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Spotted owl debate renewed State's logging rules fall short, may contribute to decline, study says

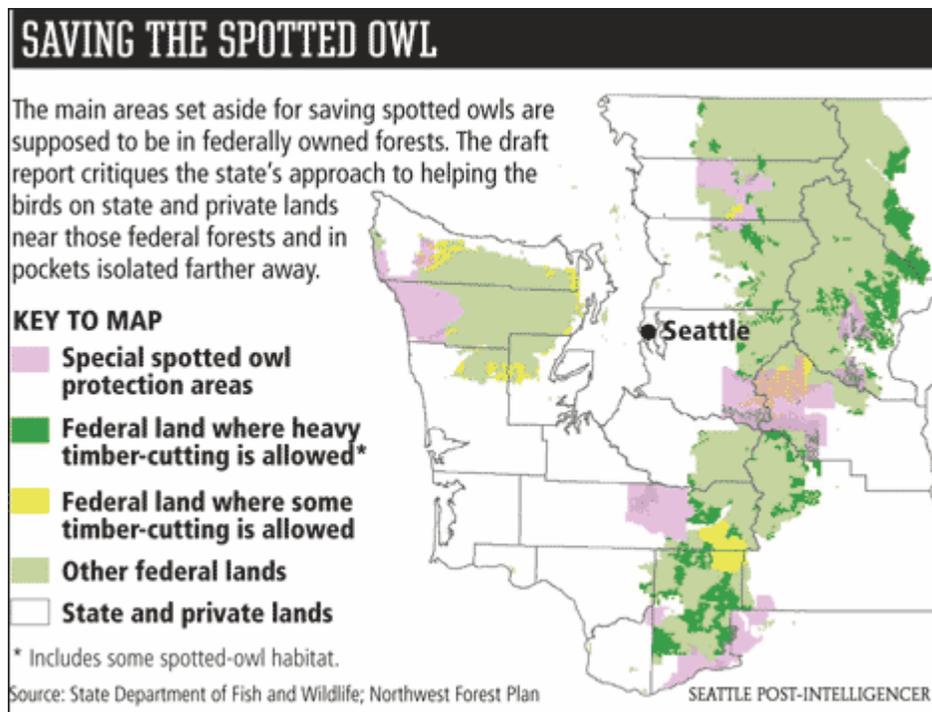
By [ROBERT McCLURE](#)

SEATTLE POST-INTELLIGENCER REPORTER

Washington's rules for logging in forests where spotted owls live have serious shortcomings that are likely contributing to the imperiled bird's "significant and ... accelerating" decline, according to a study by state wildlife officials.

The 9-year-old rules were intended to make sure that the state and private landowners do their part to supplement the main recovery effort for the owls, which is supposed to take place in federal forests.

The Department of Fish and Wildlife draft report, obtained by the Seattle Post-Intelligencer, could change before it's released in a few weeks, but it's certain to renew a debate among the timber industry, environmentalists, tribes and others that harkens back to the 1990s



"It basically says we had the science 10 years ago but we never really put the rules in place that followed the science," said Alex Morgan, conservation director for Seattle Audubon.

"We let politics get in the way," Morgan said. "Here we are 10 years later ... and we're in even more of a crisis situation."

The report is the first major self-critique of supposedly spotted owl-friendly logging practices, which were hammered out in a series of negotiations. Those talks laid the groundwork for the sweeping Forests and Fish Plan, which aims to protect salmon across 9.1 million acres statewide. That controversial strategy is currently under federal review.

Among the shortcomings noted in the Fish and Wildlife report:

- State regulations focus on protecting circles of habitat around spotted owl nests, while the owls' actual use of forests for finding food often goes outside those circles. "The circle approach provides a certain amount of protection but is not likely adequate," the report states.
 - In some private lands far removed from federal lands, landowners can cut up to 60 percent of the forests inhabited by spotted owls.
 - Even the 40 percent that's generally required to be left intact may not be if landowners have obtained special federal permission under what's known as a habitat conservation plan.
 - Special rules to protect the owls were waived across southwest Washington because federal officials expected timber companies to operate under habitat conservation plans there. But some companies didn't take that approach.
 - Lack of coordination between state and federal owl-recovery efforts.
 - Efforts to determine where owls live and where they don't appear scientifically flawed -- "perhaps the greatest" problem, according to the report.

Increasingly, a competitor to the spotted owl, the larger barred owl, has been moving into Washington.

Biologists believe their old methods of finding spotted owls, which relied on owls hooting back in response to biologists' calls, may not be working as well. They think the spotted owls may be keeping quiet so as not to reveal their whereabouts to their new enemies -- and that may be leading timber companies to erroneously conclude that the protected birds are absent from places where they actually still live.

A second state analysis nearing completion will delve into how the owls' habitat has fared under the rules. Both reports are expected to be considered this summer by the state's Forest Practices Board, which governs logging on state and private lands.

Timber interests took exception to parts of the first report.

"I'm not terribly pleased with it," said Peter Heide of the Washington Forest Protection Association, which represents large timber companies.

While he would not detail his criticisms, Heide said, "Our feeling is the rule was properly configured in the first place and whether it's working the way it's supposed to is something the board is going to be looking at."

Heide said less than 10 percent of the owls' range in the state is under the control of the Forest Practices Board. Because huge chunks of private- and state-owned land are covered under different rules set forth in special habitat conservation plans, the acreage at issue in the report represents less than 5 percent of the owls' habitat in the state, he said.

Jennifer Sevigny, an analyst for the Stillaguamish Tribe who reviewed the draft report, drew this conclusion: "This cookie-cutter approach is not going to work."

"They pointed out some of the weaknesses in the rules ... where there may be loopholes and landowners have been able to harvest spotted owl habitat," Sevigny said. "That's not the way to recover a species."

The state Department of Natural Resources, which governs timber harvests under the direction of the Forest Practices Board, acknowledges that trying to protect owls by drawing circles around their nests is not the ideal way to help the bird.

Instead, the agency would like to move toward "managing habitat at a landscape level," said Lenny Young, director of the agency's forest practices division.

"You'd tend to be more concerned about amounts and patterns of habitat over a large geographic area over time, and exactly what's on any one acre at any one point in time would be de-emphasized."

John Mankowski, head of the Fish and Wildlife unit that produced the draft report, cautioned that it is being revised and declined to draw any conclusions until that process is completed.

While scientists don't have precise counts of the spotted owls in this region, they estimate that several thousand remain in the Northwest. Studies have indicated that the birds are dying off fastest in Washington.

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