

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP SCOPING TEAM

Tuesday, April 7, 2020, 10:00 am – 2:00 pm

By Webinar/Video Conference

ATTENDEES

Participants: Nick Palazzotto (ODF), Rich Szlemp (USFWS), Rod Krahmer (ODFW), Julie Firman (ODFW), Tere O'Rourke (NOAA Fisheries), Jim Muck (NOAA Fisheries), Ryan Singleton (DSL), Brian Pew (ODF), Randy Smith (ODF), Rod Krahmer (ODFW), Josh Seeds (DEQ)

Technical Consultant and Guests: Troy Rahmig (ICF), Melissa Klungle (ICF), Mike Wilson (ODF)

Facilitation Team: Cindy Kolomechuk (ODF), Sylvia Ciborowski (Kearns & West), Deb Nudelman (Kearns & West)

WELCOME AND INTRODUCTIONS

Deb Nudelman, Kearns & West welcomed members. Meeting participants introduced themselves.

Deb reviewed the agenda, which included: 1) Agency updates and stakeholder engagement updates, 2) Report out on Steering Committee (SC) meeting, 3) Review updated riparian handout, 4) Update on riparian buffers data, 5) Discuss proposed activities in an equipment restriction zone, 6) Discuss roads and streams management actions, 7) Torrent salamanders, 8) Discuss transitioning to an HCP, 9) Confirm topics for Steering Committee (SC) update, and 10) Approach going forward, next steps, and summary.

AGENCY UPDATES

Members provided the following updates relevant to the Western Oregon State Forests HCP process:

Oregon Department of Fish and Wildlife (ODFW): The agency is looking at postponing the May Commission meeting on marbled murrelets. The information will likely not be in front of the Commission until the fall of 2020.

Oregon Department of Forestry (ODF): ICF and ODF attended a habitat modelling meeting last week with stakeholders and it spurred some ideas on the modelling strategy.

UPDATE ON STAKEHOLDER ENGAGEMENT

Deb provided an update on stakeholder engagement efforts. A virtual meeting open to public was held on March 30. The meeting included a presentation for the first two hours, and then a one-hour informal discussion. Many members of the public participated in the informal discussion and provided many great questions and comments. She noted that many ST members joined the meeting as well.

Additionally, a webinar meeting is scheduled to discuss modeling with conservation and industry stakeholders on April 8. ST members were invited to join and listen in if they are interested in hearing the conversation.

REPORT OUT FROM STEERING COMMITTEE

Deb reported out on the March 31 SC meeting. The meeting included a National Environmental Policy Act (NEPA) update, confirmation that NOAA Fisheries will be the lead, and an update on the contracting for the NEPA process. The main topics at the SC meeting included updates and discussion on the aquatic and terrestrial strategy and timber modeling process.

Troy Rahmig, ICF and Cindy Kolomechuk, ODF provided more detail on the conversation at the SC level.

- The SC received an overview of the HCP conservation strategy and discussed the strategy at the conceptual level.
- On the riparian strategy, the SC heard updates on the riparian conservation strategy and the proposed temperature protection zone. A key discussion point was how best to describe what the HCP is trying to accomplish in terms of avoiding, minimizing, or mitigating effects on the species. The group discussed what constitutes “mitigation,” and SC members agreed that mitigation can come in many forms including: expansion of riparian buffers, restoration activities, and contribution of funds to other regional recovery efforts inside or outside the HCP Permit Area. They discussed presenting the HCP as a package that includes the entire conservation strategy, including riparian and terrestrial strategies.

Discussion

Members reflected on the SC update and provided the following comments:

- It is important to have adequate buffers for perennial non-fish-bearing streams in the temperature protection zone. Perennial streams are also important to terrestrial species, so adequate buffering around those streams are helpful for terrestrial species as well.
- A mitigation plan that seeks to add large wood into streams on an annual basis could be used to help supplement the buffer strategy.

- Thinking about the HCP as a whole package is useful because it helps to highlight the complementary nature of the terrestrial and aquatic strategies. For example, understanding the aquatic buffer strategy will help us understand how much is needed outside of buffers to help protect terrestrial species.

UPDATE ON RIPARIAN STRATEGY

Troy explained updates have been made to the riparian strategy.

Protection of Seeps, Springs and Inner Gorges

Mike Wilson, ODF explained that the HCP will narratively describe the approach to protection of seeps, springs, and inner gorges. He noted that there are a lot of these types of features in the Tillamook forest but there are less in other parts of the permit area. He walked through a proposal on protection of seeps, springs, and inner gorges which included:

- Where seeps and springs have a hydrologic connection to streams, propose buffering out around those areas.
- Propose addressing isolated seeps and springs through the Forest Management Plan (FMP) rather than through the HCP.
- For inner gorges, propose buffering out a certain distance on all inner gorges rather than treating each one individually.

Discussion

Members discussed the proposal for protection of seeps, springs, and inner gorges and provided the following comments and questions:

- Suggested using graphics in the HCP to show where the buffer would apply to inner gorges (i.e. to show buffering on either side of the gorge).
- Discussed implementation challenges and opportunities. ODF noted that field staff are experienced with identifying seeps, springs, and inner gorges on the landscape; the agency has policies around identifying these features, and it is anticipated that these policies would be carried forward into the HCP. ODF will review its internal policies to see how they can be adjusted under the HCP. The Implementation Chapter of the HCP will provide detail on how the agency may need to shift under an HCP.
- Suggested that the HCP clearly indicate that no management is permissible in the buffered areas around seeps, springs, and inner gorges.
- Overall, members were comfortable with the proposal for protection of seeps, springs, and inner gorges.

Management within Riparian Conservation Areas (RCAs)

Troy explained that in recent discussions, it has become clear that the conditions in RCAs would not provide opportunities for a lot of management. The team proposes that under the HCP, management within RCAs be generally not exercised except in support of individual projects aimed at creating a mature conifer forest condition under defined circumstances and through coordination with NOAA Fisheries and ODFW.

Discussion

Members discussed management within RCAs and had the following comments and questions:

- Suggested more discussion at the ST level on the sideboards for alder conversion management (i.e. limitations on the size of area that would be permitted for alder conversion). ODF clarified that the impetus for doing alder conversions in upland areas would be to improve habitat that is poor quality today for covered terrestrial species. It is likely that in upland areas, the agency would identify certain slopes and forest conditions that would be favorable to conversion. It is expected that alder conversion in riparian areas would be very limited.

RIPARIAN BUFFER DATA UPDATE

Troy provided an update on the riparian buffer data:

- TerrainWorks has developed a stream layer that combines ODF data with TerrainWorks stream data and has developed a Geographic Information System (GIS) layer of the buffers to help characterize the forest and identify areas on the landscape that might need specific treatments. The project team has received the first version of that stream buffering GIS data from TerrainWorks. This data will be provided to the ST at a future meeting.
- Showed example of the tool displaying buffers around different stream types and stream widths. The team is now working with TerrainWorks to ensure the buffers are applied correctly throughout the HCP area and making modifications as needed.
- At a later date, this buffering strategy will be integrated into the forest inventory model to estimate effects.

Discussion

ST members discussed the updates to the riparian buffer data and provided the following comments and questions:

- Question on how monitoring of stream temperatures will be included in the HCP. Troy noted that monitoring will be discussed at a future ST meeting. Any monitoring of stream temperatures would be targeted to help understand the effects of stream temperature on

the covered species. It may be difficult to conduct meaningful monitoring in areas of the forest where ODF has little ownership (i.e. in areas of scattered tracts).

RIPARIAN FOREST CHARACTERIZATION

Troy noted that there will be a more in-depth update on this topic at a later ST meeting. The team hopes to provide a characterization of what the RCAs look like today and what they could look like in the future under the HCP strategy.

PROPOSED ACTIVITIES IN EQUIPMENT RESTRICTION ZONE

Troy noted that ST had requested a discussion on the HCP language regarding the proposed Equipment Restriction Zone (ERZ) and road management. He noted:

- The intention is to retain an ERZ along all stream types throughout the HCP Permit Area.
- HCP language attempts to demonstrate the differences and similarities in the ERZ along different stream types. There are differences in how the ERZ is applied along, for example, high energy and potential debris flow Type N streams and seasonal other streams.
- The HCP will also memorialize what ODF is currently doing in regard to equipment restrictions that would be carried into the HCP.

Discussion

ST members discussed activities in the ERZ and provided the following comments and questions:

- Discussion on vegetative disturbance in ERZs. Members discussed whether it is more appropriate to characterize limits on vegetative disturbance as required management direction or as a best management practice, since vegetative disturbance can be difficult to implement or monitor.
- Troy encouraged ST members to consider any exceptions where access into RCAs near streams would be necessary, in order to make the HCP language as clear as possible.

ROADS AND STREAMS MANAGEMENT ACTIONS

Troy noted that the ST has discussed road management actions broadly in past meetings. The intent of today's meeting is to review draft HCP language around a proposal for road management actions. The main points of his review included:

- Provided high level overview of the HCP draft language on the topic. There are two conservation actions in the HCP: 1) Road improvement and road vacating, and 2) Minimizing effects from road construction and management on covered species.
- The HCP describes the process to identify roads that should be considered for construction, removal, or vacating. There is a list of considerations for doing that road assessment, based on methods that ODF currently uses. The HCP describes the types of improvements that might occur in certain cases, and also provides context on roads that have been vacated in the past.
- The HCP proposes that ODF will review roads to identify sections that should be improved, vacated, closed, and/or gated in the Habitat Conservation Areas (HCAs) in order to benefit covered species.

The ST will review this language again as part of the draft Chapter of the HCP. ST members were encouraged to provide edits on the proposed language to the ICF team by April 15.

Discussion

ST members discussed the proposal for road management actions and provided the following comments and questions:

- It is important to have cross drains at hydrologically disconnect ditches. A member offered to review the entire document and draft specific comments.
- Members clarified the meaning of the word “minimize.” They noted that the language should be made clearer. It is important that language be useful for implementation, as well as for developing timber sale contract language.

TORRENT SALAMANDER DATA SUMMARY

Troy provided an overview presentation on torrent salamander data. Key topics of the presentation include:

- Provided an overview of habitat needs of torrent salamander.
- Existing literature indicates that riparian buffers provide a positive benefit for aquatic salamanders. There are some mixed results in the literature with regards to whether the size of buffers matters. There is not literature supporting one particular buffer width as the ideal width. It is likely that the benefits realized from buffers for fish species will also benefit torrent salamander.
- There is not a lot of occurrence information for torrent salamander in the permit area. The few surveys indicate that torrent salamanders are more prevalent in perennial non-fish bearing streams as opposed to perennial fish bearing streams.

- It is assumed that torrent salamanders are somewhat ubiquitous around small non-fish bearing streams.
- Cascade torrent salamander:
 - Showed map of where Cascade torrent salamander habitat overlaps with the HCP Permit Area. The place where effects on the species are most likely to occur are at road crossings and in-stream enhancement work. In their HCP the Washington Department of Natural Resources (DNR) focused on road crossings to come up with an assessment of likely effects to the species over time from road projects; and came up with minimization measures to minimize effects of those projects on torrent salamander.
 - Within the Cascade torrent salamander range, there is not a lot of ODF land.
 - Within the HCP Permit Area, there are many more road crossings in Columbia torrent salamander habitat as compared to road crossings in Cascade torrent salamander habitat.
 - Any activities conducted to enhance stream processes will be beneficial to torrent salamanders.

Troy noted that the team proposes that the existing HCP aquatic strategy is likely sufficient to protect torrent salamander, and ODF is interested in hearing ST thoughts on this approach. He noted:

- The current HCP buffer strategy includes buffers in the areas that have torrent salamander habitat.
- There are many cases where roads currently cross torrent salamander habitat. The conservation actions for roads and the HCP best management practices or measures that are in place to reduce sediment or retain stream processes would also benefit torrent salamander.
- The aquatic strategy also has a conservation action that deals with improving passage; this action is focused on fish but also benefits torrent salamander.
- At the recent SC meeting, members expressed that the riparian strategy would likely be beneficial for torrent salamanders.

Discussion

The project team invited discussion on the proposed approach for torrent salamander and sought group alignment on the overall strategy. ST members discussed and provided the following comments and questions:

- Overall, members were comfortable with the proposal for torrent salamander.

- It was clarified that the model assumes torrent salamander to occur in all non-fish bearing streams and in all seasonal streams within the range of the species. The team is open to refining these model assumptions if ST members have data or science that points to a different assumption.
- A member noted that it will still be important to consider what kinds of activities are permissible and not permissible within the buffers, particularly in the upper reaches of streams versus the lower reaches of streams.
- Suggested clarifying the language around “minimization” where possible.
- Consider if there is rationale for doing something a little different between occupied and non-occupied areas.
- Because so little is known about torrent salamander, there will need to be some monitoring for species in the HCP.
- Members discussed the importance of seeps and springs for the torrent salamander species. Torrent salamander use the areas adjacent to seeps and springs during the wet season, and other amphibians may use those areas in drier parts of the year. Seeps and springs also provide cooler water and meter it out over time. Certain activities, such as removal of vegetative cover, can affect how much cold water is available to seep or spring out.

TRANSITIONING TO AN HCP

Brian Pew and Mike Wilson, ODF provided context and an overview of the agency’s thinking and proposed approach for transitioning to an HCP:

- ODF is considering what it could look like internally for ODF to transition to an HCP. There would be organizational changes, namely for duties of staff biologists and their managers, to focus more on monitoring and adaptive management.
- There will also be a transition of the timber sale program, to move from take-avoidance sales to active sales that are already sold under an incidental take permit scenario. ODF will have to consider how to manage timber sales between now and summer 2022, when it is expected that the NEPA process will be completed. There are various potential solutions to consider, such as limiting harvest in HCAs, changing the durations of timber sale contracts, changes in the number of sales allowed, etc.
- As much as possible, ODF intends to provide clear policy guidance and objectives around timber sales during the transition period between take avoidance and HCP implementation. Ideally, sales during this transition period would meet the HCP’s biological goals and objectives so that they can smoothly continue into the HCP period.

Discussion

ST members discussed the transition to an HCP and provided the following comments and questions:

- It is important to think about HCP implementation now because this will allow ODF to begin implementing the HCP soon after the incidental take permit is issued, which has been a struggle for other HCP efforts.
- Members considered other ideas and options for transitioning into the HCP:
 - Consider developing a system whereby future permittees could get a credit or have a trial period during the period when the HCP would likely be implemented.
 - If sales are planned within suitable habitat, consider capturing those sales as part of the initial take estimate. It will be important to consider where exactly to draw the line on which sales are included in that initial take estimate.
 - Consider modifying upcoming sales in a way to meet the intent of the HCP. For example, the agency could offer sales with adjusted buffers as an interim measure and could consider requesting biological opinion coverage for sales. Others had concerns about this approach and more discussion is needed.
 - Confirm that timber sale contracts include language that allows the agency to cancel sales that run contrary to the HCP, the Endangered Species Act (ESA), or incidental take restrictions.
 - Consider developing some “pipeline” language and an implementation schedule as a way to ease into the HCP. It could be a way to transition into full implementation.

CONFIRM TOPICS FOR STEERING COMMITTEE UPDATE

Deb asked if there are any specific topics that the ST suggests bringing to the SC. Members noted that it would be important to hear SC thoughts on a transition to HCP implementation.

The next SC meeting is scheduled for April 30, but there is not a lot of new substantive information to provide at this time and it is possible the meeting will be cancelled.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Deb thanked members for their participation. The next ST meeting is scheduled for April 28 and will be terrestrial focused.

Troy noted that the team has been keeping a running list of topics that the project team wants to discuss with the ST; this list might be circulated to the ST to see if anything is missing.

ACTION ITEMS

The following action items were identified throughout the meeting:

- Have additional discussion at the ST level on the sideboards for alder conversion management (i.e. limitations on the size of area that would be permitted for alder conversion).
- ST: Review the proposed language for road management actions and provide edits to ICF by April 15.