



# Sierra Pacific Industries

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## SPI POLICY REGARDING RAPTORS AND RAPTOR SURVEYS

20 NOVEMBER 2002

(UPDATED 15 NOVEMBER 2013)

For the purposes of this policy, a raptor is any bird of either the Order Falconiformes or Order Strigiformes that potentially nests on SPI timberlands (see Table 1). It is generally prohibited to take raptors listed pursuant to the Federal Endangered Species Act and for listed or candidate raptors pursuant to the California State Endangered Species Act. In addition, raptors listed by the Board of Forestry may require special management consideration as outlined in the Forest Practice Rules. SPI also has developed policies for individual raptor species. Because of these prohibitions and management requirements, the nest sites of these listed birds are provided protection. Thus, raptors to be addressed in a Timber Harvest Plan (THP) may be described in two categories: listed species<sup>1</sup> and non-listed species.

### A) Listed Species

- 1) *Raptor species listed by either the Federal Endangered Species Act or California Endangered Species Act (ESA / CESA) or Candidates for State Listing*
  - a) bald eagle (SE<sup>2</sup>)
  - b) American peregrine falcon (SE)
  - c) northern spotted owl (FT<sup>3</sup>)
  - d) great gray owl (SE), and
  - e) California condor (FE<sup>4</sup>, SE)
  
- 2) *Raptor species listed by the Board of Forestry as "Sensitive"*
  - a) bald eagle
  - b) peregrine falcon
  - c) northern spotted owl
  - d) great gray owl
  - e) golden eagle
  - f) California condor
  - g) northern goshawk, and
  - h) osprey
  
- 3) *Raptor species covered by SPI policy specific to that species*
  - a) California spotted owl

### B) Non-Listed Species – all other raptors

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<sup>1</sup> The raptor species list included in this policy was developed from the California Department of Fish and Wildlife (DFW), Natural Diversity Database List of "Special Animals" (January 2013).

<sup>2</sup> State Endangered

<sup>3</sup> Federally Threatened

<sup>4</sup> Federally Endangered

## Scoping for Raptors During THP Preparation

Foresters will use this policy statement to guide their analysis for raptors when preparing a THP.

### General Scoping Procedures

- 1) The analysis area should be selected to include an area that reasonably assesses the likelihood that the proposed project has the potential to cause significant adverse impact to raptors. The general assessment area for raptors, unless otherwise chosen by the forester, will be the immediate California Planning Watershed(s) the THP lies within. Include in the assessment all known raptor nest sites from adjacent planning watersheds if they are located within 1 mile of proposed harvest activities. The assessment area for Northern Spotted Owls shall be within 1.3 miles of proposed harvest activities.
- 2) The forester should consult with several resources regarding the known occurrences of raptor species. These sources are listed in Forest Practice Rules Technical Addendum No. 2. They include, but are not limited to:
  - a. Professional experts
  - b. Adjacent landowners who would be expected to be familiar with raptors
  - c. Existing environmental reports
  - d. Databases containing raptor location information

Any information related to the likelihood of the project having a significant effect to raptors shall be discussed in the THP document.

- 3) The forester should run a query on SPI's in-house database producing a report of animal and plant sightings. This proprietary database includes data from the latest version of the State of California's Natural Diversity Database, a listing of historical Northern Spotted Owl territories, and a listing of wildlife species reported by SPI personnel. The in-house database is organized by planning watershed. Each raptor species nest site that is listed in the report and is within 1 mile of proposed harvest activities shall be discussed in the THP. Northern Spotted Owl nest sites within 1.3 miles of proposed harvest activities shall be discussed in the THP.

### Dealing with Known Nest Sites During THP Preparation – ESA Listed Species, Board of Forestry Sensitive Species, and a Species Covered by SPI Policy

The forester shall plan harvest units and protect nest sites in accordance with rules and regulations developed by wildlife agencies, SPI policies, and the California Forest Practice Rules for the particular species involved. This often includes buffer zones, screening, and seasonal operating restrictions. The forester may consult with wildlife agencies in developing the protection measures. The THP will discuss issues and protections.

### Dealing with Known Nest Sites During THP Preparation – Non-listed Species

The forester shall plan harvest units to provide a broad range of diverse forest habitats important to raptor species. Nest sites of non-listed species will generally not receive additional special consideration during THP preparation. However, known nest sites located within harvest units or areas within ¼ mile of harvest units will be visited during the year of harvest to determine occupancy status. In addition, general, focused, and walk-through surveys described below will assist foresters in determining if occupied nests of non-listed species are in areas to be harvested.

## **SURVEYS FOR RAPTORS DURING THP PREPARATION AND IMPLEMENTATION**

Personnel managing Sierra Pacific Industries' forests will survey for raptors (Table 1) in the following manner:

### *General Surveys for All Raptor Species*

To make a reasonable effort to detect raptor presence, field personnel will be alert for any raptor activity during general field work and sale reconnaissance (e.g.: property line running, sample marking, WLPZ flagging, archaeological surveys, road layout, unit boundary layout, and locating Retention Areas within the unit boundaries). As much work as practicable will be scheduled during the season when young are present, generally mid-May through August, as the probability of discovery is highest during this time. General surveys will cover suitable habitat and look for nests, whitewash, pellets, feathers, and any other appropriate raptor sign. Vocal calls will be used to detect the presence of spotted owls.

### *Focused Surveys for Raptors Protected by Federal or State ESAs*

The Fish and Wildlife Service approved survey protocol will be used for the northern spotted owl. Sufficient information will be provided in the THP regarding the northern spotted owl and other Federal or State ESA listed species to allow the appropriate governmental wildlife agency with jurisdiction over the listed species to make comments about the significance of any potential adverse impacts of the proposed action. Plan development, layout, silvicultural prescriptions, and operational protections will reduce any impacts to insignificance.

### *Optional Walk-Through Survey for All Raptors Prior to Operations in a Harvest Unit During Nesting Period*

Field personnel may perform a walk-through survey of individual harvest units shortly before harvest of a unit. This walk-through survey may include vocal calls for spotted owls, examination of nests for raptor activity, visual searches for whitewash, listening for calls, and any other evidence of nesting raptors in the harvest unit. If field personnel detect raptor presence, they will take appropriate protection measures discussed below for that particular species.

## **PROCEDURES UPON DISCOVERY OF RAPTORS OR RAPTOR NESTS**

Upon the discovery of any unknown large bird or an occupied nest of any raptor, personnel involved with the harvest operation will suspend vegetation-disturbing activities within ¼ mile of the nest. Activities may resume after the species using the nest is identified, the appropriate measures below, and any measures specified in the California Forest Practice Rules to protect the nest are determined and implemented on the ground.

### *Listed Raptors*

In accordance with Forest Practices Rules, if an occupied nest of a listed bird (ESA, CESA, or Board of Forestry Sensitive Species) is discovered during timber operations, the timber operator shall protect the nest tree, screening trees, perch trees, and replacement trees. Until any consultation required under Forest Practice Rules occurs, (1) vegetation disturbing activities will be suspended within ¼ mile of the nest, (2) all operations (per Public Resources Code §4527) will be suspended within a 375-foot radius buffer (500-foot radius for the northern spotted owl) of the occupied nest, and (3) the Department of Fish and Wildlife and Department of Forestry and Fire Protection will be immediately notified. A minor

amendment to the timber harvest plan shall be filed reflecting the protection agreed to between SPI and the Director of the Department of Forestry and Fire Protection after any consultation with the appropriate wildlife agency.

The 375-foot radius buffer is equivalent to a 10-acre area, which is the minimum buffer size for a bald eagle in 14 California Code of Regulations §919.3, §939.3, and §959.3. All other Forest Practice Rules listed species have smaller minimum buffer sizes. The 10-acre buffer was chosen since it is the largest default protection area. A radius of this size is also supported by a Biological Opinion of the US Fish and Wildlife Service regarding sight and noise disturbance distances for northern spotted owls and marbled murrelets.<sup>5</sup>

#### Non-listed Raptors

If an occupied nest of a non-listed raptor is discovered during timber operations, the timber operator will suspend all vegetation disturbing activities within ¼ mile of the occupied nest until a SPI forester (or designee) with the advice of a biologist has designated the nest tree, perch trees(s), screening tree(s), and replacement trees(s), which shall be left standing and unharmed. Since SPI can designate and not cut any trees it so chooses, no amendment to the THP is necessary. If the RPF decides to file an amendment it shall be considered a minor amendment to the timber harvesting plan and shall reflect the protection measures implemented.

#### Raptors With a Specific SPI Policy

If an occupied nest of a raptor species covered by a specific SPI policy is discovered during timber operations, the timber operator will suspend all vegetation disturbing activities within ¼ mile of the occupied nest until a SPI forester (or designee) with the advice of a biologist has designated the raptor core activity center for protection. This usually means the remainder of the evenaged unit, if the discovered nest is in the active harvest area, will be retained uncut. The forester will seek the advice of a SPI wildlife biologist as to when vegetation disturbing activities may resume, including yarding the down material.

### **TRAINING AND INFORMATION**

SPI will provide field personnel training or information on the size, structure, evidence, and location of nests as well as the identification of juveniles and adults and basic calls of the bald eagle, peregrine falcon, golden eagle, northern goshawk, great gray owl, spotted owl, and osprey.

Field personnel include employees and contractors involved with planning, layout, and harvest operations.

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<sup>5</sup> USDI. 2004. Appendix 1 from: Biological opinion and letter of concurrence for effects to bald eagles, marbled murrelets, northern spotted owls, bull trout. Olympic National Forest. Lacey, Washington, August 2003, revised September 2004.

**TABLE 1: RAPTOR SPECIES ADDRESSED BY SPI RAPTOR POLICY**

SPECIES	ESA LISTED	CESA LISTED	BOF LISTED	SPI POLICY	NON-LISTED	GENERAL SURVEY DURING THP PREPARATION AND OPTIONAL WALK-THROUGH SURVEY PRIOR TO OPERATIONS	PROTECT ACTIVE <sup>6</sup> NESTS PER AGENCY CONSULTATION	PROTECT OCCUPIED NESTS PER SPI RECOMMENDATIONS
bald eagle		X	X			X	X	
Osprey			X			X	X	
golden eagle			X			X	X	
northern goshawk			X			X	X	
Cooper's hawk					X	X		X
sharp-shinned hawk					X	X		X
peregrine falcon		X	X			X	X	
prairie falcon					X	X		X
California condor	X	X	X			X	X	
turkey vulture					X	X		X
red-tailed hawk					X	X		X
red-shouldered hawk					X	X		X
ferruginous hawk					X	X		X

<sup>6</sup> As defined by the current Forest Practices Rules

SPECIES	ESA LISTED	CESA LISTED	BOF LISTED	SPI POLICY	NON-LISTED	GENERAL SURVEY DURING THP PREPARATION AND OPTIONAL WALK-THROUGH SURVEY PRIOR TO OPERATIONS	PROTECT ACTIVE <sup>6</sup> NESTS PER AGENCY CONSULTATION	PROTECT OCCUPIED NESTS PER SPI RECOMMENDATIONS
rough-legged hawk					X	X		X
American kestrel					X	X		X
northern spotted owl	X		X			X	X	
California spotted owl				X		X		X
great gray owl		X	X			X	X	
flammulated owl					X	X		X
western screech owl					X	X		X
northern pygmy owl					X	X		X
long-eared owl					X	X		X
northern saw-whet owl					X	X		X
barn owl					X	X		X
great horned owl					X	X		X
barred owl					X	X		X