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Sent via e-mail to: [redningpubliccomment@fire.ca.gov](mailto:redningpubliccomment@fire.ca.gov) on date shown below

May 30, 2014

Mr. Mike Bacca  
CALFIRE Forest Practice Manager  
6105 Airport Rd  
Redding, CA 96002

**Re: EPIC Comments Regarding THP 2-14-020TRI “Scorpion King,” and THP 2-14-022TRI “Boomer”**

Dear Mr. Bacca and CAL FIRE Officials:

The Environmental Protection Information Center (EPIC) presents the following comments regarding Timber Harvest Plans (THPs) 2-14-020TRI “Scorpion King” and 2-14-022TRI “Boomer.” Please include these comments in the records for the above-referenced THPs.

### *I. Introduction*

#### Summary

The “Scorpion King” and “Boomer” THPs as currently proposed will result in “take” of Northern Spotted Owls (NSO) as a result of the cumulative effects of multiple harvest entries over a short period of time into activity center TRI0147 “Squirrel Gulch.” These two THPs were originally submitted as THPs 2-14-007TRI and 2-14-008TRI; SPI withdrew them after CAL FIRE raised significant concerns about the accuracy of plan information and the ability to avoid NSO “take.” SPI has failed to address and resolves these concerns, and continues to propose operations within activity center TRI0147 “Squirrel Gulch” that will result in “take.” The current iterations of the “Scorpion King” and “Boomer” THPs have not adequately addressed the fundamental issues raised by CAL FIRE regarding the previous submission of these THPs. In this instance, SPI’s application of the provisions of 14 CCR 919.9(g)[939.9(g)] for these two THPs is not adequate to avoid “take” of NSO. Moreover, any use of CAL FIRE’s “option g-plus” as a basis to evaluate potential NSO “take” and/or approve these plans deprives EPIC and others of the ability to evaluate and comment on the THPs because we are not provided the standards being used. These THPs therefore are inadequate to prevent significant adverse impacts to, or “take” of NSO. Both these THPs should therefore be denied.

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EPIC is a non-profit, membership-driven environmental advocacy organization backed by nearly 2,000 members and online supporters. EPIC works to protect and restore ancient forests, watersheds, coastal estuaries, and native species in Northern California. EPIC uses an integrated, science-based approach, combining public education, citizen advocacy, and strategic litigation. EPIC has been intimately engaged in the review of SPI THPs utilizing the provisions of 14 CCR 919.9(g)[939.9(g)] otherwise known as option-“g” for the last four years. Conservation of the Northern Spotted Owl is a matter of utmost importance to EPIC and its membership, and is an integral manifestation of our mission statement.

## ***II. SPI’s Use of Option-“g” has the Potential to Cause Take of the NSO.***

### ***A. Option-“g” Cannot Support a Determination of Take Avoidance***

EPIC objects to the continued use by SPI of 14 CCR 939(g) (option-"g") as a tool to try and evaluate impacts on NSO, and CAL FIRE’s complicity in relying on this subsection because as a result the THP fails to demonstrate that “take” will be avoided.

#### **1. Standards to Be Applied**

CAL FIRE may not approve a plan that would result in “take” of NSO. 14 CCR 898.2(f). CAL FIRE claimed in 2008 it “must determine whether a plan will result in take of state and federally listed species and NSO before approval,” citing to 14 CCR 898.2(d) and (f). (See, CAL FIRE, *Important Information for Timber Operations Proposed with the Range of the Northern Spotted Owl*, Feb. 2008, at p. 6 #1 (CAL FIRE 2008)) [**Attachment A**]. However, as recently admitted, CAL FIRE does not have the authority to determine likelihood of take – but only that a plan will not result in “take.” Deputy Director Duane Shintaku acknowledged this limitation over a year ago, stating: “The Department of Forestry is not authorized to determine whether “take” will occur; that decision lies with the trustee wildlife agency.” (Shintaku 2013).

In addition, the Department must find that "harm" to NSO will occur if any of the following conditions exist:

- (1) Feeding habits would be significantly impaired because prey base or ability to catch prey would be adversely altered;*
- (2) Breeding success would be significantly impaired because of a reduction in surrounding owl habitat before the young have had an opportunity to successfully disperse from their nesting site;*
- (3) Nesting behavior would be significantly impaired because the nest site or adjoining area up to 500 feet from the nest site would be adversely altered; or*
- (4) Sheltering (which includes roosting, feeding, and nesting) would be significantly impaired because the ability to escape predators, survive severe weather, or find appropriate microclimes would be adversely altered. (14 CCR 919.10[939.10]).*

## 2. Option-“g” is Insufficient to Meet These Standards.

CAL FIRE cannot perform its duty to avoid “take” when reviewing a THP using option-“g,” because the implementation of option-“g” under the FPRs has the potential to cause “take” of the NSO. This potential not only violates the Board’s obligation to have rules that protect wildlife, but also means that CAL FIRE’s reliance on this subsection can result in an authorization of “take.” This is illustrated not only by the Fish and Wildlife Guidelines in 2009 that reliance on option-“g” is not sufficient to guarantee no “take,” but equally by CAL FIRE’s own admissions that option g is inadequate to guarantee no “take.”

### a. FWS Guidelines reject Option-“g”

In 2009 the U.S. Fish and Wildlife Service (FWS) identified several failings in the standard provisions and application of option-“g.” These include inadequate habitat retention standards and out dated habitat definitions.

#### ***-- Inadequate habitat retention standards***

Reliance upon the habitat levels of Option-“g” is inadequate and will not avoid “take” of NSO as outlined by the USFWS in its *Regulatory and Scientific Basis for U.S. Fish and Wildlife Service Guidelines for Evaluation of Take for Northern Spotted Owl on Private Timberlands in California's Northern Interior Region* (hereinafter referenced as “Regulatory and Scientific Basis”).[**Attachment B**]

Under item B in its document, the FWS notes several reasons why the current FPRs are not adequate to evaluate or avoid “take.” These reasons include new information available since the rules were enacted (which have changed the amount required, the habitat definitions, and spatial arrangement criteria), the Service's experience with the TA process, and analysis indicating loss of territories under the FPRs. The FWS discussed some of the deficiencies of the current FPRs:

*“When the FPR guidelines were adopted in 1992, data relating habitat variables to occupancy, reproduction, and survival of NSO were limited. The FPR guidelines for avoiding incidental take of NSO were therefore based on comparison of proposed post-harvest habitat conditions with the amount and of quality of habitat observed at occupied NSO sites described in various studies. Under this standard, habitat modification potentially could result in substantial reduction of reproduction, survival, and occupancy at NSO activity centers without the appearance of take, because habitat conditions resemble other low-quality NSO territories. NSO are known to occupy low-quality sites where their reproduction and survival are substantially reduced (Franklin et al. 2000, Dugger et al. 2005); the existence of these low quality sites suggests that reliance on habitat conditions corresponding to the presence or of owls at historic territories represents a low bar for determining habitat thresholds and take.”(Id., at page 5).*

While the FWS's Take Avoidance Scenarios (U.S. Fish and Wildlife Service 2008) represent a greater degree of protection for NSO activity centers associated with logging operations, even the FWS acknowledges that its Regulatory and Scientific Basis document not adequate to promote population growth or recovery:

*“It is important to recognize that the habitat conditions described in the document are intended for use in estimating the likelihood of take of an individual NSO under the ESA; they do not represent habitat conditions required for habitat growth or recovery. The FWS guidelines focus solely on individual NSO territories and do not incorporate large- scale issues such as connectivity and dispersal of habitat, wintering habitat, or long-term habitat disturbance patterns.”* (Regulatory and Scientific Basis, at page 60).

Given that the provisions of option-“g” or “g”-plus do not provide equal or greater protection than the FWS Take Avoidance Guidelines, the latter is the minimum standard that must be applied in order for CAL FIRE to fulfill its obligations to prevent significant impacts and avoid approving plans that would result in “take.”

### **--- Outdated habitat definitions**

One significant difference between the FPRs and the FWS Take Avoidance Guidelines (Regulatory and Scientific Basis Section II at pages 13-15) is the use of different definitions for each type of habitat. The FWS Guidelines' habitat definitions are far more detailed and specific than the habitat definitions provided in 14 CCR 895.1. The magnitude of the difference between the two is demonstrated by the fact that **what qualifies as roosting habitat under the FPRs would at best qualify for low-quality foraging habitat under the FWS definitions.** The FWS noted:

*“...use of [California] W[ildlife] H[abitat] Relationship[s] habitat definitions in the FPRs is unlikely to avoid take. This is because the WHR types considered to be NSO habitat (4M & 4D) are widely variable, and at the lowest end of size class/density are typically poor habitat or non-habitat.”* (1-24-08 e-mail from USFWS' Brian Woodbridge to CAL FIRE's Chris Browder)

The FWS expounded on the inadequacies of the FPR definitions:

*“Service staff in the Yreka Fish and Wildlife Office believe that application of the FPRs typically does not avoid or reduce the likelihood of take of NSO. This is because the habitat definitions and retention standards in the FPRs represent minimum values that are below the habitat parameters associated with reasonable levels of territory occupancy, survival, and reproduction by NSO.”* (Ibid.) (Emphasis added).

Below are two tables representing the differences in habitat definitions in the Forest Practice Rules versus the FWS Take Avoidance Guidelines for the interior region of California.

FWS Interior Definitions:

FWS Interior				
	Basal Area	TPA 26'+	Canopy closure	QMD (DBH)
HQNR	210	> 8	>60%	>15"
N/R	150-180	>8	>60%	>15"
F	Mix ranging 120-180	>5	Mix 40-100%	>13"
LQF	Mix ranging 80-120		>40%	>11"

FPR Standard Definitions:

CAL FIRE - Forest Practice Rules		
	Canopy closure	DBH
N	>60% total (40% dominant and co-dominant)	>11"
R	>40% with high degree of variability	>11"
F	>40% but if more than 80% must be "fly space"	>11" conifer >6" hardwoods

As can be seen, there are substantial differences between the FWS Interior Take Avoidance Guidelines definitions and the FPR definitions. These differences include basal area, canopy closure, trees greater than 26 inches DBH, and average tree diameter required to meet the standard of the definitions.

Even though SPI is utilizing the FWS definitions for NSO habitat in analysis for these THPs, SPI is not following the FWS Take Avoidance Guidelines. Use of the FWS definitions without implementation of the rest of the Service's standards is a cherry-picking approach that meets neither the intent of the guidelines or the higher standards of "take" avoidance they represent because this approach fails to take into account the retention of high-quality habitat in adequate quantities.

b. CAL FIRE has conceded that Option-"g" is inadequate.

In a 2009, CAL FIRE issued a document which accepted the Fish and Wildlife Service position that compliance with option-"g" does not prevent take of NSO. (*CAL FIRE Use of 14 CCR §*

919.9(g) [939.9(g)] in making Northern Spotted Owl Take Avoidance Determinations, 8/17/2009 [Attachment C] (CAL FIRE, 8/17/09):

*“[The Department] encourages RPFs to use Fish and Wildlife standard, because the Fish and Wildlife guidelines document (2009) included “is the most effective manner of avoiding take.” (CAL FIRE 2009)*

CAL FIRE quotes the FWS, stating:

*“The habitat definitions contained in 895.1 describe habitat typically **unsuitable**, , or at best represent the bare minimum conditions. Take may easily occur as repeated harvest entries reduce stand structure from whatever the owls originally occupied to the uniformly low values under the rules...in our review/assessment of NSO habitat relationships in the interior zone, **we were unable to find any support for significant NSO use of habitat conditions allowed under the definitions in 895.1.**”(CAL FIRE 2009)(Emphasis added)*

In the absence of actual consultation with FWS to establish no “take,” CAL FIRE cannot make a determination of no “take” under option-“g.” CAL FIRE does not have the authority, the standards, or the best science upon which to make such a determination. Without first conducting an evaluation with the FWS as to whether take is being avoided, it is not possible for CAL FIRE to determine no “take” under option-“g.”

In addition, just a year ago in March, the Department admitted to the Board of Forestry that option-“g” is out-of-date, and no longer reflects the best available science. At the March 2013 Board of Forestry meeting, Deputy Director Duane Shinktaku stated:

*“...the Department recognizes that frankly Ken [Hoffman] knows we have been working with him prior to retirement in the Service and we have recognized the problems with option-“g” for quite some time and even before we were handed the full brunt of the responsibility back in 2008 we had heard from the Service that option-“g” was really not adequate.” (Shintaku 2013)*

Mr. Shintaku largely agreed with EPIC that option-“g” is obsolete and inadequate:

*“...so first of all CAL FIRE agrees with EPIC in terms of the obsolete nature of option “g” .... so really where we are today is what we are call “g-plus” .... what that means is we recognize “g” is not going to get it done, but the rules specifically say an RPF only has the choices “a”-“g” in order to address a spotted owl in a THP, so because the RPF has to say I am using option “g,” coupled with the fact that we know option “g” is obsolete that forces the Department into what I would consider a full-blown CEQA analysis; we have to make sure that significant impacts, cumulative impacts and take are all addressed in the plan, and we just use the g vehicle to get that done.” (Id.)*

### 3. CAL FIRE Has No Valid Tool to Deal with the Inadequacies of Option-“ g.”

Given the recognized inadequacy of option g as a tool to ensure against take of the NSO, CAL FIRE has created what it calls “option g-plus”, an undefined standard, which like the so-called “Take Avoidance Determination” is uncodified and likely an underground regulation. Thus far, CAL FIRE has not articulated what exactly is “g-plus”, or how it works. By using “option g+” in lieu of the THP option-“g,” CAL FIRE is clearly undertaking a review and approval process that is not specified in the Rules and relies on information and standards that are not otherwise in the Rules, or available to the public. The result is an illegal failure to provide a publically transparent process which clearly states what information is used or will be required, and what review process is employed to evaluate that information. This deprives EPIC and others of the ability to actually comment on the evaluation process, and whether it is being satisfied, because CAL FIRE is using internal criteria and standards not uniformly adopted or available to the public. In the absence of codified standards, the use of “option g-plus” lacks sufficient clarity and detail to allow meaningful public participation and review.

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It is unclear at this point whether CAL FIRE may resort to use of the uncodified “Take Avoid Determination” for this THP. If CAL FIRE does use a “TAD,” as a way to get around the inadequacy of “option -g” the Department must be done within the public review process. Moreover, any attempt to make a so-called “TAD” determination -- whether before or after a THP is approved -- requires documented consultation with Fish and Wildlife Service, because CAL FIRE does not have the expertise or legal authority to make a determination of “take” of a federally listed species.

In any event, the use of either “option g-plus” or the “TAD” is objectionable because these provisions have not been vetted through the required rule-making process the use is illegal as a tool to satisfy take avoidance. EPIC contends that any decisions which rely on these internal processes are not in compliance with the Forest Practice Act and other laws.

There is no mention or requirement for site specific measures that would serve to avoid take in the absence of compliance with the Service’s take avoidance guidelines. These are necessary because “take” can occur even with an abundance of habitat post-harvest, especially if that habitat is unsuitable or very low quality habitat as defined using the FPRs. “Take” also occurs when operations are limited to the fringe of the outer circle of the activity centers, especially when the rest of the habitat in the territory has been fragmented and degraded by extensive timber harvest.

### *III. Comments Specific to “Scorpion King” and “Boomer” THPs*

#### **FWS Concerns Regarding Additional Harvest within Activity Center TRI0147 “Squirrel Gulch”**

As stated at the outset, these two THPs propose operations within the activity center TRI0147, “Squirrel Gulch.” The FWS is on record as to what has happened in this activity center and what needs to be done before further timber harvest can occur within this activity center. Yet, neither THP addresses these concerns and history of activity.

The FWS has an established technical assistance record regarding timber harvest activities within the range of activity center TRI0147 “Squirrel Gulch.” The first known occurrence of timber harvest activities within the range of activity center TRI0147 “Squirrel Gulch” that was reviewed by the Service is associated with THP 2-03-051TRI “Ginger.” According to the Technical Assistance information for the “Ginger” THP, SPI removed 20 acres of suitable habitat from within the 1.3 mile radius of the activity center.

According to the technical assistance records for THP 2-03-164TRI “Jelerang” SPI removed or downgraded a total of 96 acres of suitable NSO habitat from within the 0.7 mile radius of activity center TRI0147 “Squirrel Gulch” and a total of 213 acres of suitable habitat from within the 1.3 mile radius of this activity center. (FWS TA: 1-11-TA-26. January 21, 2005 [Attachment D]).

In its January 21, 2005 partial technical assistance letter to SPI and CAL FIRE regarding proposed operations associated with activity center TRI0147 “Squirrel Gulch,” the FWS requested that SPI provide enhanced protections for the activity center in order to avoid “take” of NSO. *Id.* In this same technical assistance letter the Service requested early involvement in future planning of timber harvest within this activity center due to concerns over cumulative impacts and the potential for “take.” The Service stated:

*“The Service would like to request post harvest field review of stand conditions of units within the core area of TRI147, and our early involvement with the planning of any additional of suitable habitat within the home range of TRI147. Analysis of the cumulative effects of Jelerang and previous THPs within the home range of TRI147 indicate that suitable habitat at this site is now limited, and further harvest may be likely to incidentally take northern spotted owls.” (Id.).*

EPIC contacted FWS to determine if the requested post-harvest field review had occurred. The FWS advised that the requested post-harvest field review was never conducted. (FWS 2014, Personal Communication, May 27, 2014) No conditions have changed that would nullify the FWS’s request for early involvement in future timber harvest planning within activity center TRI0147 “Squirrel Gulch.” to the contrary, CAL FIRE has the authority to request technical assistance from the FWS regarding proposed operations to ensure that “take” will be avoided, as it has done with other THPs, such as THP 2-10-075TRI “Hinkey.” CAL FIRE must secure technical assistance from the FWS before action on these plans, as the plans fail to document any “early involvement” with the FWS, or a comprehensive cumulative effects analysis to ensure against NSO “take.” Based on the current FWS record, these THPS may likely incidentally “take” NSO.

### **CAL FIRE Concerns Regarding “Take Avoidance**

As noted at the outset, CAL FIRE previously expressed numerous concerns with the initially submitted “Scorpion King” and “Boomer” THPs, prompting SPI to withdraw the original THPs. Despite this, SPI has resubmitted these plans without resolving CAL FIRE’s concerns.

In its March 6, 2014 letter returning the “Boomer” THP to SPI, CAL FIRE raised several concerns about the accuracy of plan information and the ability to ensure that “take” is being avoided. These concerns included:

- Item #24 in the “Boomer” THP return letter indicates that statements made by SPI that habitat retention within 1.3 miles of the activity center are either equal to or greater than what the FWS guidelines prescribe are materially misleading because the FWS guidelines are not only based on aggregate habitat retention, but also are based on retention of specific habitat qualities within the various radii of a given activity center.
- Item #25 in the return letter for the “Boomer” THP indicates that SPI’s claims that “thrifty plantations” do and will provide foraging habitat are not based on sufficient evidence. Specifically, CAL FIRE questions the existence of adequate fly-space in these so-called “thrifty plantations,” and requests further information and discussion to demonstrate how these plantations will provide for NSO foraging habitat now and into the future.
- In Item #27 of the return letter for the “Boomer” THP CAL FIRE called out SPI for cherry-picking statements from past technical assistance letters provided by the FWS regarding previous THPs in an attempt to argue for FWS concurrence with currently proposed operations. CAL FIRE explicitly called SPI’s attempts to make such an allegation “disingenuous” and “entirely at odds” with FWS take avoidance determinations from 2005 and 2006.
- Also in Item #27 of the return letter for the “Boomer” THP CAL FIRE chides SPI for attempting to dismiss or refute disclaimers provided by the FWS indicating that it wished to have early involvement in future planning within the range of NSO activity center TRI0147 “Squirrel Gulch.” CAL FIRE indicates that its communications with the FWS indicate that the passage of time and changes in habitat definitions have not diminished or invalidated these disclaimers. (CAL FIRE March 6, 2014) **[Attachment E]**.

CAL FIRE expressed nearly identical concerns when returning the “Scorpion King” THP in its original incarnation. (CAL FIRE March 21, 2014) **[Attachment F]**.

### **The Newly-Submitted “Boomer” and “Scorpion King” THPs Have not adequately Addressed Either FWS or CAL FIRE Concerns**

SPI’s resubmitted THPs do not address FWS concerns about the cumulative effects of THPs within the home range of TRI0147, and fail to resolve CAL FIRE’s specific comments as to both THPs. SPI has failed to provide sufficient information to support a finding that “take” will be avoided.

SPI makes no mention of any post harvest field review of stand conditions of earlier THPs, as FWS had requested. Nor does it provide in the two THPs a credible analysis of cumulative effects of “Jelerang” and previous THPs within the home range of TRI0147 in relation to these two THPs. And there is no evidence that SPI sought or secured FWS’ “early involvement” with the planning of any additional suitable habitat within TRI0147. Instead,

SPI attempts to refute the FWS statement that further harvest within the range of NSO activity center TRI0147 “Squirrel Gulch” may likely result in incidental take by claiming that the FWS’s statement is not based in substantial evidence. (Section V, # II page 289 of “Boomer” THP). As the records document, FWS has shown that as a result of repeated and successive SPI timber harvests, habitat, and particularly high-quality habitat, is limited within the range of NSO activity center TRI0147 “Squirrel Gulch.” Moreover, the FWs has produced its 2008 “Red-flag list, Interior” document that clearly indicates that harvesting within 0.5 miles of an activity center will likely result in “take” at many sites due to cumulative impacts. (FWS February 27, 2008) [**Attachment G**]. SPI, for its part, has not provided any credible evidence to establish that “take” will be avoided by further harvesting within 0.5 miles of activity center TRI0147 “Squirrel Gulch.” SPI simply refers to its RPFs “careful consideration” as a certified “Spotted Owl Expert.” This is insufficient to refute FWS evidence.

### **SPI also did not address CAL FIRE’s concerns.**

Section V, beginning on page 287 of the “Boomer” THP provides a discussion of how “take” will purportedly be avoided in association with the operations of both the “Scorpion King” and the “Boomer” THPs. The analysis of effects on NSO habitat is the same in both THPs.

Item #24. SPI did not resolve CAL FIRE’s concern. In Section V, #24, at page 291 of the “Boomer” THP, SPI still makes the claim that its habitat retention standards and methodologies exceed what is required by the FWS Guidelines. SPI provides no additional information or discussion to justify this claim, other than to state that unit selection has focused on areas of low-quality foraging or non-habitat. This does not demonstrate that habitat retention standards exceed the FWS guidelines, because pre-harvest high-quality habitat availability is still limited, and the RPF and SPI fail to address this. This same information is in the “Scorpion King” THP at Section V, #III at page 261.

Item # 25. CAL FIRE raised the concern in its return letters that SPI’s accounting of its “thrifty plantations” as foraging habitat is not based on sufficient evidence, and asked SPI to provide more evidence of this. SPI failed to provide any further discussion or information. The habitat retention tables for both the original and current “Scorpion King” and “Boomer” THPs are identical in their identification of the amount of available foraging and low-quality foraging habitat available within the range of activity center TRI0147 “Squirrel Gulch.”

Item # 27. CAL FIRE expressly mentioned FWS past technical assistance letters and the need for FWS to be involved in planning. Yet, as discussed above, SPI has failed to remedy its “disingenuous” claims regarding take avoidance.

SPI’s resubmitted THPs do not provide any additional information that would allow the Department or the general public to be assured that “take” will be avoided, particularly in light of statements made by the listing agency.

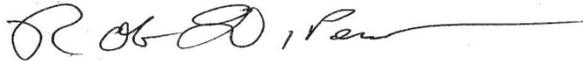
### **Conclusion**

The “Scorpion King” and “Boomer” THPs if approved and implemented will result in “take” of Northern Spotted Owls. The use of alternative methodologies that diverge from the FWS

“take” avoidance guidelines via the application of option -“g” or “g+” is not adequate to prevent “take” at activity center TRI0147 “Squirrel Gulch.” EPIC and others are prevented from being able to evaluate these THPs in conjunction with these uncodified criteria such as “option g+,” thereby depriving EPIC of its fundamental right to comment on the THPs. Given the previous request by the FWS to have early involvement in future planning of timber harvest within the range of activity center TRI0147 “Squirrel Gulch” CAL FIRE first must seek technical assistance from the FWS to be able to determine whether the “Scorpion King” and “Boomer” THPs will not result in “take” of NSO.

The FWS technical assistance record constitutes substantial evidence and expertise with its extensive experience providing technical assistance, that further harvest within activity center TRI0147 “Squirrel Gulch” will likely result in “take” of Northern Spotted Owls. Lacking input from the listing trustee wildlife agency, CAL FIRE cannot approve the “Scorpion King” and “Boomer” THPs pursuant to 14 CCR 898.2(f).

Sincerely,



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## Attachments

Attachment A: CAL FIRE 2008. Important Information for Timber Operations Proposed with the Range of the Northern Spotted Owl.

Attachment B: United States Fish and Wildlife Service. 2009. Regulatory and Scientific Basis for U.S. Fish and Wildlife Service Guidance for Evaluation of Take for Northern Spotted Owls on Private Timberlands in California's Northern Interior Region.

Attachment C: CAL FIRE. 2009. CAL FIRE Use of 14 CCR § 919.9(g) [939.9(g)] in making Northern Spotted Owl Take Avoidance Determinations.

Attachment D: USFWS 2005. TA 1-11-TA-26. January 21, 2005.

Attachment E: CAL FIRE March 6, 2014. Return Letter for THP 2-14-007TRI "Boomer"

Attachment F: CAL FIRE March 21, 2014. Return letter for THP 2-14-008TRI "Scorpion King"

Attachment G: USFWS 2008. Red-flag list, Interior. February 27, 2008.