



# Developing a Voluntary, Opt-in Northern Spotted Owl Safe Harbor Agreement

## Update to the Forest Practices Board February 8, 2016

Lauren Burnes

Executive Policy Advisor: Forests & Conservation



# Voluntary Enrollment Process

## APPLY FOR ENROLLMENT

Landowners voluntarily apply for the SHA with DNR

## TECHNICAL ASSISTANCE

DNR uses the programmatic SHA and EA as a guide for individual landowner-by-landowner enrollment

## UMBRELLA PROTECTION

Landowners receive protection for approved above-baseline activities

Landowners will have the flexibility to “opt-in” and “opt-out”



# DNR's Programmatic SHA & Enhancement of Survival Permit

Guides

Landowner's Individual SHA  
Enrollment Instrument  
& 'Certificate of Inclusion'

Guides

Landowner's Forest Practices  
Applications



## -EXAMPLE- CERTIFICATE OF INCLUSION

This certifies that the property described as follows [(description of property enrolled under Safe Harbor permit)] owned by [Cooperator's name], is included within the scope of Permit No. [(permit number)], issued by the U.S. Fish and Wildlife Service to the Oregon Department of Forestry, on [(date)], and expiring on [(date)] under the authority of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended, 16 U.S.C. 1539(a)(1)(A). Such Permit authorizes activities, consistent with the Safe Harbor Agreement, by participating landowners (Cooperators) which is expected to provide habitat for northern spotted owls or otherwise restore natural habitat occupied by the species. Pursuant to that Permit and this Certificate of Inclusion, the holder of this Certificate is authorized to engage in any otherwise lawful activity that is consistent with the Agreement on the above described property which may result in the incidental taking of northern spotted owls. Management activities are subject to the terms and conditions of said Permit and the terms and conditions of the Safe Harbor Agreement entered into pursuant thereto by the Service, the Oregon Department of Forestry, and the USDA Natural Resources Conservation Service on [(date)], that becomes binding upon [Cooperator's name], on the date and signature herein.

Name of Permittee \_\_\_\_\_ Date \_\_\_\_\_

Participating Landowner \_\_\_\_\_ Date \_\_\_\_\_



# “Baseline”

The USFWS’ Safe Harbor Policy defines “baseline conditions” as “population estimates and distribution and/or habitat characteristics and determined area of the enrolled property that sustain seasonal or permanent use by the covered species at the time the SHA is executed.”

- Baseline must be protected for the duration of the agreement (mitigation debt is not allowed)
- **Spotted Owl habitat inside a Status 1-3 circle where less than or equal to 40% of the area of the circle meet the definition of Spotted Owl habitat**



# “Net Conservation Benefit”

Conservation benefits can include, but are not limited to:

- maintaining, restoring, or enhancing habitat;
- increasing habitat connectivity/reducing fragmentation;
- maintaining or increasing species population numbers;
- buffering protected areas; testing conservation strategies; and
- reducing the potential effects of catastrophic events.



# Conservation Measures

Defined as those actions that:

- (a) protect and retain existing habitat that is not part of the baseline; or
- (b) recruit and retain future spotted owl habitat.

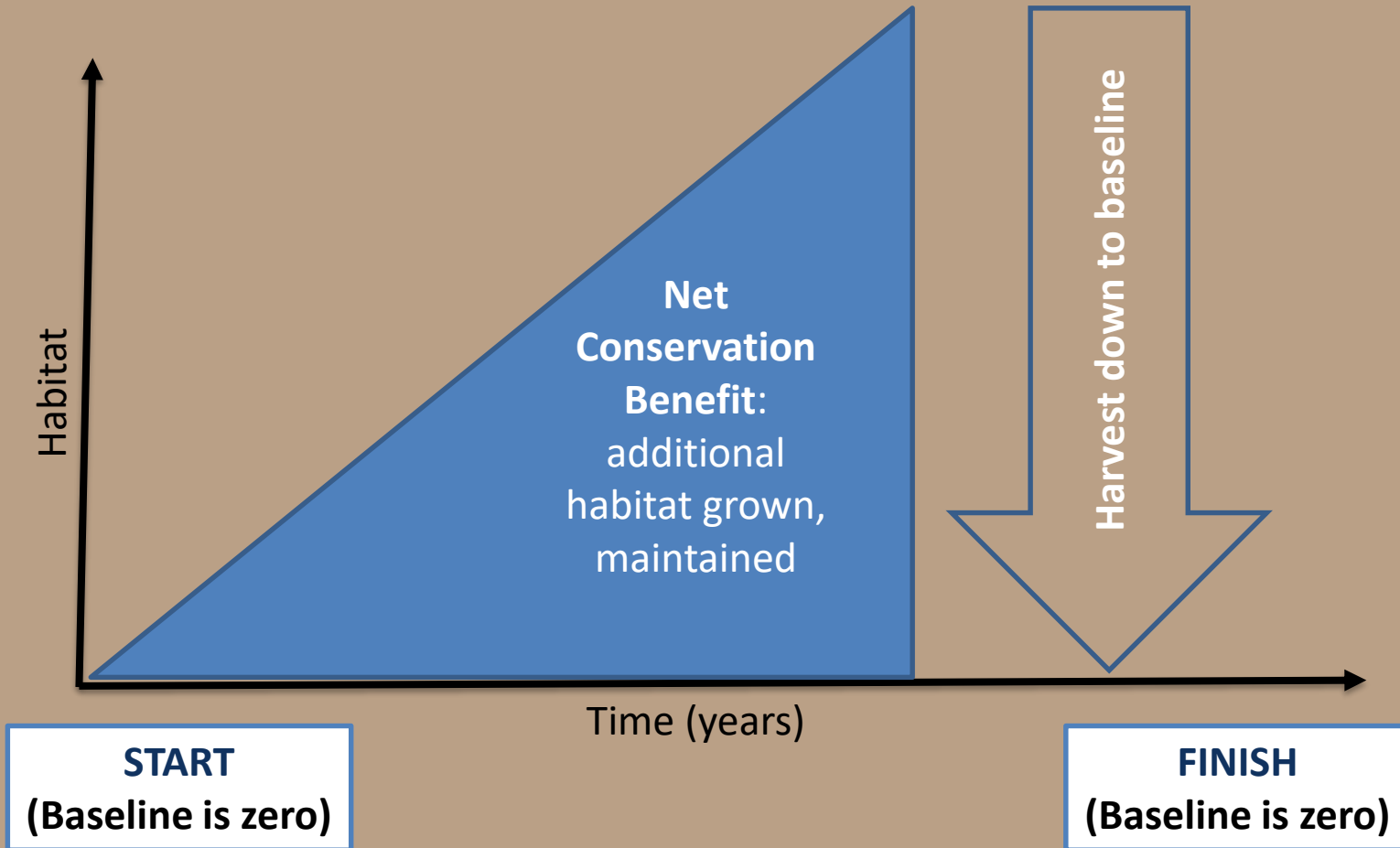
## Forest Management

- i. Habitat development, maintenance, enhancement
- ii. In all cases, there is a requirement to protect baseline habitat on enrolled properties

**Not Included in SHA: Barred Owl Removal**

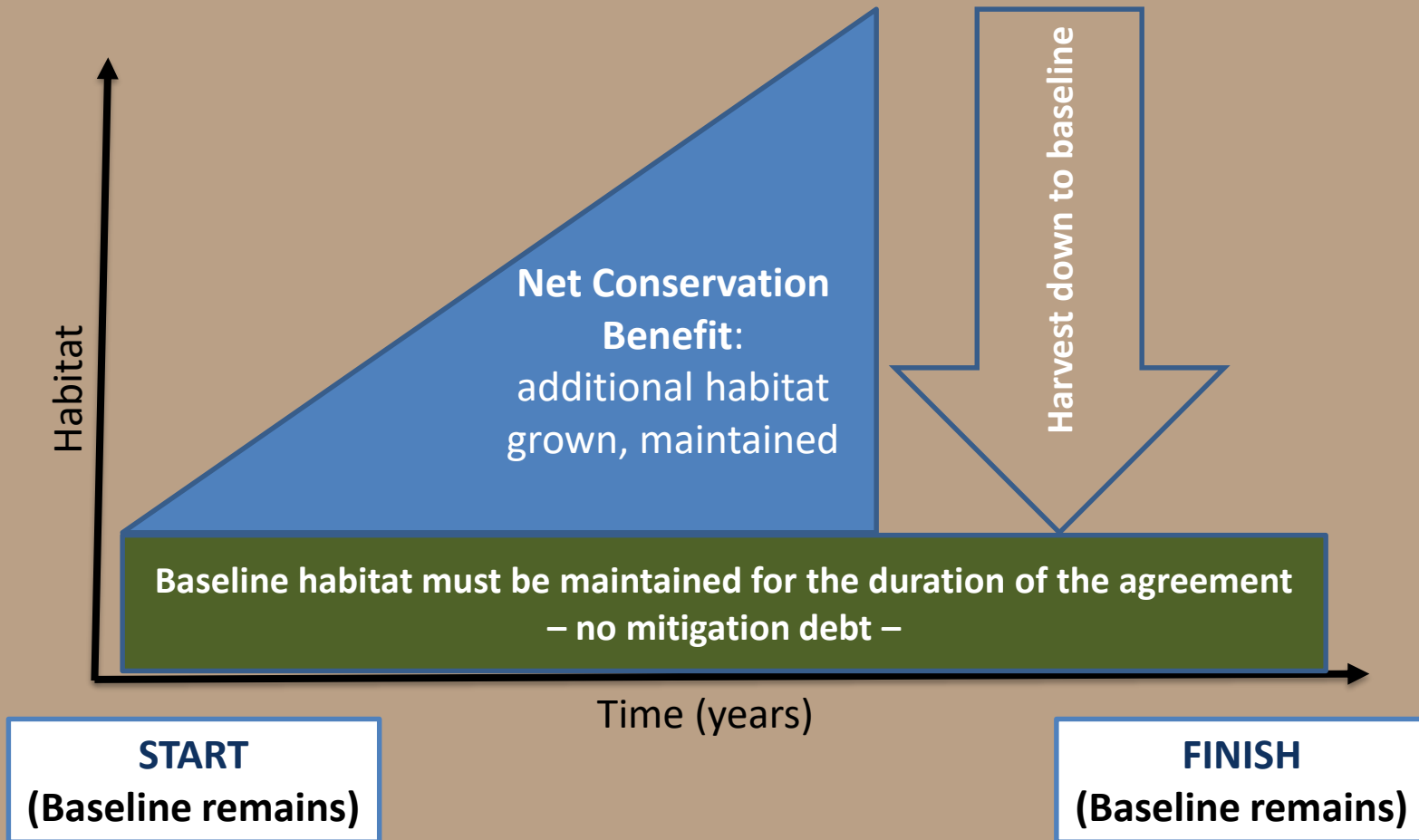


# “If you don’t have baseline”

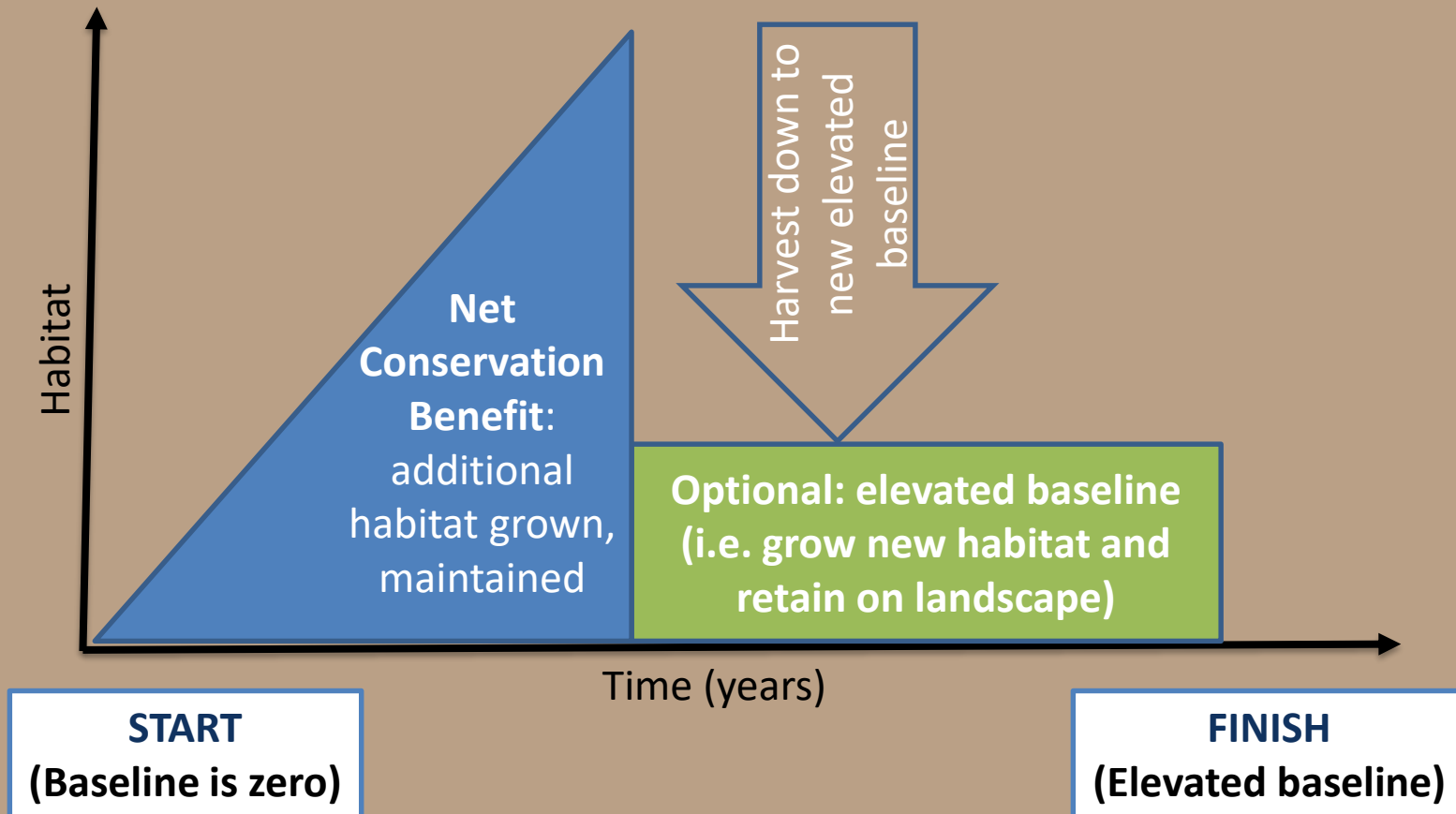




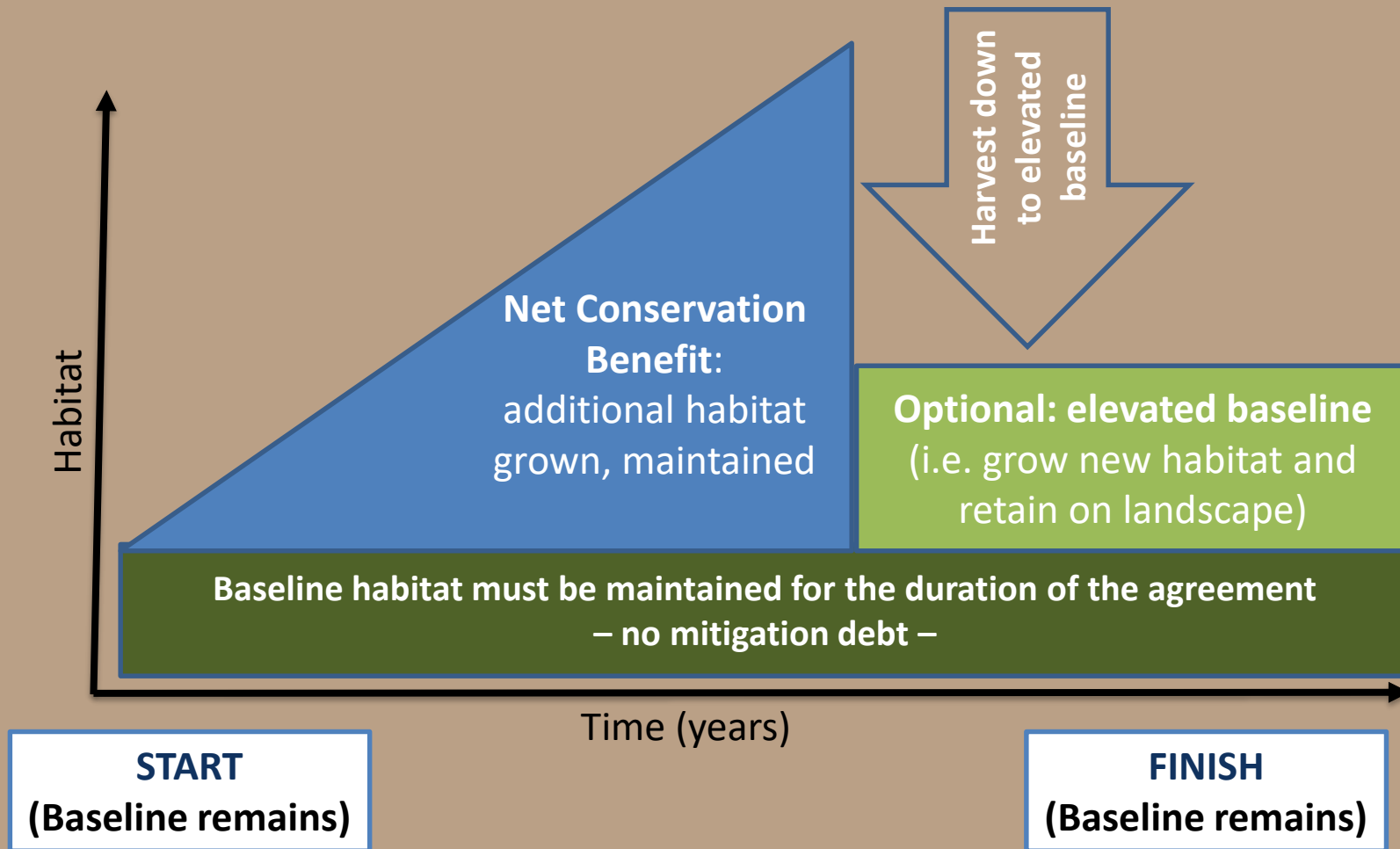
# “If you have baseline”



# “If you don’t have baseline, but want to offer an elevated baseline as a net conservation benefit”



# “If you have baseline and want to leave an elevated baseline”



# Elevated Baseline

Where possible, landowners are encouraged to consider an elevated baseline.



Elevated baseline as a voluntary conservation measure



Elevated baseline as a means to prevent mitigation debt to baseline



Temporary Elevated baseline as a means to prevent **temporary** mitigation debt to baseline



# Elevated baseline: voluntary conservation measure

A landowner may achieve a greater level of conservation value for the Spotted Owl by opting to leave an elevated baseline on the property as a proposed conservation measure, could pair well with financial incentives

Net conservation benefit = any above-baseline habitat grown during the duration of the SHA

Baseline habitat at beginning of enrollment

Landowner's enrolled property



Net conservation benefit = any above-baseline habitat grown during the duration of the SHA

Elevated baseline

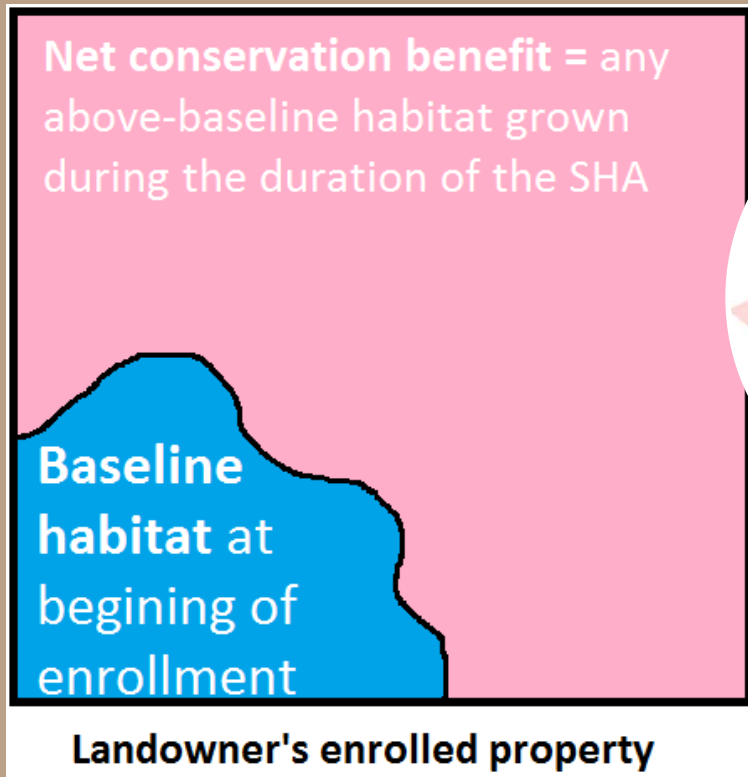
Baseline habitat at beginning of enrollment

Landowner's enrolled property



# “EB” as a means to prevent mitigation debt

An elevated baseline would involve the landowner identifying other current or future habitat and adding those acres to the baseline as up-front mitigation prior to any activity that would impact the original baseline.



# Temporary Elevated Baseline for Temporary Impacts

In special and likely rare circumstances it may be necessary to use forest management activities to enhance the value of baseline habitat that would otherwise be degraded in the near future without management. If the impacts to baseline are non-permanent, the temporary elevated baseline would be in effect until the original baseline habitat returns to function.

**Net conservation benefit = any above-baseline habitat grown during the duration of the SHA**

**Baseline habitat at beginning of enrollment**

**Landowner's enrolled property**



**Net conservation benefit = any above-baseline habitat grown during the duration of the SHA**

**Baseline habitat at beginning of enrollment**

**Temporary elevated baseline to offset temporary impact to baseline habitat**

**Landowner's enrolled property (not to scale)**



# Questions?





