

Intro:

The Mexican Spotted Owl (MSO) has been the center of controversy for over two decades now. This owl occupies areas of New Mexico, Arizona, Southern Utah and Colorado. The MSO has been found to survive in a number of diverse habitats. In parts of its range, specifically southern Utah, the owl nests in rocky canyons and in caves; while in other parts of its range the MSO prefers dense old growth forests. (U.S. Fish & Wildlife Service) The MSO was listed as threatened in 1993 due to fear that “future timber harvesting practices” would wipe out habitat most conducive to the owl’s survival. Like in many cases, listings under the Endangered Species Act often result in extensive federal control and regulation of state land. The listing of the MSO was no different. Federal efforts to protect the MSO resulted in devastating consequences for our economy and forest land.

Economy:

Forest product industries depend on timber, much of which is harvested from public land, to produce revenue. These industries include logging, paper product production, and other wood based product manufacturing. This industry is incredibly important to our nation, bringing in 200 billion dollars in sales annually and providing upwards of one million jobs. (Investopedia)

This industry is an important part of our national economy, and at one time it contributed to our state’s economy as well. Unfortunately, the listing of the Mexican Spotted Owl under the ESA resulted in punitive federal regulations that created an inhospitable setting for the industry in New Mexico.

The MSO was listed under the assumption that logging practices that were being employed would eventually decimate the habitat of the MSO. (James, 2010) Since the MSO prefers older, taller, and denser forests as its habitat, the USFWS believed that the then current logging practice of shelter wood cutting (which produces younger forests by harvesting older trees) would cause the MSO’s population to decline drastically. Thus, in conjunction with the US Forest Service and the Bureau of Land Management the federal government implemented a recovery plan and amended land management plan for the MSO that dramatically reduced the amount of logging allowed on public lands. (James, 2010) However, the USFWS refused to acknowledge facts that indicated timber harvesting to be less threatening than they believed; timber harvesting rates had been decreasing significantly, and the logging methods being employed were being replaced by selective cutting methods (which strategically harvests trees of diverse age and size in order to preserve the multi-aged nature of a forests). (James, 2010)

The USFWS reached the conclusion that if current logging methods continued, old growth forests would be reduced in size, and the MSO would then face massive decline in population as a result. This conclusion was drawn from faulty assumptions and was therefore the entire listing was questionable. First, the USFWS overlooked

changing timber harvesting rates and methods; assuming without justification, that any form of logging would harm the MSO. They failed to consider the possibility that responsible logging methods would not destroy old growth forests. The USFWS also assumed, without providing proper justification, that the MSO's population would decrease to the point of being threatened by extinction if they did not have widespread access to old growth forests for nesting purposes. This assumption was also unsupported by appropriate evidence. In other parts of its range, the MSO has thrived in arid rocky canyons, juniper forests, and other areas that do not contain old growth forests. (U.S. Fish & Wildlife Service) But because the MSO will often forgo other habitats for preference of an old growth forest, the USFWS presumed that they are incapable of adaptation and nesting in other habitats. But the very fact that research has shown this owl to adapt to other types of habitat should have dissuaded the USFWS from making this assumption, especially before concrete research was conducted to prove the necessity of old growth forests to the MSO's survival. Even to this day little is known about the actual population of the MSO. Bill Block, manager of the Forest Service's wildlife and terrestrial ecosystems program told the New York Times, "We don't know if we've got 5,000 owls or 10,000 owls, because there's never been a concerted effort to figure that out." (Greenwire, 2011) From the day of the listing until now, the federal government has had very little knowledge about the population of the species they are trying to keep from extinction. The ESA requires that the USFWS use the best available research in listing a species, not speculations. Ultimately, the USFWS made embarrassing and unfounded assumptions that led to the listing of the MSO. The consequent regulation of timber harvesting was devastating to the forest product industry in New Mexico. These regulations effectively abolished the industry by eliminating public access to commercial grade timber. (James, 2010) Many operations that depended on timber harvested from public land were forced out of our state and our economy lost valuable commerce.

The listing of the MSO did not only harm New Mexico's economy, but it greatly effected the health of our forests. When the MSO was listed the USFWS claimed that the primary threat to the owl was the potential damage logging practices could have on its habitat. However, since timber harvesting had been halted in the MSO's range, a new danger has emerged that threatens the well-being of the MSO: wildfires. In its most recent recovery plan the USFWS notes that wildfires pose a large threat to the owl's habitat. Additionally, the USFWS notes that since 1995, when land management plans implemented heavy restrictions on timber harvesting, our forest's have seen an increase in wildfires that destroy large portions of the owl's habitat. (U.S. Fish & Wildlife Service) These forests have become overgrown and are grossly unhealthy due to the overregulation of the federal government. The USFWS used the ESA to stop logging, but failed to realize the importance of responsible timber harvesting has to our forests health. Responsible logging has been shown to be advantageous to maintaining healthy forests. When responsible timber harvesting methods are implemented, forests are thinned while sustaining a healthy ecosystem. Dead, diseased, and unhealthy trees are removed and the forest becomes less dense. This results in improved sunlight and air circulation, which also promotes new growth on forest floors. Forest thinning also promotes natural erosion control and a healthy

watershed. (Future Forest Consulting, 2016) When a forest is healthy and maintained in this capacity species thrive, devastating forest fires are minimal, and our watershed remains healthy. However, when our forests are overgrown and dense the results are shocking. Disease spreads throughout trees and foliage, dead and diseased trees discourage healthy new growth, and wildfires destroy entire ecosystems and result in flooding and an unhealthy watershed. (James, 2010) By effectively blocking any logging in the owls range after its listing, the federal government sentenced a large portion of our forests, and the species therein, to burn. The USFWS made sweeping and careless efforts to preserve one species without regard to the subsequent impact on the ecosystem or other species. The federal governments actions have created the threat they now are seeking to protect the MSO from. In its most recent recovery plan, the USFWS recognizes the danger overgrowth and fire pose to species in our forests; and the USFWS is to blame for the instigating that threat to our environment. The case of the MSO is another powerful example of the federal governments incompetence in preserving our natural resources through the ESA.

Conclusion:

The MSO was listed despite a blatant lack of evidence to support the proposed threat that logging methods posed to the owl. Sweeping federal regulations crushed the timber product industry and discouraged healthy forest management practices. The resulting consequences have been unfavorable for our economy and our environment. The federal government listed the owl on a whim, and the subsequent mismanagement led to even greater environmental problems than the USFWS accused the logging industry of instigating. PAN values the natural resources that make New Mexico unique. However, PAN opposes federal overreach in the name of conservation. True conservation occurs when stakeholders and government collaborate to ensure economic growth and preservation of natural resources. The federal government has shown its inability to handle our natural resources in a beneficial way; and they continue to encroach on our rights as a state and as individual citizens. PAN is fighting to push back on this federal overreach in tangible ways, but we need your help. Join us by signing up on our website, donating, and sharing our page as we continue to educate New Mexicans about our battle to protect their rights and freedoms.

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