

**Petition
to
Correct Information Disseminated
by the
USDA Forest Service**

**Conservation Assessment
for the
Northern Goshawk
in
Southeast Alaska
(PNW-GTR-387)**

January 17, 2003

Petition Elements

This Petition (Request for Correction) is a formal request for the correction of information disseminated by the USDA Forest Service, and it is submitted under:

1. Public Law 106-554 § 515
2. OMB Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies
3. USDA's Information Quality Guidelines

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Description of Information to Correct

Conservation Assessment for the Northern Goshawk in Southeast Alaska

General Technical Report PNW-GTR-387
1996
United States Department of Agriculture
Forest Service
Pacific Northwest Research Station
Portland, Oregon

PNW-GTR-387 may be cited as:

Iverson, George C.; Hayward, Gregory D.; Titus, Kimberly; DeGayner, Eugene; Lowell, Richard E.; Crocker-Bedford, D. Coleman; Schempf, Philip F.; Lindell, John. 1996. Conservation assessment for the northern goshawk in southeast Alaska. Gen. Tech. Rep. PNW-GTR-387. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 101 p. (Shaw, Charles G., III, tech. coord.; Conservation and resource assessments for the Tongass land management plan revision).

Date of dissemination by USDA Forest Service to Requestor(s): March 25, 2002

Provisions of Public Law 106-554 § 515 are applicable to an agency's disseminated information as described in the OMB Quality Guidelines, III.4:

III.4. The Agency's pre-dissemination review, under paragraph III.2, shall apply to information that the agency first disseminates on or after October 1, 2002. The agency's administrative mechanisms, under paragraph III.3., shall apply to information that the agency disseminates on or after October 1, 2001, regardless of when the agency first disseminated the information.

The OMB directive, including dates for adherence, is consistent with congressional intent as embodied in Public Law 106-554 § 515:

- (a) In General.--The Director of the Office of Management and Budget shall, by not later than September 30, 2001, and with public and Federal agency involvement, issue guidelines under sections 3504(d)(1) and 3516 of title 44, United States Code, that provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies in fulfillment of the purposes and provisions of chapter 35 of title 44, United States Code, commonly referred to as the Paperwork Reduction Act.

Because the subject document has been disseminated by the USDA Forest Service on or after October 1, 2001, the document is subject to requests for corrections under Public Law 106-554 § 515.

Explanation of Noncompliance with OMB and/or USDA Information Quality Guidelines.

PNW-GTR-387 is wholly dependent on the presumed quality of

Management Recommendations for the Northern Goshawk in the Southwestern United States

General Technical Report RM-217. 1992.
United States Department of Agriculture
Forest Service
Rocky Mountain Forest and Range Experiment Station
Fort Collins, Colorado

PNW-GTR-387 was created referring to and accessing GTR-RM-217 for primary conceptual guidance. From PNW-GTR-387, p. 9:

- (1) "Because specific habitat use information from southeast Alaska was not available, these guidelines relied on concepts developed for goshawk habitat management in National Forests in the Southwest United States (Reynolds et al. 1992)."

In addition, PNW-GTR-387 references to GTR-RM-217 include, but may not be limited to, 24 explicit citations on pages 11,12,16,17,18,20,21,52, 54,57,64,70,75, and 81.

The entirety of GTR-RM-217 has been shown to violate Public Law 106-554 § 515, under the guiding information quality provisions of the Office of Management and Budget, and additionally under USDA's Information Quality Guidelines.

Because PNW-GTR-387 depends, in whole, on the presumed high quality of GTR-RM-217, PNW-GTR-387 violates OMB Guidelines requiring the maximization of the "quality, objectivity, utility, and integrity of information, including statistical information, disseminated by Federal agencies."

Explanation of the Effect of the Alleged Error

The document cited, referred to and depended upon for presumed quality in PNW-GTR-387, GTR-RM-217, places incorrect restrictions on forest and range management, recreation and other uses of U.S. Forest Service lands. These restrictions errantly reduce timber harvests, timber quality, forage utilization, recreational opportunities and forest access. The restrictions severely limit the availability and application of silvicultural tools that improve forest health, timber size and quality, forage production, and that reduce the risks of

catastrophic stand-replacing fires. The effect of the errors in GTR-RM-217, and hence its inclusion by citation and reference in PNW-GTR-387, is to harm local and regional economies and communities, including the natural resources sector as a whole, and to subsequently cause harm to the requestors.

In addition, GTR-RM-217 promotes the creation of forest conditions that may negatively impact goshawk populations, as evidenced by the biased forest conditions required and recommended in GTR-RM-217. The effect is to harm the requestors' enjoyment of National Forest lands and its amenities. Should goshawk populations indeed decline as a consequence of negative impacts instigated by GTR-RM-217 requirements and recommendations, anticipated and likely additional forest management restrictions will further harm the requestors.

Recommendation and Justification for How the Information Should be Corrected

Requestors recommend that PNW-GTR-387 be corrected through withdrawal (retraction) of the publication because of the stated dependence on GTR-RM-217, and as further evidenced by the multiple citations to GTR-RM-217 contained therein.

The influence of GTR-RM-217 is significant. Many organizations, government agencies, the federal judiciary, private companies and private citizens have relied, and continue to rely, on the high quality that was incorrectly implied to be associated with its contents. To correct the harm already caused, and to prevent further harm, the requestors recommend that PNW-GTR-387 be withdrawn in an expeditious manner.

Supporting Documentary Evidence

This Petition (Request for Correction) has been filed with the Petition (Request for Correction) documenting the information quality violations in GTR-RM-217. Please refer to the GTR-RM-217 Petition for all necessary, additional and supporting documentary evidence.