

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.

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## 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

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## 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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