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Timber industry challenges the Biden administration's delay and review of northern spotted owl federal protections

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The timber industry is challenging the Biden administration's decision to halt and reconsider the removal of millions of acres of federal protections for the northern spotted owl.

The American Forest Resource Council along with the Association of O&C Counties, and counties in Oregon, Washington, and California [filed a lawsuit on Friday](#) challenging the decision to delay and review the implementation of the Trump administration's last-minute [federal protections rollback](#).

The lawsuit alleges the federal government "failed to provide a lawful justification for the delay and did not provide the public with notice or an opportunity to comment." It also alleges the [2021 critical habitat designation](#) removed Endangered Species Act protections from areas the northern spotted owl no longer inhabits.

"The 2021 designation aligns NSO [northern spotted owl] critical habitat with federal law, modern forest science, and common sense at a time when unprecedented and severe wildfires threaten both owls and people from Northern California to Washington State," AFRC General Counsel Lawson Fite said in a press release statement. "We are challenging the delay because it violates federal laws and wrongfully restricts timber harvests on non-NSO habitat."

According to the industry trade group, the delay also restricts the use of "active forest management tools" that help reduce the risks of wildfires.

After [pushback from environmental groups](#) and calls for [federal review from western lawmakers](#), the [Biden administration put a halt](#) to the implementation of the final rule late last month. The delay will extend the rule's effective date to April 30.

The U.S. Interior Department said the former administration's sweeping reductions of protected areas were conducted without public input or used the best available science and will conduct a review of these last-minute changes to ensure the survival of the species.

In the final days before President Donald Trump left office on Jan. 20, his administration published a final rule revising ESA protection for the species that slashed nearly 3.5 million acres of its critical habitat protections in Oregon, Washington, and California. Prior to the final rulemaking, USFWS proposed to remove only 200,000 acres in 15 Oregon counties.

The Center for Biological Diversity's Endangered Species Director Noah Greenwald said slashing millions of acres of critical habitat would push the owl closer to extinction.

"Protecting forests for the owl benefits hundreds of other wildlife species, clean water and our climate," Greenwald said. "The Biden administration did the right thing in delaying implementation of the rule and hopefully they will get rid of it altogether."