Title 14 of the California Code of Regulations (14 CCR):

Division 1.5, Chapter 4,

Chapter 4, Subchapter 1

Article 1: Abbreviations and Definitions

Amend:

§ 895.1. Definitions

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“Active nest” means a bird Nest Site at which breeding efforts have recently occurred as determined by the CDFW, as specified below:

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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 March 17, 1992 January 9, 2012.

(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 members meets the resident single requirements.

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

(A) Wherein 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.

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