

106TH CONGRESS
1ST SESSION

H. R. 3089

To provide for a comprehensive scientific review of the current conservation status of the northern spotted owl as a result of implementation of the President's Northwest Forest Plan, which is a national strategy for the recovery of the species on public forest lands.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 1999

Mrs. CHENOWETH-HAGE (for herself, Mr. WALDEN of Oregon, Mr. METCALF, Mr. DOOLITTLE, Mr. HERGER, Mr. RADANOVICH, Mr. POMBO, and Mr. HASTINGS of Washington) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for a comprehensive scientific review of the current conservation status of the northern spotted owl as a result of implementation of the President's Northwest Forest Plan, which is a national strategy for the recovery of the species on public forest lands.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REVIEW AND REPORT ON CONSERVATION STA-**
4 **TUS OF NORTHERN SPOTTED OWL.**

5 (a) DEFINITIONS.—In this section:

1 (1) PRESIDENT’S NORTHWEST FOREST PLAN.—

2 The term “President’s Northwest Forest Plan” re-
3 fers to the Record of Decision for Amendments to
4 Forest Service and Bureau of Land Management
5 Planning Documents Within the Range of the
6 Northern Spotted Owl, dated April 13, 1994, and
7 the accompanying Final Supplemental Environ-
8 mental Impact Statement.

9 (2) FEDERAL LAND MANAGEMENT AGENCIES.—

10 The term “Federal land management agencies” re-
11 fers to the Bureau of Land Management and the
12 Forest Service.

13 (3) CONSERVATION STRATEGY FOR THE
14 NORTHERN SPOTTED OWL.—The term “conservation
15 strategy for the northern spotted owl” refers to the
16 strategy adopted in the President’s Northwest For-
17 est Plan.

18 (b) REVIEW REQUIRED.—

19 (1) CONTRACT FOR REVIEW.—The Secretary of
20 the Interior, in consultation with the Secretary of
21 Agriculture, shall enter into a contract with the Na-
22 tional Research Council of the National Academy of
23 Sciences to conduct a comprehensive review of the
24 available scientific and commercial data regarding

1 the northern spotted owl (*Strix occidentalis caurina*)
2 and the current conservation status of the species.

3 (2) TIME FOR CONTRACT.—The contract shall
4 be entered into within 90 days after the date of the
5 enactment of this Act.

6 (3) DELEGATION.—The heads of the Federal
7 land management agencies shall carry out this sec-
8 tion.

9 (c) SPECIFIC MATTERS TO BE ASSESSED.—In the
10 review conducted pursuant to subsection (a), the National
11 Research Council shall answer the following questions:

12 (1) What is currently known about the geo-
13 graphic distribution, population size, and population
14 trend of the northern spotted owl?

15 (2) What vegetation features and environmental
16 factors result in suitable habitat for the northern
17 spotted owl?

18 (3) Can the demographic rates and population
19 trends of the northern spotted owl be linked statis-
20 tically to habitat and environmental conditions?

21 (4) What is the status of the adaptive manage-
22 ment and monitoring programs contained in the
23 President's Northwest Forest Plan that were in-
24 tended to evaluate the conservation strategy for the

1 northern spotted owl and to develop silvicultural pro-
2 grams compatible with the recovery of the species?

3 (5) What programs are in place to inform Fed-
4 eral land management agencies of new scientific and
5 commercial data regarding the northern spotted owl
6 and to apply this data to recovery efforts for the
7 species?

8 (6) Is the current conservation strategy for the
9 northern spotted owl likely to lead to recovery of the
10 species in the foreseeable future?

11 (7) Do any of the public forest and other land
12 areas that were identified as critical habitat in the
13 initial listing of the northern spotted owl contain
14 adequate numbers of breeding pairs to maintain the
15 population?

16 (8) With the President's Northwest Forest Plan
17 being used as the recovery plan for the northern
18 spotted owl, should milestones be developed and
19 adopted as benchmarks to be used in delisting deci-
20 sions?

21 (d) REPORTS.—

22 (1) FINAL REPORT.—The National Research
23 Council shall submit to the Secretary of the Interior,
24 the Secretary of Agriculture, and Congress a final
25 report containing the results of the review conducted

1 pursuant to subsection (a), including answers to the
2 questions specified in subsection (c), within 18
3 months after the date the contract was entered into
4 under subsection (a).

5 (2) INTERIM REPORTS.—The National Research
6 Council shall also provide the following interim re-
7 ports and progress updates to the Secretary of the
8 Interior, the Secretary of Agriculture, and Congress:

9 (A) Not later than 30 days after the con-
10 tract is entered into, the National Research
11 Council shall submit an outline of the review
12 plan, including information regarding the per-
13 sons who will be involved in the review, the
14 schedule for the review, and other necessary in-
15 formation concerning the review.

16 (B) Not later than 9 months after the con-
17 tract is entered into, the National Research
18 Council shall submit a midpoint status report
19 on its findings to date.

20 (e) INTERAGENCY COOPERATION.—All departments
21 and agencies of the Federal Government that have a man-
22 date under law associated with the listing or recovery of
23 the northern spotted owl or the management of public for-
24 est or other lands containing suitable habitat for the
25 northern spotted owl shall cooperate fully with the Na-

1 tional Research Council in its activities in conducting the
2 review under this section.

3 (f) FUNDING.—Of the amounts available for the
4 management of public forest lands under the jurisdiction
5 of the Bureau of Land Management and the Forest Serv-
6 ice, \$250,000 shall be available for the review under this
7 section.

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