

**SUPPLEMENTAL INFORMATION #1**

For Planning Commission Agenda of:  
April 21, 2022

<input checked="" type="checkbox"/>	Consent Agenda Item	No. <u>E-5</u>
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

Re: **Boden Wood Special Permit**  
Record Number PLN-2018-15218  
Assessor Parcel Number 222-071-023  
Garberville area

Attached for the Planning Commission's record and review is (are) the following supplementary information items:

1. Public Comment. The owner of property immediately south of the project site has submitted a letter and associated Timber and Northern Spotted Owl assessments for property surrounding the proposed project site. The property owner states that he has personally witnessed Northern Spotted Owl (NSO) on his property, most recently in October of 2020.
  - A timber assessment prepared for the property immediately south of the project site which concludes in 2015 that the property (to the south of the project site) would require at least 5-7 years of negative NSO surveys in order to determine appropriate timber harvest area due to the presence of NSO.
  - Various CDFW records dating back 25 years or so for NSO sightings in the larger contiguous forest area surrounding the project site. Some of these records are positive sightings and some are negative showing no NSO present in the area.
2. Northern Spotted Owl Assessment for the subject property and proposed project prepared by Leopardo Wildlife Associates, dated October 18, 2021. This assessment is referenced in the staff report but does not appear to have been included as an attachment to the staff report. The assessment concludes that the habitat associated with the proposed project site lacks suitable NSO nesting habitat and expanding the cultivation operation is unlikely to negatively impact NSO.
3. A more focused snippet of the Watershed Map showing the proposed project site and adjacent approved cannabis projects.
4. Satellite image showing the subject parcel and the surrounding forested area.

Public Comment

APRIL 15

Michael

WANT TO SUBMIT  
THIS INFO FROM PAST THP  
IT SEEMS THE SPOTTED OWL  
IS PRESENT IN OUR FOREST  
BUT NOT WHEN A THP  
NEEDS APPROVAL ODD?  
IN 2015 I HIRED TEC  
TO DO A CRUISE  
REPORT IN CLUDED

AFTER THE CRUISE I WENT  
INTO THE FOREST ON THE 121 AREA  
PLOT WALKED THE DRAINAGE CLOSEST  
TO THE SITE AND SAW A LARGE  
SPOTTED OWL HE FOLLOWED ME  
ALL THE WAY DOWN THE DRAINAGE  
CALLED CHRIS ASKED ABOUT IT  
SAID THE OWL WAS WAITING FOR  
ME TO SWING A MOUTH ON A STEM

SINCE THEN I HAVE SEE  
AN OWL 2 TIMES THE  
LAST WAS 2020 OCT

Michael Gaffie  
Muf



165 South Fortuna Boulevard, Fortuna, CA 95540  
707-725-1897 • fax 707-725-0972  
trc@humboldt1.com

June 26, 2015

Michael Griffin  
PO Box 550663  
South Lake Tahoe Ca 96155

Dear Mr. Griffin:

SUBJECT: TIMBER CRUISE REPORT FOR APN 052-020-014, APN 052-020-015 &  
APN 222-171-025

Attached is the timber evaluation you requested.

If you have any questions regarding the timber cruise, please feel free to contact me anytime.  
Please note the Statement of Limitations on page 3 of the cruise.

Sincerely,



Chris Carroll, RPF# 2628  
Timberland Resource Consultants

## **Project description**

Timberland Resource Consultants were hired by Michael Griffin to estimate the volume and value of timber located within APN 052-020-014, APN 052-020-015, and APN 222-071-025. A total of approximately 4 field hours was spent on May 20, 2015 estimating timber stand density. Field reconnaissance consisted of visually estimating basal areas per acre and individual trees for DBH and height in combination with evaluating the road system and other physical conditions and constraints that would affect logging cost. The landowner, Michael Griffin, accompanied the forester and showed him the property via numerous truck and ATV trails.

## **Timber Stand location**

The field reconnaissance was conducted within APN 052-020-014 (99-acres) and APN 052-020-015 (122-acres) located in northern Mendocino County in the NE ¼ of Section 28, Township 5 South, Range 3 East, Humboldt Base and Meridian, and APN 222-071-025 (80 acres) located in Section 20 & 21, T5S, R3E, HB&M

## **Timber Stand Description**

Based upon the short field visit, the timber is best described as densely stocked second growth tanoak intermixed with madrone, Douglas-fir, redwood, and live oak. Conifer site occupancy was densest on the lower slopes along Jones Creek and its eastern aspects. Approximate stocking was 60% tanoak/madrone; 25% Douglas-fir; and 15% redwood. Estimated QMDs were approximately 14 inches DBH for hardwoods and 16 inches DBH for conifers. Estimated conifer volume per acre is approximately 10 MBF Douglas-fir and 5 MBF redwood per acre. Total estimated conifer volume is approximately 3.315 MBF gross Scribner scale.

## **Value Discussion**

Given the age of the timber, uneven-aged management is the only appropriate silvicultural prescription available to treat the stand. Given watercourse protection measures, present stand density and post harvest basal area requirements for stocking under the selection/group selection methods; only approximately 33% to 50% of the timber could be reasonably harvested at the present time. This equates to a harvest volume in the range of approximately 1.09 to 1.65 MBF gross Scribner scale.

The property's road system was constructed in the mid 1900's to haul logs down Jones Creek, Indian Creek, and across the South Fork Eel River at Andersonia. Although not researched, it appears that the landowner's deeded access is via Sproul Creek Road and through Old Sebbas Ranch and the Nielson Ranch. This haul route would require significant modification of the landowners existing logging roads, most of which are already located in the WLPZ. Numerous bridges would need to be installed and culvert upgrades across the entire road system. In addition, the haul route off the property up to Sproul Creek Road is very steep, with numerous switchbacks that are too tight for a logging truck. This road would require significant reconstruction to be made usable for log hauling. Assuming that the adjacent landowners cooperate and allow this reconstruction to occur, the costs for improving the haul route located on and off the property are expected to be significant.

The Natural Diversity Database shows a NSO Activity Center, MEN 458, on the property. The observation is from 2007 and a pair was documented. If there are indeed NSOs on the property, then the present rules require a Core Area of a minimum 100 acres, which could potentially result in the loss of the best timber available for harvest. Approximately 31% of the property and up to 50% of the harvestable timber volume could be lost. NSO surveys would be required to determine NSO presence and location, which would consequently determine the configuration of the protection area. However regardless of whether the NSO is re-located, removing an NSO from the database following numerous years of negative surveys has proven to be difficult to impossible. I would suspect that at least 5-7 years of negative surveys would be needed.

Given the market conditions for Douglas-fir and hardwoods, in combination with the stated conditions and constraints listed above, the property is not feasible for timber harvesting at this time.

**STATEMENT OF CONTINGENT AND LIMITING CONDITIONS  
CONCERNING THE PREPARATION AND USE OF TIMBER CRUISE  
INFORMATION**

Prepared by Timberland Resource Consultants

1. This information has been prepared for the sole use of Michael Griffin, Owner of the property.
2. Timberland Resource Consultants does not assume any liability for use of this information by any party other than the Owner.
3. The information is based upon conditions apparent to Timberland Resource Consultants at the time the work was done. Changes due to growth, mortality, loss, depletion, or regulatory changes must be considered at any time this work is used.
4. Maps, photos, and any other graphical information presented in this report are for illustrative purposes. Their scales are approximate, and they are not to be used for locating and establishing boundary lines.
5. The figures presented in this report should be viewed and considered in light of the time spent observing the property (4 hours) and the methodologies used. The estimates may differ from those made by others or from the results of physically measuring the trees (timber cruising), harvesting the trees, selling the property, or selling the timber. Timberland Resource Consultants does not guarantee this work against such differences.
6. Timberland Resource Consultants did not conduct an investigation on a legal survey of the property. The majority of the volumes mentioned were determined from property lines interpreted from County parcel boundaries overlain on USGS maps.
7. Persons using this report are advised to contact Timberland Resource Consultants prior to such use.
8. Timberland Resource Consultants will not discuss this report or reproduce it for anyone other than the Client named in this report without written authorization from the Client.



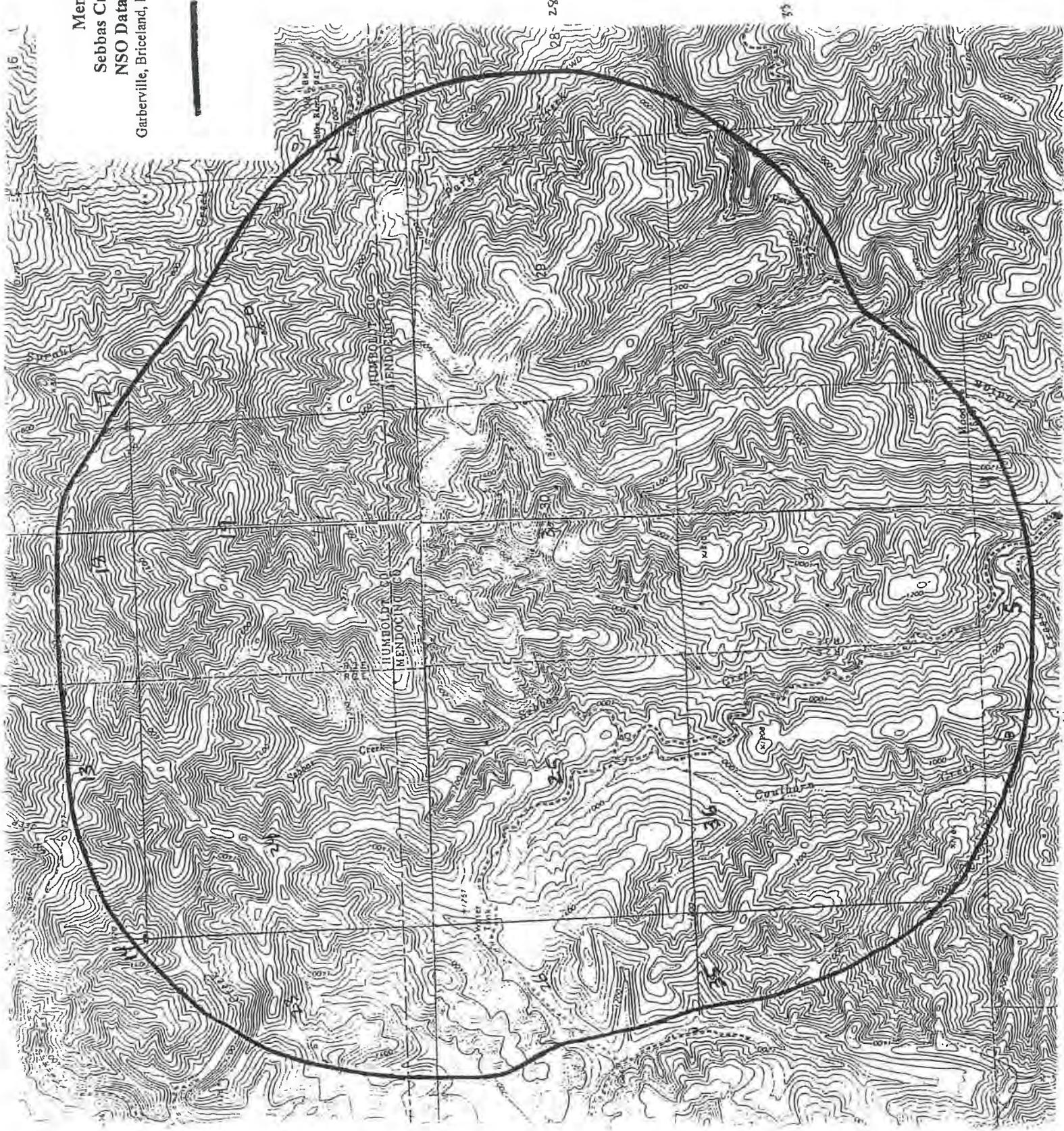
Mendes  
Sebbas Creek THP  
NSO Database Map

Garberville, Brice land, Piercy, Bear Harbor 7.5' Quad

Assessment Area



SPRAWL CREEK  
INDIAN CREEK  
JONES CREEK THP # 1-03-056  
HUMPT MEN



California Department of Fish and Game  
California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0

December 12, 2001

REPORT #1

DATA

REPORT OF AREAS SEARCHED

COUNTY	TOWNSHIP	RANGE	SECTION	TERRITORY
HU	5S	2E	13	** NO OWLS KNOWN **
HU	5S	2E	14	HU180
HU	5S	2E	23	HU180
HU	5S	2E	24	** NO OWLS KNOWN **
HU	5S	2E	25	** NO OWLS KNOWN **
HU	5S	2E	26	HU180
HU	5S	2E	35	** NO OWLS KNOWN **
HU	5S	2E	36	** NO OWLS KNOWN **
HU	5S	3E	13	HU012
HU	5S	3E	14	HU012
HU	5S	3E	15	** NO OWLS KNOWN **
HU	5S	3E	16	** NO OWLS KNOWN **
HU	5S	3E	17	HU477
HU	5S	3E	18	HU887
HU	5S	3E	19	HU887
HU	5S	3E	20	** NO OWLS KNOWN **
HU	5S	3E	21	** NO OWLS KNOWN **
HU	5S	3E	22	** NO OWLS KNOWN **
HU	5S	3E	23	** NO OWLS KNOWN **
HU	5S	3E	24	** NO OWLS KNOWN **
HU	5S	3E	25	** NO OWLS KNOWN **
HU	5S	3E	26	** NO OWLS KNOWN **
HU	5S	3E	27	** NO OWLS KNOWN **
HU	5S	3E	28	** NO OWLS KNOWN **
HU	5S	3E	29	** NO OWLS KNOWN **
HU	5S	3E	30	** NO OWLS KNOWN **
HU	5S	3E	31	** NO OWLS KNOWN **
HU	5S	3E	32	** NO OWLS KNOWN **
HU	5S	3E	33	** NO OWLS KNOWN **
HU	5S	3E	34	** NO OWLS KNOWN **
MD	24N	18W	3	MD095
MD	24N	18W	3	MD503
MD	24N	18W	4	** NO OWLS KNOWN **
MD	24N	18W	5	** NO OWLS KNOWN **
MD	24N	18W	6	MD318

NOTE: THREE SEPERATE REPORTS ARE GENERATED IF NORTHERN SPOTTED OWL RECORDS ARE KNOWN FROM THE REQUESTED AREA. THE SECOND AND THIRD REPORTS WILL NOT PRINT IF OBSERVATIONS RECORDS ARE NOT FOUND.

RPF: GARY F. HOWARD  
RQST. NO.: 2449

#: 1017

01/17/2003  
Pg: 1

California Department of Fish and Game  
California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0

December 12, 2001

REPORT #2

DATA

REPORT OF TERRITORIES FOUND

LOCALS	TWN	RNG	SECT	1/4	1/16	1/64	OWNER TYPE	YEAR	TERR. VERIFIED	NEST/YNG KNOWN
TERRITORY: HU012										
RICHARDSON GROVE	5S	3E	14	SW	SW	NW	CA CPR	95	- P	99 - 94
TERRITORY: HU180										
LADY OF REDWOODS	5S	2E	23	NW	SE	SE	PVTI BRN	98	- P	98 - 97
TERRITORY: HU477										
COX CR	5S	3E	8	NE	SE	SE	PVTI BRN	98	- P	- 98
TERRITORY: HU887										
SPROUL CR	5S	3E	18	NE	SE		PVTI BRN	98	- S	-
TERRITORY: MD095										
N FK STANDLEY CR	24N	18W	10	SE	NW	NE	PVTI CG	00	- P	98 - 98
TERRITORY: MD318										
INDIAN CR	24N	18W	6	SE	SR	NW	PVTI TTC	92	- S	-
TERRITORY: MD503										
INDIAN CR DIVIDE	24N	18W	3	SW	NE	NE	PVTI CG	97	- P	-

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANATION SHEET" DATED AFTER JANUARY 1, 1994.

California Department of Fish and Game  
 California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0  
 December 12, 2001

REPORT #3 DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

TWN	RNG	SRCT	1/4	1/16	1/64	DATE SEEN	OBSERVER	NO. OF OWLS	AGE- SEX	NO. OF PAIR	YNG.	NEST
TERRITORY: HU012												
5S	3E	0				07/01/1962	KOOPS	1	UU		0	
5S	3E	0				06/06/1963	KOOPS	0			2	
5S	3E	0				06/14/1973	LABELLE	4	4UU		0	
5S	3E	0				06/18/1973	LABELLE	1	UU		0	
5S	3E	0				06/25/1973	LABELLE	4	4UU		0	
5S	3E	0				04/18/1975	A.B. 29(4):904	2	UUUU		0	
5S	3E	13	SW	NE		05/19/1978	GOULD	1	UF		0	
5S	3E	13	SW	W		08/14/1985	GOULD-CRABBE	0			0	
5S	3E	14	NE	NE	SW	07/01/1990	STONEMAN	1	UM		0	
5S	3E	14	NE	NE	W	07/01/1990	STONEMAN	1	UF		0	
5S	3E	14	NE	N	C	07/17/1990	LEISTEN+ (THP)	1	UM		0	
5S	3E	11	SE	SE	SE	08/01/1990	STONEMAN	2	UMUF	Y	0	
5S	3E	14	NE	NE	W	09/09/1990	LEISTEN+ (THP)	1	UM		0	
5S	3E	14	NE	C		06/22/1992	STONEMAN	1	UM		0	
5S	3E	22	NE			06/23/1994	RICH MUNOZ	0			0	
5S	3E	14	SW	SE		06/24/1994	RICH MUNOZ	1	UM		0	
5S	3E	14	SW	SW	CS	06/28/1994	RICH MUNOZ	1	UM		0	
5S	3E	14	SW	SW	NW	08/09/1994	RICH MUNOZ	1	UM		2	
5S	3E	14	SW	SW	NW	05/03/1995	MUNOZ	1	UF		0	

TERRITORY: HU180

5S	2E	23	SW	SW		01/01/1988	ELLIOTT	2	UMUF	Y	1	Y
5S	2E	23	SW	SW	E	04/03/1989	ELLIOTT	2	UMUF	Y	0	Y
5S	2E	23				01/01/1992	GONZALES	0			0	
5S	2E	14	SW	SW		05/20/1992	MAAS-ALUZAS	2	UMUF		0	
5S	2E	23	NW	NE	NE	06/17/1992	KNUTSEN-MAAS	2	UMUF	Y	0	
5S	2E	23	SW	SW	SW	04/09/1996	GALEA W.C.	2	UMUF	Y	0	
5S	2E	23	SW	SW	SE	04/10/1996	GALEA W.C.	1	UM		0	
5S	2E	23	SW			07/01/1996	GALEA W.C.	2	UMUF	Y	0	
5S	2E	23	SW	SW	SW	07/02/1996	GALEA W.C.	1	UM		0	
5S	2E	23	SE	NW	SE	07/31/1996	GALEA W.C.	1	UF		0	
5S	2E	26	NW	NE	NW	06/05/1997	LEOPARDO+GILLOT	2	UMUF	Y	2	Y
5S	2E	26	NW	NW	SW	07/10/1997	via BLM	1	UM		0	
5S	2E	26	NW	NW	SE	07/25/1997	via BLM	1	UM		0	

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANATION SHEET" DATED AFTER JANUARY 1, 1994.

California Department of Fish and Game  
 California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM  
 Version 2.0

December 12, 2001

REPORT #3

DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

TWN	RNG	SECT	1/4	1/16	1/64	DATE SEEN	OBSERVER	NO. OF OWLS	AGE-SEX	NO. OF PAIR YNG.	NEST
5S	2E	26	NW	NE	NW	07/26/1997	via BLM	2	UMUF	Y	2
5S	2E	23	NW	SE	SE	05/06/1998	GILLOTT	2	UMUF	Y	0 Y

TERRITORY: HU477

5S	3E	8	SE	SE	SW	01/01/1991	KNUTSEN-ALUZAS	2	UMUF	Y	0
5S	3E	9	SW	S		05/15/1991	LEISTEN+ (THP)	1	UM		0
5S	3E	17	NE	NE	NW	05/15/1991	LEISTEN+ (THP)	1	UF		0
5S	3E	17	NE	NE	NW	05/16/1991	LEISTEN+ (THP)	2	UMUF	Y	0
5S	3E	9	SW	NW	E	06/04/1991	LEISTEN+ (THP)	1	UM		0
5S	3E	8	SE	SE	SW	03/27/1992	GALEA	1	UM		0
5S	3E	8	SE	SE	SW	03/28/1992	KNUTSEN-MAAS	2	UMUF	Y	0
5S	3E	8	SE	SW	NE	04/30/1992	GALEA	1	UF		0
5S	3E	8	SE	SW	NE	05/01/1992	KNUTSEN	1	UF		0
5S	3E	8	SE	SW	NE	06/17/1992	GALEA	1	UF		0
5S	3E	8	SE	NE	SE	05/01/1997	LEOPARDO+GILLOT	2	UMUF	Y	0
5S	3E	17	NW	NE	NE	05/07/1997	GILLOTT	1	UM		0
5S	3E	8	SE	NE	NW	03/03/1998	LEOPARDO-GILLOT	1	UM		0
5S	3E	8	SE	NE	CN	04/21/1998	GILLOTT	2	UMUF	Y	0
5S	3E	8	NE	SE	SE	06/18/1998	via LEOPARDO	2	UMUF	Y	1
5S	3E	8	SE	NE	SC	07/10/1998	LEOPARDO	1	UF		2
5N	1E	26	SE	SE	NW	01/01/1999	PACIFIC LUMBER	2	UMUF	Y	0

TERRITORY: HU887

5S	3E	19	NE	NE	NE	04/30/1997	LEOPARDO+GILLOT	1	UM		0
5S	3E	18	NE	SE		03/09/1998	LEOPARDO-GILLOT	1	UM		0

TERRITORY: MD095

24N	18W	10	NE	SE	S	05/15/1989	GOULD+	1	UM		0
24N	18W	10	SE	NE	S	05/15/1989	SCHNITZEL+	1	UF		0
24N	18W	10	SE	NE	NE	06/14/1989	ROBERTS+	1	UU		0
24N	18W	11	SW	NW	NW	06/16/1989	ROBERTS+	1	UU		0
24N	18W	10	SE	NE		07/05/1989	ROBERTS-AMBROSE	2	UMUF		0
24N	18W	10	SE	NE	NE	07/06/1989	ROBERTS-AMBROSE	2	UMUF		0
24N	18W	10	NE	SE	C	03/14/1990	STEVENS+	1	UM		0
24N	18W	10	SE	NE	SE	03/15/1990	STEVENS+	2	UMUF	Y	0
24N	18W	10	NE	SE	SW	05/02/1990	STEVENS+	2	UMUF	Y	0 Y

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANATION SHEET" DATED AFTER JANUARY 1, 1994.

California Department of Fish and Game  
 California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0

December 12, 2001

REPORT #3

DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

TWN	RNG	SECT	1/4	1/16	1/64	DATE	OBSERVER	NO. OF OWLS	AGE- SEX	NO. OF PAIR	YNG.	NEST
24N	18W	10	NE	SE	SW	06/18/1990	STEVENS+	2	UMUF	Y	0	Y
24N	18W	10				06/18/1990	GP-BANDING DATA	1	AF	Y	0	
24N	18W	10	NE	SE	SW	07/15/1990	STAFFORD+	2	UMUF	Y	0	Y
24N	18W	10	NW	SE	SW	04/11/1991	STAFFORD+	1	UM		0	
24N	18W	10	NE	SE	SW	04/12/1991	STAFFORD+	2	UMUF	Y	0	Y
24N	18W	10	NE	SE	SW	06/18/1991	STAFFORD+	2	UMUF	Y	1	
24N	18W	10	NE	SE	SW	07/30/1991	STAFFORD+	2	UMUF	Y	1	
24N	18W	10	SE	NE	NW	04/22/1992	AMBROSE+	2	UMUF	Y	0	
24N	18W	10	SE	NE	NW	06/04/1992	HINES	2	UMUF	Y	0	
24N	18W	10	SW	NW	NW	06/23/1992	AMBROSE+	2	UMUF	Y	0	
24N	18W	10	SE	NE	SW	07/08/1992	AMBROSE+	1	UM	Y	0	
24N	18W	10	SE	NW	NE	07/08/1992	AMBROSE+	1	UF	Y	0	
24N	18W	10	SE	NW	NE	03/30/1993	AMBROSE+	2	UMUF	Y	0	Y
24N	18W	10	SE	NW	NE	06/23/1993	AMBROSE+	2	UMUF	Y	0	Y
24N	18W	10	SE	NW	NE	03/21/1994		2	UMUF	Y	0	
24N	18W	10	SE	NW	NE	03/21/1994	HAYES	2	UMUF	Y	0	Y
24N	18W	10	SE	NW	NE	03/22/1994		2	UMUF	Y	0	
24N	18W	10				04/11/1994	MONTGOMERY+	0			0	
24N	18W	10	SE	NE	NW	06/15/1994	HAYES+	1	UU		0	
24N	18W	10	SE	NE	NW	06/29/1994	HAYES	2	UMUF	Y	0	
24N	18W	10	SE	NE	NE	08/04/1994	HAYES	1	UM		0	
24N	18W	10				04/20/1995	GP	0			0	
24N	18W	10				06/28/1995	GP	0			0	
24N	18W	10				07/10/1995	GP	0			0	
24N	18W	10	SE	NW	NE	07/19/1995	GP	2	UUUU		0	
24N	18W	10				07/24/1995	GP	0			0	
24N	18W	10	NW	NE	NE	08/01/1995	GP	1	UM		0	
24N	18W	10				08/09/1995	GP	0			0	
24N	18W	10				04/02/1996	GP-WRIGHT+	0			0	
24N	18W	10	SE	NE	NE	04/22/1996	GP-WRIGHT+	1	UU		0	
24N	18W	10	SE	SE	SE	04/22/1996	GP-BURNETT	1	UM	Y	0	
24N	18W	11	SW	NW	SE	04/22/1996	GP-BURNETT	1	UF	Y	0	
24N	18W	10	NE	NW	SW	05/06/1996	GP-WRIGHT+	1	UM		0	
24N	18W	10	SW	NE	NW	05/06/1996	GP-WRIGHT+	1	UM		0	
24N	18W	11				05/06/1996	GP	0			0	
24N	18W	10				06/03/1996	GP-WRIGHT+	0			0	

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANATION SHEET" DATED AFTER JANUARY 1, 1994.

California Department of Fish and Game  
 California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0

December 12, 2001

REPORT #3

DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

TWN	RNG	SECT	1/4	1/16	1/64	DATE	OBSERVER	NO. OF OWLS	AGE- SEX	NO. OF PAIR YNG.	NEST	
24N	18W	3	SW	SW	SE	06/10/1996	GP-BELL	1	UF		0	
24N	18W	10				06/10/1996	GP-WRIGHT	0			0	
24N	18W	3	SW	SE	SW	06/10/1996	GP-LUNDBY+	2	UMUF	Y	0	
24N	18W	10	SE	NW	NE	06/17/1996	GP-GRAGG	1	UF		0	
24N	18W	10				06/24/1996	GP	0			0	
24N	18W	10				07/01/1996	GP	0			0	
24N	18W	10				03/27/1997	HINES	0			0	
24N	18W	10	SE	NW	NW	04/07/1997	HINES	1	UF		0	
24N	18W	10	SE	NW	NW	04/07/1997	HINES	1	UM		0	
24N	18W	10	SE	NW	NE	05/08/1997	BELL	2	UMUF	Y	0	
24N	18W	10	SE	NW	NE	05/19/1997	PROLA	1	UU		0	
24N	18W	10	SE	NW	NE	06/02/1997	GRAGG	2	UMUU		0	
24N	18W	10	SE	NW	NE	06/04/1998	SC	2	UMUF	Y	1	Y
24N	18W	10	NE	SW	SE	06/19/1998	JA, CA, BA	2	UMUF	Y	2	
24N	18W	10	SE	NW	SE	07/20/1998	JA, CA, CA	1	UM		1	
24N	18W	10	NE	SW	SE	05/25/1999	SF, MS	1	UF		0	N
24N	18W	10				06/17/1999	SF	0			0	
24N	18W	10				06/24/1999	SF	0			0	
24N	18W	10	SE	NW	SW	07/15/1999	JG	1	UM		0	
24N	18W	10				08/02/1999	SF	0			0	
24N	18W	10				08/09/1999	SF	0			0	
24N	18W	10				08/25/1999	SF	0			0	
24N	18W	10	NW	NW	SE	05/11/2000	GRAGG	1	UM		0	
24N	18W	10	SE	SE	NE	06/08/2000	BROWN	1	UM		0	
24N	18W	10	NE	NW	SE	06/28/2000	BROWN	1	UF		0	

TERRITORY: MD318

24N	18W	6	SE	NE	SE	07/02/1992	AMBROSE+	1	UM		0	
24N	18W	6	SE	NW	SE	07/08/1992	AMBROSE+	1	UM		0	
24N	18W	6	SE	SE	NW	07/08/1992	AMBROSE+	1	UF		0	
24N	18W	4				04/07/1993	AMBROSE+	0			0	
24N	18W	5				04/21/1993	AMBROSE+	0			0	
24N	18W	5				06/28/1995	GP	0			0	
24N	18W	5				07/03/1995	GP	0			0	
24N	18W	5				07/10/1995	GP	0			0	
24N	18W	5				05/06/1996	GP-BURNETT	0			0	

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANTATION SHEET" DATED AFTER JANUARY 1, 1994.

California Department of Fish and Game  
 California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0

December 12, 2001

REPORT #3

DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

TWN	RNG	SECT	1/4	1/16	1/64	DATE	SBN	OBSERVER	NO. OF OWLS	AGE- SEX	NO. OF PAIR YNG.	NEST
24N	18W	5				06/10/1996		GP-BURNETT	0		0	
24N	18W	5				06/17/1996		GP-BELL+	0		0	
24N	18W	5				06/24/1996		GP-GRAGG+	0		0	
24N	18W	5				07/01/1996		GP-GRAGG+	0		0	

TERRITORY: MD503

24N	18W	3				05/06/1996		GP	0		0	
24N	18W	3	SW	SE	NE	06/03/1996		GP-BELL+	1	UF	0	
24N	18W	4				06/03/1996		GP	0		0	
24N	18W	3	SW	NE	NW	06/10/1996		GP-BELL	1	UF	0	
24N	18W	4				06/10/1996		GP	0		0	
24N	18W	3	NW	SE	NW	06/17/1996		GP-BELL	1	UF	0	
24N	18W	3	NW	SW	SW	06/17/1996		GP-BELL+	1	UF	0	
24N	18W	4				06/17/1996		GP	0		0	
24N	18W	3	SW	SE	NW	06/24/1996		GP-BELL+	2	UMUF	Y	0
24N	18W	4				06/24/1996		GP	0		0	
24N	18W	3	NW	SE	SE	07/01/1996		GP-LUNDBY+	1	UM	0	
24N	18W	3	SW	SW	NW	07/01/1996		GP-LUNDBY+	1	UF	0	
24N	18W	4				07/01/1996		GP	0		0	
24N	18W	3	SW	NE	NE	03/27/1997		BELL	2	UMUF	Y	0
24N	18W	3	SW	NE	NW	03/27/1997		BELL+HINES	2	UMUF	Y	0
24N	18W	3	SW	NE	NW	04/07/1997		BELL	1	UM	0	
24N	18W	3	SW	NE	SW	04/07/1997		BELL	2	UMUF	0	
24N	18W	3				04/29/1997		BELL	0		0	
24N	18W	3				05/07/1997		BELL	0		0	
24N	18W	3				05/19/1997		BELL	0		0	
24N	18W	3				05/28/1997		BELL	0		0	
24N	18W	3				07/02/1997		BELL	0		0	
24N	18W	3				06/09/1998		JG	0		0	
24N	18W	3				06/30/1998		JG	0		0	
24N	18W	3				07/30/1998		JG	0		0	
24N	18W	3				08/06/1998		MS	0		0	
24N	18W	3				08/13/1998		MS	0		0	
24N	18W	3				08/20/1998		RN	0		0	
24N	18W	3				06/17/1999		MS,AB	0		0	
24N	18W	3				06/24/1999		AB,SF	0		0	

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANATION SHEET" DATED AFTER JANUARY 1, 1994.

RPF: GARY F. HOWARD  
RQST. NO.: 2449

#: 1017

01/17/2003  
Pg: 6

California Department of Fish and Game  
California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM

Version 2.0

December 12, 2001

REPORT #3

DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

TWN	RNG	SECT	1/4	1/16	1/64	DATE SEEN	OBSERVER	NO. OF OWLS	AGE- SEX	NO. OF PAIR YNG.	NEST
24N	18W	3				07/15/1999	AB,MS,JG	0		0	
24N	18W	3				08/02/1999	AB	0		0	
24N	18W	3				08/09/1999	SF	0		0	
24N	18W	3				08/25/1999	MS	0		0	
24N	18W	3				04/25/2000	GRAGG, STOLFAS	0		0	
24N	18W	9				04/25/2000	GRAGG, STOLFAS	0		0	
24N	18W	3				05/11/2000	FULLERTON	0		0	
24N	18W	3				06/08/2000	BROWN, GRAGG	0		0	
24N	18W	3				06/28/2000	GRAGG	0		0	
24N	18W	10				06/28/2000	GRAGG	0		0	
24N	18W	3				07/11/2000	BROWN	0		0	
24N	18W	3				07/19/2000	BROWN	0		0	

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANATION SHEET" DATED AFTER JANUARY 1, 1994.

Occurrence and Status Inside Assessment Area: Murrelet habitat is not present in or adjacent to this THP. Although surveys have not been conducted in this assessment area, murrelet presence in this assessment area is considered unlikely due the absence of suitable habitat.

Mitigation: Not applicable to this species. No significant impact to this species is expected as a result of this THP.

11. **NORTHERN SPOTTED OWL (Strix occidentalis caurina)**

Status: Federally Threatened and BOF "Sensitive Species"

Key Habitat: Requires mature forest patches with permanent water and suitable nesting trees and snags (CDF&G 1990). In northern California the spotted owl also occurs in younger forest types (USDA 1993).

Occurrence and Status Inside Assessment Area: NSO activity centers have been located in this assessment area. The status of NSO's in this assessment area will be reconfirmed. Consultation for this species will be conducted with the California Department of Fish and Game (CDF&G) and a Determination of No-Take will be provided prior to second review of this THP.

Mitigation: The specific protection required by CDF&G will be implemented. No significant impact to this species is expected as a result of this THP.

The following plant species was determined to have potential habitat within the assessment area:

12. **Astragalus agnicidus HUMBOLDT MILK-VETCH**  
(perennial herb/Leguminosae or Fabaceae)

Status: A federal category 1 candidate species, a California State listed endangered plant and a CNPS "list 1B" species.

7.5' Quads.: Miranda (617A)

Habitat: The following habitat attributes are given for the Humboldt milk-vetch: disturbed openings in the Broadleaved Upland Forest habitat type (Skinner and Pavlik 1994), open soil in woodlands around 750 meters or 2500 ft. in elevation (Hickman 1993), and disturbed woods around 2500 feet in elevation (Munz 1970).

Flowering: June-August

Key Features: An erect stem 1-3 feet, sparsely hairy, leaves not tendril-bearing, 13-27 leaflets and a dense spike-like inflorescence of pea-like flowers.

Occurrence: The range of the Humboldt milk-vetch is the Outer North Coast Ranges in southern Humboldt County (Hickman 1993). No field presence was noted in the botanical assessment area during field review.

Mitigation: Not applicable, as habitat was marginal (a Mixed Evergreen Forest with a predominately closed-canopy and little or no photosynthetic

PLAN#  
1-96-495 MEN

Date: 5/10/95

To: Theodore Wooster, Environmental Specialist  
California Department of Fish and Game

THP # 195-236-HUM

Extension of No-Take Certification For Northern Spotted Owl

On 12/29/94 you signed a No-Take certification  
for northern spotted owl for THP \_\_\_\_\_, Plan name  
Hortsock 95 THP, County Humboldt + Mendocino

Since then, we have surveyed for NSO's on the following dates  
5/3/95, \_\_\_\_\_, and \_\_\_\_\_.

Results of this calling are as follows: Richardson's Grove  
50's were relocated in same location as in 1994.  
After mouning female it appears the pair are  
not nesting this year.

Detailed survey sheets are attached as appendices.

Name Rich Munoz  
Company Coomb's TREE FARM

Attachments

-----  
I have reviewed the NSO survey data for 1995 and find that it is  
sufficient to insure continuation of the No-Take determination  
until March 1 of 1996.

Theodore W Wooster  
Theodore Wooster  
Date 5/10/95

PLAN NAME Hartsook 95 THP

NSO ASSIGN # \_\_\_\_\_ ORIG # \_\_\_\_\_  
THP # \_\_\_\_\_

Date Referral Received by DFG: 12/16/94 Date RPF Notified: \_\_\_\_\_ Alternative Used: \_\_\_\_\_  
Date Referral Received by CDF: \_\_\_\_\_ USGS Quad Name Perry + Harberville Quad  
(Date Referral Received by Designated Biologist: 12/11/94 (DB fill in)) WT.5" (115"

**CALIFORNIA DEPARTMENT OF FISH AND GAME**  
**NORTHERN SPOTTED OWL CONSULTATION CHECKLIST**

A1 Plan Submitter Coombs Tree Farm  
Consultation Information Submitter Munoz  
Watershed/Tributaries Eel River; South Fork of; Hartsook Creek  
Township T5S Range R3E Sections 22423 County Humboldt + Mendocino Counties

Plan Acres/Silviculture 260 acres - 200 CC; 60 thinning (CC mount-like SW3 c

A2 Document Review Submitted  Needed  Explanation \_\_\_\_\_  
Plan Description  \_\_\_\_\_  
Planimetric/Topographic Map  \_\_\_\_\_  
Habitat Map (acres/location)  \_\_\_\_\_  
Aerial Photos (if available) Source: Coombs Series/Date: 1984 #: \_\_\_\_\_  
NSO Location Map (1.3 Miles)  WAC Nest/Roost: 1992  
DataBase (CDF Printout)  Date/Results: 12/22/94  
(DFG Territory #) HU 012  
(submit database printout with referral request and consultation checklist)

Survey Data Results located pair + egg  
1992, 1993 - 1994. see rept. 6/23/94, 6/24/94, 6/28/94  
8/9/94 RM - pair located

A3 Field Review  
Review Participants Theodore Wooster + Richard Munoz  
Adequate Review Routes ( ) no (X) yes Date 12/29/94 Explain \_\_\_\_\_  
Accurate Maps ( ) no (X) yes Explain \_\_\_\_\_  
Accurate Habitat Mapping ( ) no (X) yes Explain \_\_\_\_\_  
Adequate Surveys ( ) no (X) yes Explain \_\_\_\_\_

Habitat Characteristics young second growth Douglas fir and tan oak with scattered residual fir and pockets of brush

PLAN NAME Hartbrook 95

NSO ASSIGN # \_\_\_\_\_ ORIG # \_\_\_\_\_  
THP # \_\_\_\_\_

Project Evaluation

B1 NSO's detected within 1.3 miles of operations area? ( )no (X)yes Date last detected 8/9/94

NSO's present now? ( )unknown (X)yes: ( )onsite ( )500' ( )1000' ( )0.7mi ( )1.3mi

Will NSO habitat retention standards be met post-harvest? ( )no (X)yes Describe post-

harvest habitat characteristics to support NSO's: CC areas will be more like SW2 + should remain forage. In general the plan will only be burned where there are excess piles of tan oak. Overall forage should improve as habitat for woodrats is increased by new slash on the ground.

Estimated Habitat Retention Acres (pre/post harvest):

	500'	1000'	0.7mi	1.3mi
Nest	<u>1</u>	<u>1</u>	<u>1</u>	<u>363 / 363</u>
Roost	<u>1</u>	<u>1</u>	<u>1</u>	<u>1,094 / 1,050</u>
Forage	<u>1</u>	<u>1</u>	<u>1</u>	<u>1,192 / 1,095</u>
Marginal Non-Habitat	<u>1</u>	<u>1</u>	<u>1</u>	<u>205 / 346</u>

B2 Is this consultation for more than one (1) THP? (X)no ( )yes

List all known NSO consultations within 1.3 mi of this survey area Med Cal THP, Dimmick THP, Sawmill Creek THP

B3 Will the proposed plan significantly disrupt, impair or modify (if YES or UNK, explain in B4):

	NO	N/A	UNK	YES
a. Local Movement (onsite or within 0.5 mi of NSO)	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
b. Dispersal Opportunity (within 1 mi of NSO)	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
c. Prey Base (within 0.5 mi of NSO)	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
d. Foraging Habitat	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
e. Roosting Structure	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
f. Roosting Behavior	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
g. Nesting Structure	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
h. Nesting Behavior	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
i. Other (predation, exposure, etc.)	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>

B4 Comments (evaluate adequacy of information provided, compliance with accepted guidelines, and features specific to this survey area) Pair of NSO's in area are associated with Richardson State Park

(Name of preparer for Parts A & B, if different from designated biologist: \_\_\_\_\_)

PLAN NAME Hartbrook 95

NSO ASSIGN # \_\_\_\_\_ ORIG # \_\_\_\_\_  
THP # \_\_\_\_\_

Consultation Determination

(ENTRIES ON THIS PAGE CAN BE COMPLETED ONLY BY DESIGNATED BIOLOGIST) (cross out inappropriate language and initial above each cross out):

Pursuant to the Protocol for Surveying Proposed Management Activities that may impact Northern Spotted Owls, endorsed and revised by the U.S. Fish and Wildlife Service (USFWS) on March 17, 1992, subsequent revisions to the protocol issued by the USFWS, and other scientific information available to me, I ~~have~~<sup>have not</sup> verified in the field the information submitted and have concluded that:

- C1 The information provided ~~is~~<sup>is not</sup> sufficient to complete my evaluation.
- C2 The surveys provided to me ~~do/do not~~ conform to the Protocol issued and revised by USFWS.
- C3 The information provided to me and the field review of the plan and surrounding area lead me to conclude that:
  - C3-1. The plan area ~~is~~<sup>is not</sup> suitable northern spotted owl habitat;
  - C3-2. The project area and surrounding habitat ~~has~~<sup>has not</sup> been adequately evaluated for the presence of northern spotted owls;
  - C3-3. The potential that undetected northern spotted owls or northern spotted owl territories exist in or near the plan ~~is~~<sup>is not</sup> likely; and
  - C3-4. The potential for this plan to result in the "unauthorized incidental take" of a northern spotted owl ~~is~~<sup>is not</sup> likely.

A determination that the potential for unauthorized incidental take has been minimized (C3, above) remains valid until the start of the breeding season in the year 1995. For operations to be conducted after the start of the breeding season in that year, surveys must be completed during the breeding season prior to the start of operations and submitted for re-evaluation.

This consultation checklist applies to a plan or proposal that (initial applicable findings):

- C4(  ) Does not need to be revised to minimize unauthorized incidental take.
- C5(  ) Has been revised to minimize unauthorized incidental take, as described in the attached comments.
- C6(  ) Requires revisions in order to minimize unauthorized incidental take, as described in the attached comments.
- C7(  ) For which the consultation checklist cannot be completed until additional information is submitted (Sections 919.10(C), 939.10(C)). The necessary information is described in the attached comments.

This consultation checklist ~~does~~<sup>does not</sup> include additional pages as indicated below:

- C8(  ) Comments describing necessary revisions or information, DFG 726-FORM 3A.5 (number of pages \_\_\_\_\_).
- C9(  ) Confidential site information, DFG 726-FORM 3B.5 (number of pages designated) (may include Spotted Owl Observation Report Form)

Form Distribution:

- Original
- Copies  Designated Biologist
- RPF
- CDF (Referral Office)
- DFG (NSO Consultation Coordinator)

Signature Theodore W. Wooster  
Designated Biologist

Print Name Theodore W. Wooster

Date Completed 12/29/94

THP # 1-92-270 HUM/MEN

THP # \_\_\_\_\_  
Alternative Used # B  
Assignment # 518

California Department of Fish and Game  
Spotted Owl Plan Review Checklist/Worksheet

A. Spotted Owl Plan Name (if any) MEDICAL RANCH THP  
Plan Submitter SIM SORRENSEN  
Watershed/Tributaries LAKE RIVER, INDIAN CK  
Township 55 Range 3E Section 22,26,27,34 County HUM  
Operation Acres 350 Silvicultural Method (acres) SECTION OF MUDPIPER  
INTERMEDIATE STRUCTURE  
Dates:  
Received by DFG 11/22/91 Received by Designated Biologist \_\_\_\_\_  
RPF Notified 12/6/91  
Plan Reviews 12/12/91 Field Inspections 12/12/91  
Field Review Participants (name/organization) NIJUSEN, SORRENSEN

A1. Document Review

(Check adequacy of plan content) (Briefly describe adequacy or relevance)

- a. Map of Habitat Types SHOWS W/R/P ONSITE TO 0.2 miles
- b. Map Readability/Clarity OK
- c. Map and Plan Content for Proposed Operations (haul, cable, tractor roads and landings, project scheduling, site preparation, preproject descriptions) TRACTOR
- d. Description of Probable Project Results (stems/acre, stem size and age, canopy closure, understory, ground disturbance, species composition) MIN 40% CANOPY  
POST HARVEST
- e. Map and Plan Content for Key Components (potential or actual nesting, roosting, feeding)
 

	nesting	roosting	feeding
1. Pre-harvest acres	<u>65</u>	<u>40</u>	<u>245</u>
2. Post-Harvest acres	_____	_____	<u>350</u>

Plan Name MEDCALF RANCH THP # \_\_\_\_\_

Alternative Used # 6  
Assignment # 518

- f. Database Information
  - 1. CDF printout (yes ( )no) 1 HT > 1.3 mi FR BOUND
  - 2. Other materials \_\_\_\_\_
- g. Mapped Known Owl Nest Sites and Roost Areas  
(on & off site within 1.3 miles of plan perimeter)  
NONE WITHIN 1.3
- h. Calling Response Results/Dates NO SURVEYS  
(attach list and location map)
- i. Aerial Photos 1988

**A2. Field Review**

Is a field review requested/necessary? ( )yes ( )no  
(if no, explain) CONDUCTED BY DAVE NELSEN

- a. Was the review route adequate? ( )yes ( )no  
Date of field review 12/12/92
- b. Were owls detected? ( )yes (no)  
(attach owl occurrence sighting reports)
- c. Maps accurate? (yes ( )no  
(if no, attach map/describe and note changes on map)

**B. Project Evaluation/Significant Observations**      Yes      No      N/A      Unknown  
(if yes, describe in comments section 8(c))

a. Will timber operations significantly disrupt or impair:				
1. Local movement (on site & within 1/2 mile)	---	<input checked="" type="checkbox"/>	---	---
2. Dispersal opportunities (within 1 mile of known owls)	---	<input checked="" type="checkbox"/>	---	---
3. Prey base (within 1/2 mile of known owls)	---	<input checked="" type="checkbox"/>	---	---
4. Foraging habitat	---	<input checked="" type="checkbox"/>	---	---
5. Roosting structure	---	---	---	---
6. Roosting behavior	---	---	---	<input checked="" type="checkbox"/>
7. Nesting structure	---	---	---	<input checked="" type="checkbox"/>
8. Nesting behavior	---	---	---	<input checked="" type="checkbox"/>
9. Microclimate (on site, short or long term)	---	---	---	<input checked="" type="checkbox"/>
10. Other (ie, predation, storm exposure, etc.)	---	---	<input checked="" type="checkbox"/>	---

b. Is this a Spotted Owl area plan review for more than one THP? ( )yes (no)  
(If yes, is a map attached which adequately describes each proposed THP area? ( )yes ( )no).

51

Plan Name MEDCALF RANCH

THP# \_\_\_\_\_  
Alternative Used B  
NSO Assignment# 518 Rev# 21

Township SS Range 3E Section 27,34  
22,26 County Hum Acres 350

Date Last Consultation 1/15/92 Determination Last Consultation INSUF INFO TAKE

Comments RECEIVED 1992 NSO SURVEY RESULTS FROM RPF  
ON 6/23/92. REPORTED RESULTS INDICATE THAT NO NSO'S  
RESPONDED.

C. Pursuant to the Protocol for surveying proposed management activities that may impact northern spotted owls, endorsed and revised by the U.S. Fish and Wildlife Service on March 17, 1992, I have concluded that:

1. The information provided <sup>a</sup>is/~~is not~~ sufficient to complete my evaluation.
2. The information provided and observations <sup>based</sup> upon field review lead me to conclude that the proposed activities ~~will~~ will not likely result in the "take" of a northern spotted owl as described in the Federal Endangered Species Act and the Forest Practice Rules.

(\* cross out inappropriate language and initial above cross out.)

For a "no take" determination, the determination is valid until the start of the breeding season in the year 1993. For operations conducted after the year 1992, surveys must be conducted in the breeding season immediately prior to operating and submitted to DFG for evaluation.

Initial if applicable:

- ab This consultation checklist applies to a plan or proposal that does not need to be changed to avoid a "take".
- ( ) This consultation checklist applies to a plan or proposal that has been changed to avoid a "take".
  - ( ) This consultation checklist applies to a plan or proposal that requires changes to avoid a "take". Required changes are described in the attached comments.
  - ( ) This consultation checklist applies to a plan or proposal for which additional information is necessary to complete the determination [Section 919.10(c) or 939.10(c)]. Required information is described in the attached comments.
  - ( ) Additional pages are attached (number of pages \_\_\_\_\_). (Include plan name, THP#, NSO Assignment#, and Rev# on all attached pages).

Received CDF  
REGION 1

AUG 5 1992

Reviewer ARMANDO GONZALES  
Designated Biologist

Signature [Signature]

Date Completed 6/26/92

RESOURCE MANAGEMENT

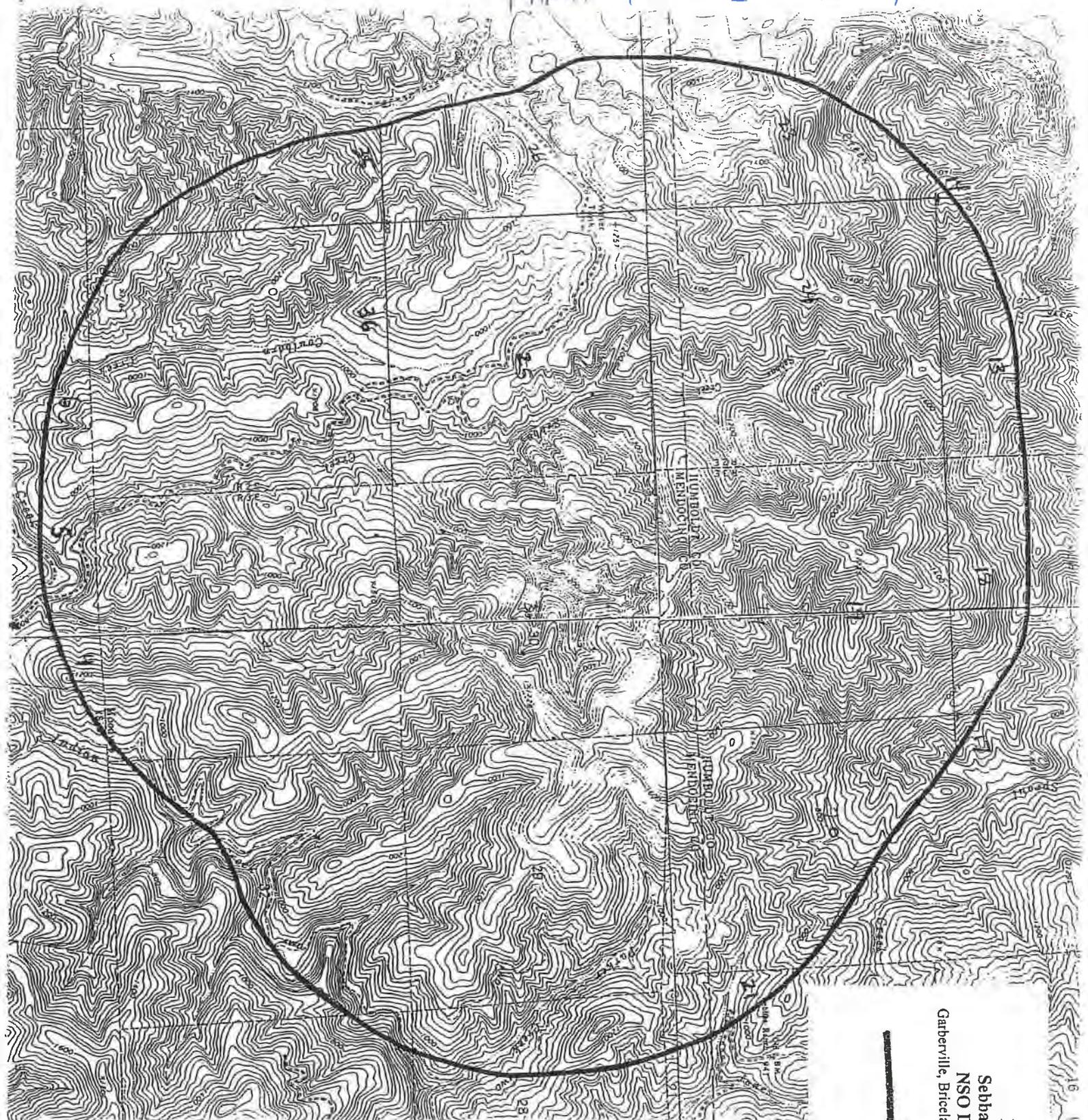
- Copies to:
- {  } RPF
  - {  } CDF (Referral Office)
  - {  } ESD (HQ, Sacramento)
  - {  } DFG (Referral Coordinator)

CDF  
29

Received CDF  
REGION 1

AUG 18 1992

THP# 1-92-270 Hum/Med



Mendes  
Sebas Creek THP  
NSO Database Map  
Garberville, Briceland, Percy, Bear Harbor 7.5' Quad

Assessment Area



## Northern Spotted Owl Assessment



October 18, 2021

Vanessa Valare  
ETA Humboldt  
P.O. Box 147  
Phillipsville, CA 95559

**RE: K n B Corporation NSO and MAMU Assessment for APN 222-071-023**

Dear Vanessa,

As you requested, I have prepared a report evaluating potential adverse impacts to marbled murrelets (MAMU) (*Brachyramphus marmoratus*) and northern spotted owls (NSOs) (*Strix occidentalis caurina*) resulting from proposed K n B Corporation cannabis cultivation on APN 222-071-023.

A qualifying "Spotted Owl Expert" (SOE), as per 14 CCR §895.1 of the Z'berg-Nejedly Forest Practice Act (Public Resources Code Section 4551 et seq.), also known as the California Forest Practice Rules (FPRs), I have been involved with northern California forest-wildlife issues since 1990. And in addition to extensive experience conducting protocol level surveys for these species, the attached resume shows my knowledge of environmental regulations and policy.

As such, in addition to evaluating existing habitat conditions in terms of NSO and MAMU suitability, this report examines relevant surveys and historical metadata. Review of protection measures adopted for these species by Humboldt County's Commercial Cannabis Land Use Ordinance (CCLUO) also outlines the legal framework behind a determination of take. Streamlining the evaluation of potential impacts, this report builds upon (tiers) documentation for previously approved environmental analysis. Specifically, this assessment relies on NSO and MAMU information submitted for nearby cannabis cultivation associated APN 222-071-028, application number 17171.

**Project Area and Environmental Setting**

This project is located about seven miles south-southwest of Garberville, in southern Humboldt County, Section 21, Township 5 South, Range 3 East, Humboldt Base Meridian. On a 67-acre parcel zoned as Agriculture Exclusive, at an elevation between 1,250 and 1,400 feet. it involves expanding previously permitted cannabis cultivation situated in a natural clearing. Specifically, Boden Wood, the owner, is seeking to expand existing permitted cannabis growing, increasing the total cultivation area from 26,505 square feet (sq. ft.) to 43,000 sq. ft.



In Northern Spotted Owl Take Avoidance Analysis and Guidance for Private lands in California - Attachment A: Take Avoidance Analysis-Coast Redwood Region, the U.S. Fish and Wildlife Service (USFWS) defines three NSO habitat types, High-Quality Nesting/Roosting Habitat, Nesting/Roosting Habitat, and Foraging Habitat. However, in establishing minimum habitat retention guidelines for NSO core-areas, the Service is also careful to emphasize the importance of considering habitat in terms of its spatial extent, and proximity to the other habitat types.

*“Because forest stands used by NSO are naturally variable structurally, management based on stand average values is unlikely to adequately describe suitable habitat at a scale that is meaningful to NSO...the habitat definitions provided below are intended for application at the scale of roughly 20 acres.” (USFWS 2019)*

### **Regulatory Setting**

Proposition 64 (the California Marijuana Legalization Initiative) gives Lead Agencies the right to make their own cannabis rules. Measures originally adopted by Humboldt County required noise sources measured at the property line to be no more than 60 decibels. Furthermore:

*“Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.”*

Nevertheless, HCPBD’s Cannabis Service Division has since adjusted its policy. Limiting noise generated from cannabis activities in excess of 50dB, at 100 feet or the edge of habitat, and adopting standards for NSO protection requiring the mitigation of impacts on owls out to 1.3 miles. However, disturbance guidelines provided by the U.S. Fish and Wildlife Service (USFWS) for timber harvesting are significantly less restrictive than those adopted by the CCLUO. According to Revised Transmittal of Guidance: Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California (USFWS 2020), noise may reach the level of take when one of the following conditions is met:

- *Project-generated sound exceeds ambient nesting conditions by 20-25 decibels (dB)*
- *Project-generated sound, when added to existing ambient conditions, exceeds 90 dB*
- *Human activities occur within a visual line-of-sight distance of 330 feet or less from a nest.*

Cannabis cultivators applying for an Annual License from the California Department of Food and Agriculture must also address potentially significant adverse environmental effect in accordance to CEQA. Although not directly regulating land use, as a blueprint for determining the significance of environmental impacts, CEQA requires state and local agencies to follow a protocol of analysis and public disclosure. Consequently, potential impacts to NSOs have been evaluated according to standards provided by the FPRs. Functionally equivalent to CEQA, these rules provide firmly established thresholds of significance for these species that are functionally equivalent to CEQA.

## **Survey Methodology**

While the California Department of Forestry and Fire Protection (CAL FIRE) require that potential harmful effects on NSOs of timber harvesting be addressed out as far as 1.3 miles, because this project does not substantially modify NSO habitat, my assessment of adopts a less rigorous assessment method recommended by their protocol:

*“Where there is existing NSO habitat prior to harvesting and that habitat will continue to function equally after harvest (no downgrade), surveys only need to cover harvested areas, and areas out to a distance of 0.25 miles (assuming any NSO nesting within 0.25 miles of the harvest area will be detected and protected, and any NSO using the area for foraging will continue to be able to do so).” (USFWS 2019)*

Located in open grasslands, this project does not involve habitat degradation. However, bordering private timberlands, it has a history of NSO surveying reflected in metadata provided by the California Natural Diversity Data Base (CNDDDB). As such, in addition to reviewing NSO survey information provided by the California Natural Diversity Data Base (CNDDDB) dating back to 1994, my determination of potential impacts to NSOs relies in large part on a habitat evaluation. Consequently, by comparing aerial photography obtained from the NAIP, against prevailing stand conditions, the habitat suitability within a quarter mile of this project was assessed in accordance to USFWS protocol.

## **Survey Results and Discussion**

In accordance to the CNDDDB, there is only one active NSO Territory within 1.3 miles of this project. Last detected approximately 0.5 miles to the south southeast in 2015, a single male owl attributed to MEN0458 was reported approximately 500 feet to the south in 2001. However, recorded on a quarter-section centroid basis, this twenty-year-old detection is likely does not reflect an actual location. Indeed, NSO detections this old should reasonable be regarded as anecdotal, because according CNDDDB disclaimer:

*“The data represented on this site vary in currentness, accuracy, scale, completeness, and extent of coverage, and have been contributed from various sources. We highly recommend reviewing available metadata prior to interpreting these data.”*

Although initially believed to be old growth dependent, NSOs were later found to be common in younger forest types of northern California (USDA 1994). However, not only is the area within a ¼ mile of this site below the minimum threshold recommended by the USFWS for NSO core-areas, the forest adjacent to this project lacks the structural threshold for Nesting/Roosting Habitat, 100 square feet basal area and six percent canopy cover from trees 11 inches or larger (USFWS 2019). As such, given the lack of detections inside this area, it is reasonable to conclude that the proposed cannabis cultivation will not impact NSOs in a manner that violated State or Federal law.

Nevertheless, rather than habitat encroachment, or regulated cannabis cultivation, competition from exotic-invasive barred owls (*Strix varia*) is now regarded as the largest threat to the California NSO population (USFWS 2011). Conducting northern California NSO surveys for nearly thirty years, I estimate Humboldt County has lost up to half of its nesting pairs to competition with this invasive exotic species. However, short of removing barred owls, I have been unable to find a justification for mitigating potential impacts of cannabis cultivation as far as 1.3 miles away.

### **Conclusion and Recommendations**

The habitat associated with this project lacks suitable nesting habitat, and with no record of owls ever having roosted or nested within ¼ miles, expanding cannabis cultivation is unlikely to negatively impact NSOs. However, in compliance with the CCLUO, cannabis cultivation noise levels should be monitored to assure that operations are kept below the 50 decibel (dB) threshold for NSO disturbance, at 100 feet. Furthermore, greenhouse structures utilizing artificial light should also be monitored, making sure that they are covered with tarps in adherence to Dark Sky Association guidelines for Lighting Zone 0 and Lighting Zone 1.

Sincerely,

**Troy Leopardo**



Leopardo Wildlife Associates  
145 Liscom Hill Road  
McKinlyville, CA 95519  
(707) 502-9357  
[leowild@prodigy.net](mailto:leowild@prodigy.net)

Sources and Literature Cited

California Department of Fish and Wildlife. 2021. Natural Diversity Data Base Spotted Owl Data Viewer. October 5, 2021 Report

Mayer, K.E and William F. Laudenslayer (1988). A Guide to Wildlife Habitats of California. California Dep. Of Forestry and Fire Protection, Pacific Southwest Forest and Range Experiment Station (Berkeley, Calif.)

U.S. Department of Agriculture. 1994. Final supplemental environmental impact statement on management of habitat for late-successional and old-growth forest related species within the range of the northern spotted owl. USDA Forest Service, Portland, Oregon, and USDI Bureau of Land Management, Portland, Oregon.

U.S. Fish and Wildlife Service. 2011. Revised Recovery Plan for the Northern Spotted Owl (*Strix occidentalis caurina*). U.S. Fish and Wildlife Service. Portland, Oregon. Xvi+258pp.

U.S. Fish and Wildlife Service. 2020. 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. 2019. Northern Spotted Owl Take Avoidance Analysis and Guidance for Private lands in California Attachment A: Take Avoidance Analysis-Coast Redwood Region. U.S.

U.S. Fish and Wildlife Service. 2012 Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls. Endorsed by the U.S. Fish and Wildlife Service February 2, 2011 Revised January 9, 2012.

## RESUME

Troy Leopardo

### WILDLIFE BIOLOGIST

McKinleyville, California 95519

[leowild@prodigy.net](mailto:leowild@prodigy.net) 707 502 9357

A northern California private consulting biologist with thirty years of experience, Troy has particular expertise with design and implementation of surveys for threatened and endangered species, as well as environmental regulations, policy and law

### EDUCATION

Bachelor of Science in Wildlife Management from Humboldt State University, with a Range Management emphasis and upper division courses in Waterfowl and Wildlife Diseases (1988)

### PROFESSIONAL EXPERIENCE

**Leopardo Wildlife Associates (LWA), McKinleyville, California (Since 1997)**

Senior biologist and owner of small consulting firm providing biological services for private and public landowners throughout northern California. Focused on biological field investigations and analysis pursuant to the California Environmental Quality Act (CEQA) and Forest Practice Regulations (FPRs), I conduct surveys for State and federally listed species. Predominantly northern spotted owls, but also seasonally appropriate surveys for migratory nesting birds, as well as sensitive amphibians and mammals. Other duties include Environmental Monitoring and Storm Water Pollution Prevention Planning (SWPPP). Supervising as many as 10 biologists and technicians on a project-to-project basis, prominent **clients include:**

- **Soper Company:** Consulting biologist responsible for company holdings in Northwestern California. Provide scientific review and legal analysis in support of Timber Harvest Plans (THPs) in accordance with CEQA and the FPRs. Implement wildlife surveys, evaluate and map habitat, assess biological impacts, and design mitigations for federally endangered species such as the northern spotted owl (NSO) and California Red-legged Frog (1998 to present)
- **Barnum Lumber Company:** Supervised NSO surveys on 25,000-acre ownership in Humboldt Mendocino Counties; designed and implemented surveys for other sensitive and protected species such as Bald Eagle and Northern Goshawk. Conduct scientific review and legal analysis in support of THPs. Designed forest habitat classification system for company GIS (1997 to present)
- **Green Diamond Resource Company:** contract NSO surveys on 15,800-acre tract (2019-2021)
- **Timberland Resources Consultants:** Prepared CEQA documentation for commercial cannabis projects according to Humboldt County Commercial Cannabis Land Use Ordinance (2019- 2021)
- **Sequoia Ecological Consulting:** Planned and implemented surveys for Northern Goshawk, California Spotted Owl, and Great Gray Owl as sub-contractor for Pacific Gas & Electric (PG&E) at Lyons Reservoir, Sand Bar Dam, and Philadelphia Weir (2012 to 2014), Migratory Bird Treaty Act (MBTA) surveys and environmental monitoring for gas line replacement and vegetation removal (2016 and 2018)
- **Humboldt County Public Works:** Biological Assessment (BA) for the Honeydew Bridge Replacement Project, McKay Community Forest NSO Monitoring, and MBTA Surveys for County road construction (2013 - 2016)
- **Hambro Forest Products:** Prepared BA for contested THP involving sensitive vegetation communities and special status species in the California Coastal Zone (2017)
- **Redwood National and State Park:** Awarded Marbled Murrelet and NSO survey contract in Redwood National Park; successfully implemented and administrated field surveys in the Lost Man Creek study area involving 2,500 acres located near Orick, California (2006 and 2007)
- **Gualala Redwoods, Inc.:** Carried out THP related wildlife surveys and documentation associated with this 28,000-acre timber company located in coastal Mendocino and Sonoma Counties; implemented field investigations for spotted owl and marbled murrelet. Conducted agency consultation according to CESA and ESA (1999 to 2006)

## **PROFESSIONAL EXPERIENCE, LWA Clients...Continued**

• **MHA Environmental Consulting, Inc.:** Environmental consultant for PG&E as a MHA sub-contractor; planned and implemented pre-construction surveys for sensitive wildlife, designed mitigation measures and directed environmental monitoring for the Fairhaven-Arcata Tower Replacement Project involving the airlifting of equipment into sensitive beach dune habitat containing Endangered Plants on the Samoa Peninsula in Humboldt County. Acting SWPPP Project Leader and Hazardous Materials and Water Pollution Control Manager for the Humboldt-Arcata 60 kV Reconstruction Project (2003 to 2006)

### **Natural Resources Management Corporation (NRM)**

**(1990 – 1997)**

NRM lead biologist, and instrumental in establishing environmental consulting branch of this northern California forestry-consulting firm. Directed a staff of natural resource professionals; trained and supervised up to 12 seasonal employees in a wide variety of environmental tasks, emphasizing surveys for threatened and endangered species. Conducted aerial photograph interpretation and habitat mapping; performed National Environmental Policy Act (NEPA) documentation, as well as ESA and CEQA analysis. Developed a method of assessing biological impacts and cumulative effects for THPs that later became industry standard. Successfully planned and implemented the completed the following projects:

- Biological Analysis (BA) and Wildlife portion of Environmental Assessment for the Robinson project; conducted field investigations for this 500-acre USFS Timber Sale on Plumas NF
- Designed Old-Growth Habitat Model for Pacific Lumber Company's MSHCP
- Directed biological surveys and documentation according to the California THP process; analyzed biological impacts, designed mitigations, and mapped habitats for over 40 THPs
- Private Consulting Biologist (PCB) authorized by the California Department of Fish and Game to issue "No Take" determinations for NSOs; analyzed over 50 THPs for potential owl impacts in accordance with CEQA and ESA
- Conducted surveys and prepared consultations for state and federally listed wildlife species, such as the Marbled Murrelet, the Bald Eagle, the Peregrine Falcon, and the California Red-legged Frog
- Planned and implemented field investigations for non-listed species of concern, such as the Northern Goshawk, the Pacific Fisher, Del Norte Salamander, Southern Torrent Salamanders and Northern Red-legged Frogs
- Wrote Biological Resources section for the Humboldt County Dump Siting Study, analyzed potential biological impacts of five proposed dump sites in Humboldt County
- Directed implementation of Marbled Murrelet surveys in Timber Sale areas on the Mad River and Gasquet Ranger Districts in Six Rivers National Forest

### **Mt. Hood National Forest, Estacata, Oregon**

**(1990)**

Directed NSO inventory program on the Estacata RD, fought wildfires in eastern Oregon.

### **Rouge River-Siskiyou National Forest, Gold Beach Oregon**

**(1988-1990)**

Supervised NSO inventory program on the Gold Beach Ranger District; classified late seral habitat using aerial photo interpretation; planned and implemented habitat improvements for Wild Turkey, Peregrine Falcon and Roosevelt Elk. Participated in fisheries projects, such as stream surveys, construction of in-stream fish habitat structures, salmonid brood stock collection, egg hatch-box maintenance, and spawning surveys.

### **RELEVANT TRAINING AND WORKSHOPS**

CEQA for RPFs: A California Licensed Foresters Association Workshop **(2009)**

Caltrans Certified Storm Water Pollution Prevention Plan (SWPPP) Training **(2007)**

California Department of Fish and Game Forest Amphibian Identification Training **(1994)**

### **PROFESSIONAL AFFILIATIONS**

The Wildlife Society: California North Coast Chapter Programs Committee Chairman **(1997-2000)**



3 and 4

Additional Maps

Focused portion of the Watershed Map. Note that there are approved cannabis cultivation permits on properties immediately to the north, east, and south of the project site. The permit to the east is a retirement site and so no cultivation is authorized on that property. The other cannabis cultivation permits in the surrounding area were approved for existing cultivation amounts of 10,000 sf or less.



Satellite Image of the surrounding forested area. Note that Richardson Grove State Park is approximately 1 mile to the northeast.

