



Congress of the United States
House of Representatives
Washington, DC 20515

October 2, 2007

Secretary Dirk Kempthorne
Department of Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Kempthorne:

We are writing to convey some significant concerns with the Northern Spotted Owl Recovery Plan. We are especially concerned that the peer review has produced unanimous findings that the draft recovery plan is not based on the best available science and will not ensure recovery of the species. Consequently, we are requesting you withdraw the draft recovery plan to allow for a new recovery team of independent scientists to reissue a credible plan that will ensure that federal land management actions contribute to the recovery of the owl. The recovery plan is a key policy document tied to the recently proposed critical habitat determination for the northern spotted owl and linked to forest plan revisions on Bureau of Land Management (BLM) lands in western Oregon. All three of these proposed policies would significantly reduce old growth protections in the Pacific Northwest.

Scientific peer reviews were provided by some of the nation's top professional societies and scientists, including the Society for Conservation Biology, American Ornithologists' Union, and The Wildlife Society. The main findings of these independent reviews include: (1) the recovery team failed to make use of the best available science and, in fact, appeared to have selectively cited from the available science to justify a reduction in habitat protection; (2) the primary issue threatening the continued persistence of the owl remains the loss of old growth habitat through logging that prompted the original listing; (3) too much emphasis was placed on the adverse effects of barred owl range expansion as a cause of the owl's continued decline; and (4) the proposed options are not supported by any reasonable interpretation of the best available scientific information. These peer review findings were recently backed by three owl scientists commissioned by the Fish & Wildlife Service to review the recovery plan's habitat provisions. The scientists concurred that the habitat provisions of the recovery plan were not based on correct interpretation of their studies. One of them, Dr. Gail Olson, was so concerned by the misuse of her findings that she submitted testimony to the House Natural Resources Committee on May 16.

These peer reviews underscores concerns raised during a May 9 hearing before the House Natural Resources Committee. At this hearing, evidence was presented that showed the recovery plan may have been tampered with by high-ranking officials within the Administration, including former Interior Department Deputy Assistant Secretary Julie MacDonald who, for a time, was a member of the "Washington Oversight Committee" that apparently instructed the recovery team to develop options not based on sound science. In spite of this evidence, the draft spotted owl recovery plan was not included in your recent announcement to review eight Endangered Species Act decisions where Ms. MacDonald may have interfered with the science.

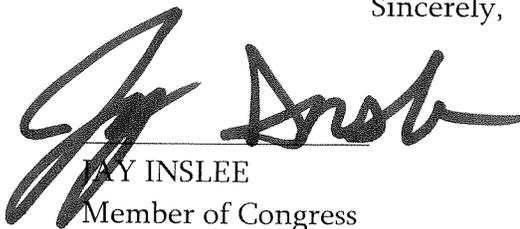
Therefore, based on these scientific peer reviews and the strategic importance of the draft spotted owl recovery plan to other proposed policy changes, we request that you do the following:

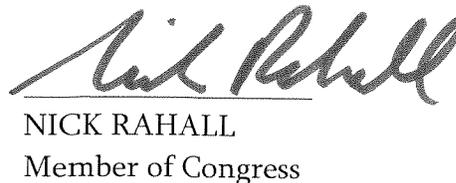
- 1) Dismiss the draft spotted owl recovery plan and assemble a new recovery team consisting of independent scientists to redo the owl recovery plan.
- 2) Place on hold any related forest management decisions, such as the proposed spotted owl critical habitat determination and the BLM Western Oregon Plan Revisions (WOPR).
- 3) Commission an independent peer review of the proposed critical habitat determination for the owl and the BLM WOPR to determine if these decisions are also scientifically flawed.

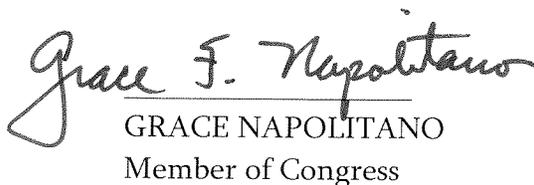
It is inappropriate to move forward with related land management decisions until a new recovery plan can be drafted that is based on the best available science and additional scientific peer review is conducted.

We look forward to hearing from you on this matter.

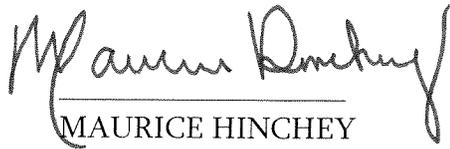
Sincerely,


JAY INSLEE
Member of Congress

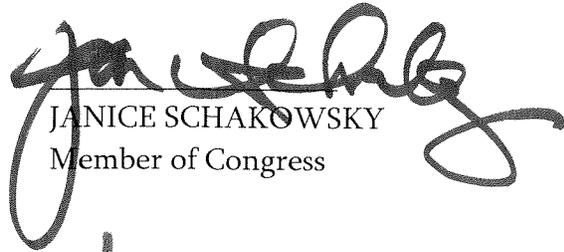

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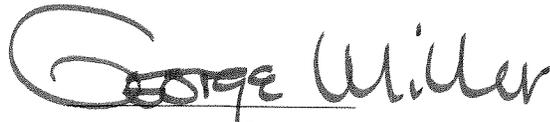
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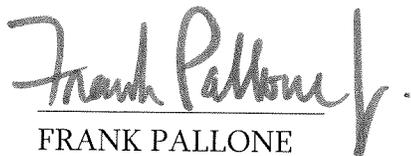
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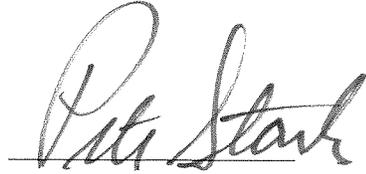
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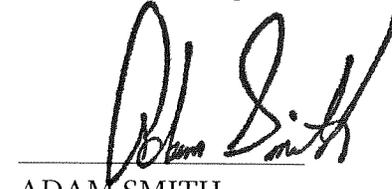
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