are likely to reduce habitat quality in suitable California spotted owl habitat with unknown occupancy. Designate California spotted owl protected activity centers (PACs) where appropriate based on survey results.

#### Northern Goshawk Surveys

34. Conduct surveys in compliance with the Pacific Southwest Region’s survey protocols during the planning process when vegetation treatments are likely to reduce habitat quality are proposed in suitable northern goshawk nesting habitat that is not within an existing California spotted owl or northern goshawk PAC. Suitable northern goshawk nesting habitat is defined based on the survey protocol.

#### Great Gray Owl Surveys

35. Conduct additional surveys to established protocols to follow up reliable sightings of great gray owls.

**Suggested survey process:**

***Presented to and discussed by the Ad Hoc Group, 08/14/2023, see below for conclusions.***

**Use Existing Protocols Pre-implementation (includes traditional tech. and ARUs etc.)**

Survey to R5-protocol standards suitable habitat and existing PACs in and within ½ mile of planned implementation area before actual on the ground implementation is to begin. Ideally these surveys would occur far enough out from contracting implementation, such that any new information that is collected would inform unit delineation/treatment types and LOPs needed to protect reproduction during implementation. If contracting is completed before surveys and data are collected/analyzed; there is a risk that contract modification may be necessary to comply with forest plan standards, FWS compliance etc.

**Frontload High Priority Areas for completing surveys during the NEPA/Planning Process**

For this project we could prioritize some areas on both sides of the river (informed by early modelling?) to initiate surveys (field season 2024-2025) during the planning process such that the first round of implementation would meet survey standard when the decision is signed for immediate implementation and move on to the next round of priority surveys in manageable blocks for both survey and implementation.

**What happens when implementation lags, survey data gets old?**

Should implementation drag out more than 5 years on any individual contract, surveys would need to be refreshed to protect species from changes in roosts, nest locations, and any potential new occupants not previously detected within the implementation units. Again, there is a risk of contract modification associated with this, should new occupied territories be found/and or nest/roost locations move over time outside of existing delineated PACs.

**Effects Of This Strategy**

This doesn’t provide the same level of data we have typically had during the analysis phase of the project, but it would provide potentially more temporally accurate data for use when it really matters, implementation on the ground. And if implementation stalls it would require updating the surveys which should capture population and geographic changes for these species that we may now not be detecting and adequately adjusting our plans. This also incentivizes both the FS and purchaser/contractor to efficiently work through implementation vs. having the plan/contract change due to new information.

**Meeting to Discuss SERAL Survey Strategies**

Kelsey Reich and Chuck Loffland met with Stanislaus bio. Ryan Kalinowski who worked on and is involved in the implementation of SERAL 1.0 project. We talked about what the process looked like for that project as it has some of the same issues, short timeline/large project area related to surveys and amendments. Ryan clarified that they had a bit more time as SERAL 1.0 was partial reboot of the Moto2K? (forget the original name or what the acronym was and stood for) for which they had started some of the survey work, there is no specific amendment to change survey requirements, and the “planning process” is interpreted as through the contracting/prep. phase of implementation. Basically, the surveys need to be completed before implementation, and through the implementation process until the units are treated.

There was more discussion of the nuances of the survey: concentrated surveys on PACs, did a gap analysis and limited surveys to areas deemed potentially able to support additional territories, eliminated areas where proposed treatments would not adversely affect habitat from survey needs. I’ve copied some of Ken’s follow up to our meeting for use as we move through these discussions.

*So that all tracks pretty well with where I (Chuck) went above for suggested starting point for this discussion, Ad Hoc for Phase 2, developed before we talked to Ryan.*

***Ad Hoc Mtg. Discussion, Conclusion, and Recommendations 08/14/2023***

*It is important to keep in mind that surveys are only required for “vegetation treatments are likely to reduce habitat quality”. If either the treatment would not reduce quality or the habitat in question is not suitable, surveys are not required.*

*All parties understand the urgency of completing the NEPA for FPP Phase 2 and implementation of the project ASAP. To that end the, given the scale/scope of the project >200,000 the traditional interpretation of completing protocol surveys during “planning process” as pre-decisional needs to be revised to define the “during the planning process” to include up to implementation vs. before NEPA decision is issued, for spotted owl and goshawk surveys.*

*There was discussion as to defining implementation, and it was decided that for this project that should be defined as: surveys need to be completed before award of a contract, and before the work commences on the ground. This would increase confidence and trust that the species would receive the protection that the surveys afford, and reduce the need for contract modification, which is difficult to achieve once a contract is under way.*

***Based on these discussions and the process agreed to by the group, the Ad Hoc Group does not see a need for a forest plan amendment related to survey timing, if the survey requirements and interpretation above are documented through the NEPA documentation and planning process and are followed prior to implementation.***

**More information from Ryan…. Email 08/02/2023**

Hi both, *(Chuck and Kelsey)*

I did a little research and found answers.

* 1st year of survey was 3 visits, occasionally 4, presumably the 4th was added when things were difficult to pin down. If you can pull of 6 visits that seems ideal but guessing that will be too much to pull off.
* Some useful info on surveying gaps between PACs from the BE: “A gap analysis indicates potential space for only two to four additional CSO sites in the SERAL project boundary (Figure CSO 4). Gap areas will be included in protocol surveys prior to implementation to identify any unknown territories. Currently, there are 53 CSO PACs overlapping the project area totaling 15,722 acres and 57 CSO territories totaling 47,958 acres that overlap with the project area (Figure CSO 4).”



* Management Requirement 1 in the BE says: “Prior to implementation and before any habitat modification, route a site-specific Project Input Form (PIF) and conduct surveys in compliance with the USFS Pacific Southwest Region’s survey protocols to establish or confirm current locations of sensitive species and sites, such as nest activity centers and roost sites for spotted owl, great gray owl, and goshawk.” The FP amendment section that talks about survey requirement during planning says this: “For vegetation treatments that maintain or improve habitat quality in California spotted owl nesting and roosting habitat outside of protected activity centers, pre-implementation surveys are not required. Before authorizing vegetation treatments in existing protected activity centers or that may reduce near-term habitat quality in California spotted owl nest or roost habitat of unknown occupancy, follow current guidance for the Pacific Southwest region to:

•Determine occupancy status;

•Identify owl nest sites (where nest location is not known, the most recent daytime roost); and

•Delineate new or modify existing protected activity centers and territories, as necessary, within the project area.

[CSO Strategy, p. 26; PACs 1. A and CSO Strategy, p. 27; PAC Modification A.1 through A.3]

* The bullet points above make it sound like “planning” was interpreted as continuing beyond the NEPA decision; as long as we are following the management requirements and surveying prior to implementation, we are still “planning,” therefore the NEPA can be signed prior to the surveys being completed fully.
* Here is a whole bunch more stuff from the EIS:

“APPENDIX F: CALIFORNIA SPOTTED OWL PRE-IMPLEMENTATION PROCESS

California Spotted Owl Site Remapping and Project Requirements Compliance

Step 1. Ensure current survey results are incorporated to identify current activity centers and nest stands and territories prior to implementation.

Step 2. Remap PAC boundaries, incorporating updated survey information, to avoid overlap with fuelbreak treatment units wherever possible or mitigate by adding acreage to the PAC equivalent to the treated acres using adjacent acres of comparable quality wherever possible.

Step 3. After PAC boundary adjustments have been made, reconfirm within implementation team that mechanical treatments in PACS do not exceed 100 acres per PAC. Wherever mechanical treatment acres exceed 100 acres after remapping is completed, mechanical treatment unit boundaries will be adjusted, or units dropped, until =100 acres are mapped for layout. Use the CSO Departure Index metric to inform which 100 acres are prioritized for treatment within each PAC and local knowledge of areas with high severity fire risk or other resource concerns to refine prescriptions or treatment unit boundaries during this process.

Step 4. After or during layout confirm that post-treatment a minimum of 50 percent canopy cover will be maintained, averaged at the PAC scale. If not, then modify the silvicultural prescriptions (or drop additional units for treatment) to maintain the minimum 50% canopy cover as per the CSO Conservation Strategy. Also, within PACs, confirm the CWHR type and modify silvicultural prescriptions if necessary to maintain CWHR classifications of the highest quality nesting and roosting habitat (CWHR 6/5D/5M).

Step 5. Consult the CSO Territory Desired Condition Assessment (Terrestrial Wildlife BE Table CSO10A): Determine if modeled estimates predicted the desired condition of the territory will be met following treatment (i.e., 40-60% of the Territory in CWHR 6/5D/5M/4D/4M). If modifications were made to the territory boundary post-analysis as a result of updated survey information and new or different nest locations, use the best available information to determine whether the modifications made affect the desired condition assessment. . For a territory that only partially overlaps the SERAL project area, use the entire 1,000-acre territory area for the assessment and use the same data sources for calculating CWHR acres for that territory. Any non-FS lands, and particularly any private timber lands must be assessed as well. Consider any reasonably foreseeable actions planned to occur on those non-FS lands during the desired conditions assessment. Make adjustments as necessary, outside of exemption areas (SPEC-CSO-STD-08) to account for habitat conditions on private lands.

Step 6: Where the desired condition assessment indicates that territories do not meet the desired condition or will not meet the desired condition post treatment, the silviculture prescriptions will be modified to ensure that all 5D/5M are retained wherever it exists throughout the territory – **outside of the exception areas.”**

Hope that helps!

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