Group wants logging ban to protect owl

Citing a "prolonged and accelerating decline" that halved Washington's spotted owl population since the early 1990s, a Seattle environmental group asked a federal judge Monday to bar logging on about 50,000 acres of private timberlands in Western Washington.

The Seattle Audubon Society targeted four sites owned by the Weyerhaeuser Co. in southwest Washington where spotted owls have been seen. The group says these are examples of Western Washington sites where the court should order the state Forest Practices Board to halt all logging.

Joined by the Kittitas Audubon Society, the Seattle group said state rules "offer no meaningful protection" for owls outside 13 "special emphasis" areas where the state chose to better protect the reclusive birds.

A spokeswoman for the Forest Practices Board said the board tightened some rules affecting owls last year and is awaiting a new federal plan to restore owl populations. Weyerhaeuser said no owls have been seen for some time at two of the sites targeted in the suit, and the company does not plan to cut any timber at the other two sites.

The suit could prove important if the plaintiffs are able to show that the state's rules violate the Endangered Species Act. Owls have been declining about 7 percent per year in Washington, far faster than in Oregon and California.

"We're saying, as to these owls that are still hanging on, don't kill them," said Peter Goldman of the Washington Forest Law Center, which represents the environmentalists.

When federal officials drew up a recovery plan for the owl in the 1990s, they decided to emphasize protections in national forests, reducing logging there by about four-fifths.

At issue in the new lawsuit is private land where owl conservation efforts were expected to buttress the federal plan. The estimated 50,000 acres at stake represents less than 1 percent of the approximately 7.8 million acres of private timberland in the state, Goldman said.

In the 13 state-designated "special emphasis" areas for owls, state rules protect a core of 70 acres around each nest. But outside those zones, everything -- including the tree where owls nest -- can be toppled outside the nesting season.

Two areas recommended for the extra protection did not get it. One was in southwest Washington, where Weyerhaeuser owns lots of timberland.

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The suit seeks "an even playing field where Weyerhaeuser is abiding by the same rules other companies are abiding by," said Alex Morgan, conservation director of Seattle Audubon.

Weyerhaeuser owns about 1.1 million acres in this state, about 100,000 acres of which is spotted owl habitat, the environmentalists' suit says. The company says it exceeds legal requirements for protecting the birds.
Frank Mendizabal, a Weyerhaeuser spokesman, said no owls have been seen for 14 years at one of the four sites targeted, and at another, there was only one brief sighting some years ago.

At the other two sites, he said, the company is cooperating with federal officials studying how the barred owl may be harming the spotted owl. The barred owl arrived in Washington in recent decades after flying across Canada and then south. It is thought to be displacing spotted owls in at least some forests.

"We're committed to continuing protection of the ... spotted owl and other threatened or endangered species any place they are present on our land," Mendizabal said. "We do a pretty good job of protecting habitat."

Patty Henson, a spokeswoman for the state Forest Practices Board, said state representatives are on a federal team coming up with a new plan to save the owl.

"The Forest Practices Board has gone on record recognizing the importance of ... spotted owl conservation and has recognized in particular the importance of federal lands," she said.

The suit was filed last Tuesday. Monday, the plaintiffs asked U.S. District Judge Marsha Pechman to issue a preliminary injunction forbidding Weyerhaeuser to log near the four sites where owls have been spotted and directing the Forest Practices Board to forbid logging in similar sites.

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