Amend

14 CCR § 895.1 - Definitions

§ 895.1. Definitions.

***** "Active Nest" means a bird nest site at which breeding efforts have recently occurred as determined by the Department of Fish and Game, as specified below:

For the Great Blue Heron, Great Egret, recently means within the last two years.
For the Golden Eagle, Osprey, Goshawk, recently means within the last three years.
For the Bald Eagle and Peregrine Falcon, recently means within the last five years.
Nests that have not been used within this time period are considered abandoned.

Activity Center means a known northern spotted owl site documented from detections, pursuant to the USFWS document "Protocol For Surveying Proposed Management Activities That May Impact Northern Spotted Owls" revised January 9, 2012 March 17, 1992.

(a) An activity center is established by:

(1) Resident Single Status is established by consisting of either:

(A) The presence or response of a single owl within the same general area on three or more occasions within a breeding season, with no response by an owl of the opposite sex after a complete survey; or

(B) Multiple responses over several years (i.e., two responses in year one and one response in year two) from the same general area.
(2) **Two Birds—Pair Status Unknown** is where the presence or response of two birds of the opposite sex **is detected** but pair status cannot be determined and where at least one of the owl's member must meet the resident single requirements.

(3) **Territorial Pair Status**, established by any one of the following:

(A) A male and female are heard and/or observed (either initially or through their movement) in proximity (less than one-quarter mile apart) to each other on the same visit; or

(B) A male takes a mouse to a female; or

(C) A female is detected (seen or heard) on the nest; or

(D) One or both adults are observed with young; or

(E) Young identifiable based on plumage characteristics observed late in the season by knowledgeable surveyors or young identifiable based on molecular data.

(4) **Unoccupied Status** where no responses have been obtained from a previously identified northern spotted owl activity center after 3 years of survey, barring other evidence to the contrary.

An activity center with unoccupied status will not be considered an activity center when it has been evaluated and a determination made by the Director. The determination shall be based upon an appropriate analyses by state or federal agencies, which indicates the activity center is no longer likely to support territorial owls due to habitat changes or long-term surveys with negative responses or both available information on survey history, habitat conditions within the home.
range, and changes to habitat that may have occurred since the
northern spotted owl site was first identified.

“Adequate Site Occupancy” means the range of stocking levels which
provide a balance between the largest number of trees per acre capable
of maximum individual tree growth on future crop trees and maximum
overall stand growth. This balance is achieved when stocking levels
are within Zones 2 and 3 of the Langsaeter curve, as shown in "The
Practice of Silviculture", by David Smith (1962).****

Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5,
4561.6, 4562, 4562.5, 4562.7 and 4591.1, Public Resources Code.
Reference: Sections 4512, 4513, 4526, 4551, 4551.5, 4561, 4561.6,
4562, 4562.5, 4562.7, 4583.2, 4591.1, 21001(f), 21080.5, 21083.2 and
21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed
following Section 15387 of Title 14 Cal. Code of Regulations), and