

Western Oregon State Forests Habitat Conservation Plan Meeting Open to the Public Wednesday, June 12, 2019 – Salem, OR

Meeting Summary

Introduction and Overview

The Oregon Department of Forestry (ODF) is considering a Habitat Conservation Plan (HCP) for forest lands in western Oregon. As part of the stakeholder engagement process for the effort, ODF held a meeting open to the public on June 12, 2019 in Salem, Oregon. The meeting was also livestreamed for accessibility by additional audience members.

The livestream is available at: https://www.youtube.com/watch?v=h_5KIMEsen0

Purpose of Meeting

The purpose of the meeting was to:

- Hear updates on various elements of the HCP including: the permit and plan area, the covered species list, expected covered activities, existing conditions, and the data used in developing the HCP.
- Learn about and discuss the proposed Mission, Vision and Goals that will help guide the direction and future of the HCP.
- Learn about and discuss the overall HCP stakeholder engagement process.

Number of Attendees

26 individuals attended the meeting open to the public and an additional 21 individuals participated in the livestream. Those in attendance represented conservationist groups, industry representatives, government agencies, and county representatives.

Notification Methods

ODF invited agencies, interested parties, stakeholders, members of the Steering Committee (a policy level HCP working group), members of the Scoping Team (a technical level HCP working group), and the general public to the meeting.

Notification methods included:

- Email distributions to interested parties
- Posts on ODF social media including Facebook and Twitter
- Meeting notice via FlashAlert to media in areas that would be potentially covered in the HCP (including Portland media)
- Post on the ODF news site

- Post on the Western Oregon HCP project webpage
- Post on the State of Oregon Transparency Website

Format

The meeting open to the public included a two-hour meeting and a question and answer discussion period. The meeting was followed by an informal, one-hour meet-n-greet for participants to ask questions one-on-one and to meet other stakeholders and agency partners engaged in the process.

Participants were encouraged to sign in as they arrived and create a name tag. There was the option to fill out a public input card to provide additional feedback and comments to the project team.

Online participants were able to submit questions via email to be addressed during the meeting.

Meeting Summary

Introductions

Liz Dent, ODF, welcomed meeting attendees. Liz mentioned that a lot has been accomplished in the development of a Western Oregon State Forests HCP and ODF understands the importance and value of public engagement. She expressed her appreciation for those in attendance and looked forward to hearing participants' feedback.

Liz explained the Western Oregon HCP is a project led by ODF. ODF has worked on HCPs in the past and based on the lessons learned from those experiences, ODF is working closely with sister agencies and partners to develop this HCP.

A project team, with a variety of expertise, is working alongside ODF to develop the HCP. The project team includes ODF, ICF, Oregon Consensus, and Kearns & West.

Liz explained that Cindy Kolomechuk is ODF's lead on this project. ICF is providing technical support to write and develop the HCP. Kearns & West is leading the public engagement and facilitation process and helping to build alignment around the process. Oregon Consensus is providing a neutral forum for parties to reach agreement on contentious public issues.

After introducing the project team, Liz asked participants to introduce themselves and provide brief introductions.

Following the participant introductions, Deb Nudelman, Kearns & West, introduced herself as part of the facilitation team and reviewed the meeting agenda. She mentioned that this is the second meeting open to the public. The intent of the meeting is to share more information about the HCP process and to provide updates on HCP development. The agenda covers three main topics: 1) provide updates on the HCP process and review upcoming topics, 2) discuss the Mission, Vision, and Goals of the HCP, and 3) present the stakeholder engagement plan. Deb

explained that ODF has a strong interest in hearing stakeholders' questions, interests, and concerns and learning about the topics that participants are most interested in discussing.

Presentation: Updates and Upcoming Topics for the Western Oregon HCP

Troy Rahmig, ICF, provided updates on the HCP and presented an overview of the progress to date.

The main topics presented include:

- Permit Area and Plan Area
- Permit Term
- Covered Species List
- Existing Conditions and Data
- Impact Mechanisms
- Conservation Strategy
- Effects Analysis

Public Input and Q&A Summary

A discussion and question and answer period followed the presentation. The main topics that were brought up during the discussion period included:

- The covered species listed in the HCP
- The effects analysis on covered activities and covered species
- Social impacts of the HCP
- The NEPA process

Participant comments and questions and project team responses during the discussion period included:

- Q: Does the effects analysis only include the effects on the covered species?
 - A: The primary purpose of the effects analysis is to determine the effects of covered activities on the covered species. The effects analysis will also focus on the natural communities and potentially other natural resources.
- Q: Does the effect analysis evaluate the social impacts of an HCP?
 - A: The social impacts and the potential implications on the social environment will be addressed in the National Environmental Policy Act (NEPA) process.
- Q: What happens if the NEPA process determines that the HCP creates negative social impacts? What is the process if NEPA identifies a social impact that causes a significant change to the HCP?
 - A: If NEPA identifies a negative social impact, there would be an opportunity to revise the HCP. Depending on the changes, the HCP may require an additional

NEPA process.

- Q: The state forest land is surrounded by land under federal management. Hypothetically, a species could be abundant on federal lands but endangered on state lands. What happens if the HCP recommends an action for covered species on state lands that creates negative social impacts on the surrounding community?
 - A: There is flexibility as to where conservation activities occur. The HCP will not specifically state that an activity must be implemented in a certain area. The intent is to have enough flexibility in the HCP to be able to adjust where conservation activities occur to ensure communities are not negatively impacted.

- Q: Are there other species beyond those on the covered species list that might benefit from activities implemented as a result of the HCP?
 - A: It is likely that conservation activities implemented as a result of the HCP will positively benefit a broader range of species than just those included on the covered species list. While not all covered species require the same habitat, many species may require the same management strategies.
 - The HCP is intended to mitigate the take of covered species under the Endangered Species Act (ESA). It targets these species because of the Incidental Take Permit coverage. The HCP includes species that have federal protection or will be listed for federal protection in the future.

- Q: Based on the outline of the chapters in the HCP, the conservation strategy (chapter 4) precedes the effects of the covered activities on the covered species (chapter 5). Should this be rearranged to have the conservation strategy follow the effects analysis?
 - A: The project team considered the order of these chapters, but ultimately landed on describing the conservation strategy first. Because everything is occurring in a fixed landscape, there is a need to first understand the effects of the avoidance and mitigation measures on covered species. Both sections will be simultaneously developed because they heavily influence one another.

- Q: How did the team develop the covered species list? Can the list include species beyond those listed as endangered?
 - A: Yes, in developing the covered species list for the HCP, we took into account those species that could be endangered in the future or could be impacted by an activity listed in the HCP. At same time, we are treating each species listed in the HCP equally, whether or not they are listed as threatened or endangered.

- Q: Were bull trout and wolves considered for inclusion in the covered species list?
 - A: The HCP project team and Scoping Team and Steering Committee considered both of these species but ultimately decided not to include them. Wolves are present in western Oregon, but at this time, there is not enough information available to be strategic about what activities to include in the HCP to protect wolves. If, overtime, there is a population rise or wolves become a major concern, an amendment to the HCP could be made to include a new species.
 - Bull trout was also considered but not included because the presence of bull trout is very limited in the HCP permit area. Take can be minimized in other ways

rather than through the HCP.

- Q: How does the Western Oregon State Forests HCP relate to the Elliott HCP?
 - A: The two HCPs are not linked. The Elliott is a research forest; this results in a different set of objectives for the HCPs and separate covered activities.
- Q: Can we expect different provisions on the Elliott State Forest HCP than on the north Oregon coast?
 - A: It is unclear what the Elliott State Forest HCP will look like at this time. The Elliott is a research forest and has little timber harvest, so the conservation tactics for species will differ. There will be a similar covered species list, but it will have fewer species listed.

Western Oregon HCP Mission, Vision, and Goals

Liz Dent presented the Mission, Vision, and Goals for the HCP. Liz explained the aim of the Mission, Vision, and Goals is to guide the direction and future of the HCP. The document seeks to achieve multiple objectives and make social and ecological commitments. The intent is for the document to be iterative and inclusive enough to provide structure and direction for the HCP.

The Mission, Vision, and Goals were formulated collectively by the Steering Committee and were reviewed by the Scoping Team. These workgroups have representatives from Oregon Department of Fish and Wildlife, NOAA Fisheries, Oregon State University, Department of Environmental Quality, US Fish and Wildlife Services, and Department of State Lands. The Mission, Vision, and Goals meet and are reflective of these agencies' respective mandates and interests.

The main topics presented include:

- Definitions of mission statement, vision statement, and goals
- HCP Mission:
 - Protection and conservation of species that are listed or are likely to become listed under the state or federal Endangered Species Act
 - Long term management of forestlands for multiple economic, social, and environmental benefits under the Greatest Permanent Value rule and to meet fiduciary responsibilities of the Common School Fund forestlands
 - Meet specific requirements before USFWS and NMFS can issue incidental take permits
- HCP Vision:
 - Ensure species protection and conservation with increased certainty
 - Manage forestlands to benefit all Oregonians
 - Social benefits: Provide revenues to counties, rural communities, ODF, and Common School Fund and create jobs
 - Conservation: Support resilient forests and provide high quality habitat for fish and wildlife and quality air and water
 - Promote recreational and educational opportunities
- HCP Program Goals:

1. Meet the regulatory requirements of the Endangered Species Act
2. Ensure active and sustainable management of lands to achieve Greatest Permanent Value
3. Increase operational certainty, cost savings, and predictability of revenue generation
4. Increase certainty for long-term persistence of covered species and mitigate the impacts of covered activities on covered species
5. Advance partnerships and engagement related to management approaches
6. Use science-based forestry linked to adaptive management to create sustainable, productive forests

Public Input and Q&A Summary

A discussion and question and answer period followed the presentation. The main topics that were brought up during the discussion period included:

- The HCP Mission, Vision, and Goals correlation to the Forest Management Plan
- The goals and activities pertaining to the conservation of covered species
- How the vision of clean air and carbon fits into the HCP

Participant comments and questions and project team responses during the discussion period included:

- Q: Are Mission, Vision, and Goals required by an HCP?
 - A: They are highly recommended and aim to provide a broad framework and focus on the HCP process.
- Q: Is the language in the Mission, Vision, and Goals similar to the language in the Forest Management Plan? Are these connected or separate?
 - A: These are connected. The HCP includes common themes that are reflected in the Forest Management Plan as there is linkage between the mandates. They diverge in regards to operating within the compliance tool.
- Comment: Goal five is a passive rather than a proactive approach. The land is currently under-productive. If this continues, future generations will be left with forests in a bad condition. All lands need to be brought into full productivity.
 - A: There are concerns about forest health; this issue is being tracked. The goals mention the importance of management and restoration.
- Q: Is restoration part of the long-term vision?
 - A: Yes, restoration strategies are under development but have not yet been implemented at this time.
- Comment: Suggestion to state that ODF and the HCP are doing more than is required under the Endangered Species Act. This should be made clear in the Mission, Vision, and Goals.

- Comment: The Endangered Species Act has two goals: 1) prevent extinctions and 2) promote recovery. Goal four discusses persistence of a species. This means there are efforts to prevent extinction of a species but there is no mention of the recovery or resilience of a species. Suggestion to conduct habitat management as one way to allow species to persist.
 - A: The term persistence was chosen because it is not a requirement of an HCP to recover a species; the HCP cannot commit to doing more than that. The HCP can only affect the range of a species that is on state land.
- Comment: The first sentence of the vision is vague. Suggestion to list the variety of expected outcomes and the desire to sustain timber activities, beyond just conservation.
- Q: Clean air is mentioned in the vision. How does this topic fit within the HCP? It does not seem that carbon fits within the HCP.
 - A: Carbon is released by forests and air quality is part of a wholistic approach to resilient forests. Every HCP is coupled with a Forest Management Plan. The Forest Management Plan is under revision and incorporates carbon consequences that would carry over into the HCP. The HCP would then need to include a carbon piece.

Cindy noted that the feedback provided during the meeting will be presented to the Steering Committee for consideration. The Scoping Team reviewed the Mission, Vision, and Goals and suggested including commercial fisheries and hunting in the vision. This topic, as well as stakeholder feedback, will be discussed by the Steering Committee.

Stakeholder Engagement Plan

Sylvia Ciborowski, Kearns & West, presented the Stakeholder Engagement and Communications Plan. Sylvia mentioned the development of the stakeholder engagement process took into consideration the feedback and ideas provided during the meeting open to the public in March.

The main highlights of the stakeholder engagement plan include:

- Opportunity to provide feedback at key points
- Engage counties
- Keep interested parties informed
- Allow diverse interests to hear and learn about other perspectives
- Provide clear expectations for how stakeholder and public input will be considered
- Build a common understanding on the HCP development and implementation
- Align engagement with related processes
- Keep stakeholders informed to promote relevant comments during NEPA process

The main actors and bodies of the HCP process include:

- Forest Trust Land Advisory Committee (FTLAC)
- The public

- Stakeholders
- Board of Forestry (BOF)
- Oregon Department of Forestry
- Steering Committee
- Scoping Team

The main elements of the stakeholder engagement process include:

- Meetings open to the public. These meeting will be quarterly and will provide updates on the HCP process.
- Targeted stakeholder engagement meetings and activities. These meetings are opportunities for deeper level dives into topics in the HCP.
- Meetings of existing venues including BOF, FTLAC, stakeholder roundtable, and State Forest Advisory Committee.
- Communications and public information including email and website updates.

Sylvia presented a timeline of the stakeholder engagement process noting the upcoming meetings. Meetings open to the public are quarterly and are supplemented by follow-up conversations and additional meetings that provide a deeper dive into specific topics. These meetings follow the technical timeline of the HCP.

Participants were encouraged to provide feedback on the stakeholder engagement plan.

Public Input and Q&A Summary:

A discussion and question and answer period followed the presentation. Participants were asked to consider the following questions during the discussion:

- What are your perspectives and thoughts on the plan?
- Were there topics from today's meeting that you would be interested in discussing further? Are there any topics you want more information on?

The meeting attendees identified the following topics for engagement:

- Adaptive management
- Biological goals and objectives and how these will influence the adaptive management structure
- Annual harvest levels and timber output
- Covered activities list

Participant comments and questions and project team responses during the discussion period included:

- Q: Are Steering Committee meetings open to the public?
 - A: No, Steering Committee meetings are not open to the public. These meetings aim to provide a space for decisionmakers to collaborate on complex issues under a tight timeline. The Steering Committee meeting agendas and meeting summaries are on the ODF website in an effort to enhance transparency.

- Comment: Suggestion to direct people to the content from previous meetings open to the public on the ODF YouTube channel so stakeholders and the public can understand the background information and review past conversations and meeting topics. This will allow those new to the process to be better informed and engaged.
- Q: What is the broader HCP process moving forward? Are we at the point in the process where the HCP will surely be implemented? What upcoming milestones could potentially stop the HCP development?
 - A: There are two separate planning process taking place: 1) Western Oregon State Forests HCP and 2) revisions to the Forest Management Plan (FMP).
 - There are twin goals the revised FMP must meet: 1) increase economic outcomes and 2) increase environmental outcomes. These goals are integrated in the HCP.
 - In March 2020, ODF will go to the Board of Forestry with the revised version of the FMP and an analysis of the economic and environmental outcomes. The Board will decide if the revised FMP meets the twin goals. If the Board determines it meets the goals, the FMP would be set aside until the HCP is completed.
 - In July 2020, ODF will present a draft of the HCP to the Board. The Board will review the draft and decide whether to continue the HCP process. The Board will direct ODF to move forward with the NEPA process or to move forward with the take avoidance plan in the FMP.
 - In July 2020, ODF will also bring an evaluation to the Board reporting the financial and conservation outcomes of HCP as compared to revised FMP.
- Q: When will a draft of the HCP be released?
 - A: The draft HCP will be released by July 2020. Drafts of the chapters will also be released throughout the process.
 - HCP drafts including timber harvest projections will be released in the late fall/early winter of 2019.

Next Steps:

Deb concluded the meeting and thanked participants for their feedback and engagement. The next meeting open to the public will likely be held in October.

Key Themes from Public Input Forms

Two attendees provided comments and questions on public input cards.

Key themes include:

- Participants expressed interest in a riparian restoration strategy to be employed in the HCP and an analysis of hardwood conversions in the riparian zones.

- Participants questioned why ODF was unable or unwilling to negotiate an HCP with federal agencies on the Elliott State Forest and asked what is different with the Western Oregon State Forests HCP.