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Conservation Groups Ask Court to Reinstate Protections on 3.4 Million Acres of Critical Northern Spotted Owl Habitat

Legal Action Seeks to Reverse Trump Administration's Dismantling of Environmental Protections for Northwest's Disappearing Old-Growth Forests

PORTLAND — March 23, 2021 — Conservation groups in the Pacific Northwest filed a legal challenge to reinstate federal protections on more than 3.4 million acres of federal old-growth forests, which are essential for the survival of the threatened northern spotted owl. The lawsuit asks the court to reject a rule issued in the last days of the Trump administration that eliminated one-third of the critical habitat protections for the species. The nonprofit law firms Earthjustice and Western Environmental Law Center represent Audubon Society of Portland, Cascadia Wildlands, Center for Biological Diversity, Conservation Northwest, Environmental Protection Information Center (EPIC), Klamath-Siskiyou Wildlands Center, Oregon Wild, Sierra Club and The Wilderness Society in the lawsuit.

The U.S. Fish and Wildlife Service (Fish and Wildlife) protected the northern spotted owl, a bird found only in the old-growth forests of the Pacific Northwest, as a threatened species under the Endangered Species Act in 1990. In 2012, approximately 9.6 million acres of habitat necessary for the owl's survival and recovery were protected on federally managed public lands in Washington, Oregon and Northern California.

"Protecting habitat is the most important thing we can do for the owl," said **Bob Sallinger, Audubon Society of Portland Conservation director**. "If northern spotted owls are going to survive and recover, we must get all the habitat protections back in place."

The drastic slashing of critical habitat protections came as a surprise, as an earlier proposed rule suggested eliminating protections for only 200,000 acres. The final rule also came despite the Fish and Wildlife's science-based conclusion in December that northern spotted owl populations deserved to be protected as endangered due to continued habitat loss. The old-growth forests that support spotted owl populations also have an important role to play in the global climate crisis, as they absorb and store more

carbon. As a result, scientists consider old-growth forests to be a part of the solution to reduce the impacts of climate change.

“By cutting Critical Habitat, Trump not only hurt the northern spotted owl but the multitude of species that depend on these same rare and threatened old-growth forests,” said **Tom Wheeler, executive director at EPIC**. “Protecting the owl also means protections for the wide diversity of life—from salamanders to flying squirrels—that call our Western forests home.”

“It defies logic, not to mention spotted owl biology, to eliminate 3.4 million acres of protected habitat for this charismatic species,” said **Susan Jane Brown, Western Environmental Law Center staff attorney**. “Owls are so imperiled that endangered status is appropriate, and yet the agency stripped the owl of essential habitat protections. That’s nonsensical.”

Earlier this month, the Biden administration extended the date at which the rule slashing habitat protections would go into effect and asked for further public comment on the millions of acres of owl habitat that would be opened for logging. In addition to spotted owl recovery, preserving old-growth forests, which serve as buffers against climate change, could help the Biden administration to achieve overarching national climate goals while supporting the Nationally Determined Contributions under the Paris Agreement.

“The Trump administration looted the palace on its way out the door,” said **Kristen Boyles, Earthjustice staff attorney**. “The Biden administration is taking the right steps to fix the mess it was handed, and we want to ensure it continues to do so.”

“This habitat rollback, like so many Trump assaults on the environment, was inaccurate, sloppy and illegal,” said **Ryan Shannon, a staff attorney at the Center for Biological Diversity**. “Our goal is to make sure the owl retains all the habitat protections it scientifically needs to recover.”

“The Trump administration eliminated protection for millions of acres of spotted owl habitat in areas that are essential for the recovery of the species,” said **Doug Heiken of Oregon Wild**. “For instance, scientists have said that the spotted owls cannot survive on the National Forest alone. Low-elevation Bureau of Land Management forests serve as vital stepping stones of suitable habitat for spotted owls moving between large blocks of habitat in the Cascades and the Coast Range.”