



SIERRA PACIFIC INDUSTRIES

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SPI POLICY REGARDING RAPTORS AND RAPTOR SURVEYS

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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 California Forest Practice Rules (CFPRs). 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 species¹ 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 (SE²)
 - b) American peregrine falcon (SE)
 - c) northern spotted owl (FT³, ST⁴, HCP⁵)
 - d) great gray owl (SE), and
 - e) California condor (FE⁶, 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 (HCP)

B) Non-Listed Species – all other raptors

¹ The species list in this policy was developed from the current CDFW "Special Animals" List.

² State Endangered

³ Federally Threatened

⁴ State Threatened

⁵ Habitat Conservation Plan

⁶ 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, Habitat Conservation Plan (HCP) and the California Forest Practice Rules for the 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.

Additionally, 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, State ESAs, SPI Policy, or HCP

The Fish and Wildlife Service approved survey protocol will be used for the 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.

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

Field personnel may perform, or as required, 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 species.

PROCEDURES UPON DISCOVERY OF RAPTORS OR RAPTOR NESTS

Known Raptor Sites

Known raptor nest sites and/or activity centers located within harvest units or areas within 0.25-mile of harvest units will be visited during the year of harvest to determine occupancy status.

Procedures upon Discovery of Raptors or Raptor Nests

Upon the discovery of any unknown raptor or other "large bird" nest, or an occupied nest of any (known) raptor, personnel involved with the harvest operation will suspend vegetation disturbing

activities⁷ within 0.25-mile of the nest. Activities may resume after the species using the nest is identified, and appropriate measures as described below and/or specified in the CFPRs, to protect the nest are determined and implemented on the ground.

Listed Raptors

In accordance with the CFPRs, 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 required consultation under the CFPRs occurs, (1) vegetation disturbing activities⁷ will be suspended within 0.25-mile of the nest, (2) all operations (per Public Resources Code §4527) will be suspended within a 375-foot radius buffer of the occupied nest, and (3) CDFW and CALFIRE will be immediately notified to discuss protection measures. A minor amendment to the THP shall be filed with CALFIRE reflecting the subject protection measures following consultation with SPI, CDFW, and CALFIRE.

The 375-foot radius buffer is equivalent to a 10-acre area, which is the minimum buffer size for a bald eagle per 14 California Code of Regulations §919.3, §939.3, and §959.3. All other CFPRs for listed species have smaller minimum buffer sizes. We selected the 10-acre buffer since it is the largest default protection area included in the CFPRs. A radius of this size is also supported by long-standing USFWS guidance and a Biological Opinion regarding sight and noise disturbance distances for northern spotted owls and marbled murrelets (USFWS 2006, 2020a, b)⁸.

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 activities⁷ within 0.25-mile of the occupied nest until an 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. These and potentially other voluntary safeguard measures will be established to minimize disturbance and provide the birds a reasonable opportunity to achieve a successful nesting attempt. Since SPI can designate and not cut any tree(s) we choose, no amendment to the THP is necessary. If the RPF determines an amendment is necessary, the amendment shall consist of a minor amendment to the THP and shall reflect the voluntary safeguard measures.

⁷ Consistent with SPI's USFWS Habitat Conservation Plan for Northern and California Spotted Owls, vegetation disturbing activities are defined as timber felling, mastication, precommercial thinning, and new road construction.

⁸ U.S. Fish and Wildlife Service (USFWS). 2006. Transmittal of guidance: estimating the effects of auditory and visual disturbance to northern spotted owls and marbled murrelets in northwestern California. U.S. Fish and Wildlife Service, Arcata, CA. USFWS Reference No. 8-14-2006-2887. July 31, 2006.

U.S. Fish and Wildlife Service (USFWS). 2020a. Revised transmittal of guidance: estimating the effects of auditory and visual disturbance to northern spotted owls and marbled murrelets in northwestern California. U.S. Fish and Wildlife Service, Arcata, CA. October 28, 2020.

U.S. Fish and Wildlife Service (USFWS). 2020b. Biological Opinion. Programmatic forest management activities on the Olympic National Forest, June 15, 2020, to June 15, 2030. U.S. Fish and Wildlife Service Reference: 13410-2009-F-0388-R001. U.S. Fish and Wildlife Service, Lacey WA. June 24, 2020.

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.

TABLE 1: RAPTOR SPECIES ADDRESSED BY SPI RAPTOR POLICY

SPECIES	ESA LISTED	CESA LISTED	HCP IDENTIFIED	BOF LISTED	SPI POLICY	NON-LISTED	GENERAL SURVEY DURING THP PREPARATION AND OPTIONAL WALK-THROUGH SURVEY PRIOR TO OPERATIONS	PROTECT ACTIVE ⁹ 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

⁹ As defined by the current California Forest Practices Rules

SPECIES	ESA LISTED	CESA LISTED	HCP IDENTIFIED	BOF LISTED	SPI POLICY	NON-LISTED	GENERAL SURVEY DURING THP PREPARATION AND OPTIONAL WALK-THROUGH SURVEY PRIOR TO OPERATIONS	PROTECT ACTIVE ⁹ NESTS PER AGENCY CONSULTATION	PROTECT OCCUPIED NESTS PER SPI RECOMMENDATIONS
ferruginous hawk						X	X		X
rough-legged hawk						X	X		X
American kestrel						X	X		X
northern spotted owl	X		X	X			X	X	
California spotted owl			X		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