

# MEETING SUMMARY

## WESTERN OREGON STATE FORESTS HCP STEERING COMMITTEE MEETING

Wednesday, October 28, 2020, 1:00 pm – 3:30 pm

*By Webinar and Teleconference Only*

### ATTENDEES

**Steering Committee:** Liz Dent (ODF), Kim Kratz (NOAA Fisheries/NMFS), Tere O'Rourke (NOAA Fisheries/NMFS), Leah Feldon (DEQ), Jennifer Wigal (DEQ), Bill Ryan (DSL), Doug Cottam (ODFW)

**Technical Consultant and Guests:** Troy Rahmig (ICF)

**Facilitation Team:** Cindy Kolomechuk (ODF), Brett Brownscombe (Oregon Consensus), Deb Nudelman and Sylvia Ciborowski (Kearns & West)

### WELCOME AND INTRODUCTIONS

Liz Dent, Oregon Department of Forestry (ODF), welcomed Steering Committee (SC) members and opened the meeting.

Jennifer Wigal introduced herself and noted she would temporarily be stepping in for Leah Feldon as the Department of Environmental Quality (DEQ) SC member while Leah is on leave for a few months.

Deb Nudelman, Kearns & West, reviewed the agenda which included: 1) Agency updates, 2) Discuss process moving forward, 3) Future public engagement, 4) Planning for key issues for the HCP and NEPA (National Environmental Policy Act), 5) SC direction to the Scoping Team (ST), and 6) Approach going forward and next steps.

### AGENCY UPDATES

SC members provided the following updates relevant to the Western Oregon HCP process:

- **Oregon Department of Fish and Wildlife (ODFW):** ODFW met with Liz and other state forest managers to discuss the Santiam State Forest wildfire effects on the species.
- **Department of State Lands (DSL):** The Land Board will be asked to make a decision on the Elliott State Research Forest HCP at its December 8 meeting. The agency will conduct public outreach and engagement on the Elliott HCP this week and next. The

governance structure and financial decoupling are issues that still need resolution prior to the December Land Board meeting.

- **ODF:** 1) ODF is continuing to gather data on the impacts of the fires. It appears that around one million acres were burned in total. 25,000 acres (about half) of the Santiam State Forest was burned. 1,000 acres of Common School Fund (CSF) lands and 125,000 acres of other DSL properties burned. 2) The agency is developing a plan to manage the forest moving forward and is seeking to restore the Santiam State Forest that will include a suite of tools including salvage actions and reforestation.
- **United States Fish and Wildlife Services (USFWS):** Wildfires have resulted in shifting workload priorities for USFWS.
- **DEQ:** 1) DEQ is doing a lot of work in response to the wildfires, including coordinating with the Environmental Protection Agency (EPA) on debris removal. The agency is also evaluating erosion issues that have caused water quality concerns. 2) November 6 is Leah's official last day in the office, and Jennifer's official start date as Deputy is November 9.
- **NOAA Fisheries:** 1) The state government and federal agencies have been in discussions on next steps as a result of the wildfires. 2) The agency is doing a lot of pre-NEPA coordination and had meetings to discuss the NEPA process with ODF and USFWS, as well as the EPA and Bureau of Indian Affairs (BIA) to engage with the tribes.
- **Oregon Consensus:** Oregon Consensus continues to work on the Elliott State Research Forest HCP process. There will be significant work after the December Land Board decision.

Troy noted that upcoming ST and SC meetings will have a standing agenda item to provide updates on wildfire response efforts.

## **DISCUSS PROCESS MOVING FORWARD**

Troy Rahmig, ICF, and Cindy Kolomechuk, ODF, provided information on the HCP process moving forward. Several new processes will be starting and moving in parallel with the HCP. Processes will include finishing the administrative draft of the HCP, completing the companion Forest Management Plan (FMP), and completing the NEPA process.

- **Getting to an administrative draft of the HCP:** The ST will continue to work on elements related to the HCP in full-group ST meetings, focused small group technical meetings, and all-day workshops. The plan is to have the majority of HCP revisions completed by the end of 2020 so that the ST has time to review and discuss the HCP in early 2021. In order to begin the NEPA process in March 2021, the final administrative draft will need to be completed by early March.

It will be critical to work through remaining issues as quickly as possible with ST members in order to meet this schedule. However, there may be a need for some flexibility in the timeline to ensure a quality work product.

- **Companion FMP:** The companion FMP will be a broader umbrella plan that encompasses all of the forest management practices needed to meet Greatest Permanent Value (GPV), ODF mandates, and protections needed for species that are outside of the HCP. An ODF project manager will be brought on in January to manage the FMP and will develop a work plan as well as engage agencies in the development of the companion FMP.

The plan is to engage the ST and SC as ODF develops the companion FMP. Meetings around the companion FMP are anticipated to begin in March 2021. Public engagement will occur as part of the process. The intent is to complete the FMP and present it to the Board of Forestry (BOF) by November 2021. At this time, the BOF will be asked to approve the FMP, and if they do so, the FMP would move into the rulemaking process. After the rulemaking, ODF will bring the complete FMP to the BOF in June 2022.

The SC would continue to meet throughout this entire period, but likely at a lesser frequency than what has been typical.

- ODF clarified that work to update the FMP had started earlier in the HCP process, and that previous work will be the starting point for developing the companion FMP. The FMP will point to the HCP as reference for conservation strategies for the covered species.

- **Completion of NEPA:** There is an interest in starting the NEPA process in March 2021.

## Discussion

SC members discussed the next steps for the HCP and companion FMP and provided the following questions and comments:

HCP Development Discussion:

- ODF staff affirmed their interest in staying on schedule and working hard to meet the timeframes for developing the administrative draft of the HCP, while ensuring a high-quality work product.
- It will be important to elevate any issues from the ST to the SC as early as possible, to avoid any delays and to address issues in a timely fashion.

Companion FMP Discussion:

- It would be helpful to see a Gantt chart of the various timelines for the parallel processes. It will show the need for the different agencies to meet together regularly to discuss the various pieces. If we can identify periods of intense work and block those periods for staff and decision-makers, that will help us stay on track.
- It would also be helpful to identify the times where SC members should check-in with ST members on key milestones.
- It would be beneficial to understand if the NEPA process will affect the FMP.
- The elements of the HCP will be folded in as ODF develops the FMP. The FMP goes beyond the HCP and considers the various aspects of forest management beyond the

conservation for species. It will be most important for the SC and ST to be engaged where there is an intersection between the FMP and HCP.

- ODF will point stakeholders to the FMP as an opportunity to engage on broader forest management topics that go beyond the scope of the HCP.
- ODF noted that if the BOF decides not to move forward with the HCP, then ODF will ask the BOF whether or not to continue with the current FMP, or if the BOF has other direction.

## **FUTURE PUBLIC ENGAGEMENT**

Troy provided an update on future public engagement. It is expected that the stakeholder and public engagement process will remain largely the same through completion of the administrative draft HCP and will include meetings open to the public, focused stakeholder meetings, and direct outreach to counties and tribes. The NEPA process includes formal public engagement requirements. There will likely be additional engagement efforts separate from the formal NEPA public engagement process, but this has not yet been determined.

Cindy added that as the agency moves quickly to develop the administrative draft of the HCP, it will be difficult to have many rounds of public and stakeholder meetings that provide new information. ODF is receiving many comments on the draft HCP via email and phone calls and is taking any suggested changes to the ST for consideration. There will likely be stakeholder meetings on some key topics like monitoring and conservation actions for the species. Between now and the beginning of NEPA, ODF will be looking to integrate stakeholder input as much as possible. It will be helpful to identify critical issues before NEPA so they can be addressed early on.

Liz then provided context for the engagement with the counties. Some counties testified strongly against the HCP at the BOF meeting. The BOF was receptive to the comments about the negative impacts on the rural economy and rural communities. ODF is seeking to meet with Forest Trust Land Advisory Committee (FTLAC) leadership in December to reset expectations for the year to come and to look for ways to show responsiveness to the concerns of rural communities.

## **Discussion**

SC members discussed future public engagement efforts and provided the following questions and comments:

- It will be helpful to develop information for the public to understand where we are in the NEPA process. It will also be important to explain when and why there will be periods of apparent silence. There will be longer periods when the public is not engaged as the technical and background work is being completed.
- It will also be important to have a “face” for each of the processes, so that the public connects a different agency and different staff members with the HCP, FMP, and NEPA processes. This could help make the differentiation more clear.
- Suggestion to develop a frequently asked questions document that is updated regularly.

- What is the formal relationship between NOAA Fisheries and the applicant during the NEPA process?
  - ODF is the applicant and can also choose to be a technical advisor. Other state agencies can choose to be cooperating agencies. Primarily, it is the applicant and technical advisor that connects with NOAA Fisheries throughout the NEPA process.
- During the NEPA engagement, NOAA Fisheries, USFWS, and ODF should all be present during meetings open to the public due to the collaborative effort between the agencies.
- It is important to recognize that different counties had different perspectives and thoughts that were shared during the BOF meeting.

## **PLANNING FOR KEY ISSUES (HCP AND NEPA)**

Troy provided context around key issues that remain for the HCP and as the HCP moves into the NEPA process. Key topics of the presentation included:

- At the BOF meeting, it was noted that there is a lack of analysis on social and economic impacts of the HCP on rural communities. There has been interest from stakeholders, the public, and the BOF in understanding the HCP's impact on jobs, revenues for the counties, and the rural economy.
- The NEPA process will include a socio-economic analysis, but this is typically not a part of the HCP analysis. The HCP is focused on species.
- There is additional discussion needed on herbicides.

Tere O'Rourke, NOAA Fisheries, reported that NOAA Fisheries has not yet begun discussing the development of the NEPA alternatives. Currently, the focus is discussing the purpose and need of the HCP, which is being developed in collaboration with ODF and USFWS. After the Notice of Intent is submitted, the public is permitted to provide suggestions for alternatives. The agency may also provide a list of alternatives in the Notice of Intent if desired, but it is not required.

Cindy added that an informational update to the BOF is planned for June 2021. ODF will provide an update on NEPA and the companion FMP. The intent is to be far enough along in the NEPA process to provide an update on what the NEPA process is anticipated to look like.

### **Discussion**

The SC discussed the key issues for the HCP and NEPA and provided the following questions and comments:

- It will be important to explain why historic levels of harvest are not expected moving forward for a variety of reasons that go beyond the HCP. It will take efforts beyond the HCP and harvest levels to promote the needs of the rural communities.

- There are many issues that stakeholders have raised that are outside of the scope of the HCP. It will be important to recognize and have clear communications about the limitations of the analysis in the HCP.
- Strategic thinking about the NEPA alternatives development will be very important.
- During the public engagement efforts, it will be helpful to describe the links between the various processes (HCP, FMP and NEPA).
- It would be helpful to have small group meetings to work through some of these key topics.

## **STEERING COMMITTEE DIRECTION TO SCOPING TEAM**

The SC expressed appreciation for the ST members' hard work to date and collaborative effort.

## **NEXT STEPS AND SUMMARY**

The next SC meeting will be held on December 9, from 1– 4 pm. The project team will work to schedule additional SC meetings for 2021.

## **ACTION ITEMS**

The following action items were identified throughout the meeting:

- Project team: Schedule additional SC meetings for 2021.