



Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

October 5, 2007

Patrick Sousa
Chief, Endangered Species
U.S. Fish and Wildlife Service
Ecological Services
Pacific Regional Office
911 NE. 11th Avenue
Portland, OR 97232

Dear Mr. Sousa,

The following comments from the Union of Concerned Scientists (UCS) Scientific Integrity Program are in regards to the Draft Recovery Plan for the Northern Spotted Owl (72 FR 20865) and the Designation of Critical Habitat for the Northern Spotted Owl (72 FR 32450) comment periods, reopened until Oct 5, 2007 (72 FR 50929).

UCS requests that the U.S. Fish and Wildlife Service (FWS) convene a new panel of independent scientists and experts to redraft the recovery plan for the Northern Spotted Owl. Independent peer reviewsⁱ by the Society for Conservation Biology, the American Ornithologists' Union, and The Wildlife Society have uniformly concluded that the current draft is not based on the best available science, as is required by agency guidance.ⁱⁱ We support their criticisms of the inappropriate elevation of the threat of barred owls over habitat loss, poorly defined metrics, and use of outdated modeling. In addition, we are concerned that three scientists whose work was consistently cited in the recovery plan felt their work was either misrepresented, selectively applied, or stretched beyond the author's conclusions.ⁱⁱⁱ

Allegations of undue influence by non-scientist officials on the spotted owl recovery plan also mar its objectivity.^{iv} The best policy decisions can only be made when independent and best available science is respected.

In regard to the solicited comments on the merit of critical habitat designation, a consistent criticism in the Northern Spotted Owl recovery plan peer reviews was the inappropriate downplaying of the effects of habitat loss and degradation on the species. Habitat protection is essential if species are to be conserved and the goals of the Endangered Species Act are to be met. Critical habitat designation obligates federal agencies to consult with the appropriate wildlife agency and its biologists when federal actions could affect habitat for listed species. This is an indispensable provision in the Endangered Species Act which provides the means for science to inform crucial policy decisions which could determine the fate of an at-risk species.

In light of the problems enumerated above, FWS should assemble an independent panel to draft a new recovery plan which mindfully addresses the criticisms from the current draft's peer reviewers. FWS should ensure the drafting process is transparent and free of political interference. As there are several related forest policy actions pending which are based on this grossly flawed recovery plan, FWS should place the implementation of these actions on hold until the new recovery plan is finalized.

Sincerely,



Francesca T. Grifo
Director and Senior Scientist
Scientific Integrity Program
Union of Concerned Scientists

About UCS: The Union of Concerned Scientists is a leading science-based nonprofit working for a healthy environment and a safer world. The UCS Scientific Integrity Program mobilizes scientists and citizens alike to defend science from political interference and restore scientific integrity in federal policy making.

ⁱ Peer Review by the Society of Conservation Biology (North American Section) and the American Ornithologists' Union <http://www.fws.gov/pacific/ecoservices/endangered/recovery/peer.html>, peer review by The Wildlife Society http://www.wildlife.org/policy/TWS_comments_on_NS0_plan.pdf, and extensive comments by the Society for Conservation Biology <http://www.conbio.org/Sections/NAmerica/SCB-NA%20Comments%20to%20FWS%20Northern%20Spotted%20Owl.pdf>

ⁱⁱ Notice of Interagency Cooperative Policy on Information Standards Under the Endangered Species Act. 94 FR 34271 <http://www.fws.gov/angered/policy/Pol004.html>

ⁱⁱⁱ N. Spotted Owl Draft Recovery Plan peer reviews. See in particular those of Dr Katie Dugger, Dr. Alan Franklin, and Dr. Gail Olsen. <http://www.fws.gov/pacific/ecoservices/angered/recovery/peer.html>

^{iv} DellaSala, Dominick. Written testimony for the House Natural Resources Committee Hearing entitled "Endangered Species Act Implementation: Science or Politics?" <http://www.nccsp.org/files/land/spottedowltestimonydds.pdf>