

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP SCOPING TEAM

Tuesday, May 5, 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), Josh Seeds (DEQ)

Technical Consultant and Guests: Troy Rahmig (ICF), Melissa Klungle (ICF), Mike Wilson (ODF), Kara Anlauf-Dunn (ODFW)

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

WELCOME AND INTRODUCTIONS

Deb Nudelman, Kearns & West, welcomed members.

Deb reviewed the agenda, which included: 1) Agency updates, 2) Revisit updated riparian strategy, 3) Revisit management/allowable uses inside Habitat Conservation Areas (HCAs), 4) Revisit road conservation actions, 5) General discussion on monitoring, 6) Discuss temperature monitoring, 7) Update on restoration approach, 8) Revisit Riparian Conservation Areas (RCAs) using updated Geographic Information System (GIS), 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 Forestry (ODF): The state is experiencing a budget shortfall, and the Governor has directed all state agencies to look into budget cuts. This will affect some ODF programs that are funded by the general fund. The State Forests Division is funded by timber revenues, so it has not been as significantly impacted.

Oregon Department of Fish and Wildlife (ODFW): The agency is also working through budget shortfalls and reductions planning.

Oregon Department of Environmental Quality (DEQ): The agency is also experiencing budget impacts, primarily for work that is state funded. DEQ's work that is federally funded is less impacted. 2) DEQ is continuing to update total maximum daily load (TMDL) allocations throughout the state. 3) The agency will be providing its non-point source pollution plans to the federal government shortly.

Deb and Brian Pew, ODF, reported that two small group meetings were held with SC and Scoping Team (ST) members from NOAA Fisheries, as well as from United State Fish and Wildlife Service (USFWS). Brian noted that it was very useful to have ST and SC members in the same room to connect and check-in with each other, as well as helpful to focus on each agency individually. Jim Muck, NOAA Fisheries, echoed that it was helpful to have NOAA Fisheries ST and SC members meet to ensure they were aligned on the agency's perspective. Troy Rahmig, ICF, added that NOAA Fisheries provided questions about the riparian strategy that will be touched on during today's meeting.

UPDATE ON RIPARIAN STRATEGY

Troy and Melissa Klungle, ICF, reviewed updates to the riparian strategy. Key topics of the presentation included:

- Updated definition of "high energy streams." The original language came from ODF's Forest Management Plan (FMP). ST members pointed out that a minimum width might not be appropriate because it could preclude any streams from qualifying as high energy. The project team proposed removing the minimum stream width from the definition.
- Updated language to reflect that buffer widths are meant to be *minimum* buffer widths rather than *average* buffer widths to align with the ST's desire to describe buffer widths as minimums.
- The buffer widths graphic was updated to better reflect the proposal for buffers around seeps, springs, and gorges.
 - Another figure shows that there may be some instances where some seeps extend to outside of a buffer.
 - Mike Wilson, ODF, added that the connectivity to the stream will be taken into account. If there is no vegetative connection to a stream, those areas will not be buffered but addressed in the FMP, rather than HCP. Any wet gradients (whether flowing or not) will be buffered.
- Reminder that the graphic illustrations will be included in the conservation strategy, within the context of a conservation action.
- The ICF team is developing a justification for the proposal on the temperature protection zone and will bring that back to the ST and SC for consideration.

Discussion on Riparian Strategy

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

- Members noted they were comfortable with describing buffer widths as minimums rather than averages. Providing buffer widths as averages might leave an impression that some buffers could be radically smaller or larger than the buffer width described, and that is not the intent.
- Members did not have concerns with the updated definition of high energy streams.
- Members did not have concerns with the proposal for buffers around seeps, springs, and gorges.

MANAGEMENT AND ALLOWABLE USES IN RCAs

Overall Approach to Management Activities in RCAs

Troy discussed the management inside RCAs and provided an overview of administering activities. Key topics of the presentation included:

- Described a proposed approach for management inside RCAs. During implementation, it is anticipated that three kinds of activities would be administered: 1) standard practices, 2) exceptions to standard practices, and 3) a Meet and Confer process.
 - Standard practices are activities that occur as described in the HCP.
 - Exceptions to standard practices are activities that need to be implemented in a different way than what is described in the HCP. Any exception would be reported to federal agencies as part of the annual reporting process. The activities or methods that qualify as exceptions would be listed in the HCP, and there would be clear sideboards for those exceptions.
 - The Meet and Confer process includes rare activities that need to occur and require an additional meeting and coordination at the time they are proposed. This process would be used for activities that are not expected to occur frequently throughout the HCP implementation. This could include hardwood conversion projects in RCAs, restoration actions that do not meet the HCP restoration criteria, timber sales that are unable to implement the minimum RCAs, and unique management programs related to beaver.

Discussion on Overall Approach to Management Activities in RCAs

ST members discussed the proposed approach for management inside RCAs and the administering activities and provided the following questions and comments:

- Interest in understanding the process of how decisions would be made through a Meet and Confer process. Troy noted that the implementation chapter will describe the Meet and Confer decision-making process, and the ST will review that language at a later meeting.
- Suggestion to use a name other than “hardwood conversion” to describe those activities, to better communicate the positive intent of introducing conifer where appropriate. Members came up with ideas and suggested that “large conifer restoration” would be a better term and noted that it will be important to describe the intent of the activity to provide context. Other ideas included “conifer release” and “conifer reestablishment.” The project team will consider these ideas and come back with a proposal.
- Members expressed alignment on the approach of organizing management activities inside RCAs in three categories: 1) standard practices, 2) exceptions to standard practices, and 3) a Meet and Confer process

Allowable Activities inside of RCAs

Troy and Melissa reviewed a proposal for allowable uses inside the RCAs. Key topics of the presentation included:

- The project team worked with the Districts to put together a list of the types of activities that occur inside of RCAs, and how frequently those activities might occur throughout HCP implementation (frequently, infrequently, or rarely).
- Activities that could occur in all RCAs include: road building, road maintenance, road vacating, cable corridors, skid roads, stream enhancement, road implement activities, climb/top trees for a tailhold in RCA, guylines, invasive species treatment, fire line construction, recreation, hazard tree removal, and reforestation activities.
- Activities that could occur in the equipment restriction zone (ERZ) include temporary stream crossings, road building, stream enhancement, maintenance/improvements, permanent stream crossings, rock quarry development, drafting water, using equipment as mobile anchors, and harvest.
- The HCP would describe these activities and the best management practices (BMPs) associated with the activities.

Discussion on Allowable Activities inside of RCAs

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

- Suggest “new roads” as an activity separate from road building, maintenance and vacating. The desire should be to severely limit new roads in RCAs unless there is no other option, thus categorized as a “rare” activity.

- Consider whether the activities listed as “frequent” may need recategorization. It may be more useful to present the information by stream type or geography, because frequency of the activities depends on these factors.
- Suggest making it clear that management in cable corridors is intended to fell trees, not to harvest trees.
- Suggest clarifying when drafting water would be allowed.

Troy noted that the team would update the information and provide another draft to the ST for review.

ROAD CONSERVATION ACTIONS

Troy and Melissa presented on road conservation actions. Key topics of the presentation included:

- Reminder that ICF circulated language on roads and the ERZ to the ST and received helpful edits and feedback from the ST. The roads and ERZ document have been revised to incorporate ST feedback and edits. There are some remaining questions to discuss as a group today.
- Reviewed edits to roads language. Key edits included:
 - Vacated versus decommissioned roads: The Forest Practices Act (FPA) has standard road definitions and uses the term “vacated” roads, therefore, the project team proposed using the term “vacated.” However, there are some instances where the term “decommissioned” is more appropriate. Decommissioning is more intensive and includes removing and replanting road.
 - The distinction between “vacated” and “decommissioned” can be made by tying the vacating language back to the FPA, and then defining the term decommissioning and when it might occur.
 - ODF committed to reviewing and clarifying the intent of vacating and decommissioning language in the HCP.

Discussion on Road Conservation Actions

ST members discussed the road conservation actions and the proposed roads language and provided the following questions and comments:

- Members noted that decommissioned roads have a very particular meaning. “Vacated roads” should mean permanently hydrologically disconnected roads. Troy noted that it seems that vacating and decommissioning are two different terms, and the best approach may be to keep both terms and describe them clearly and describe the instances in which vacating versus decommissioning would be appropriate.

- Members discussed proposed changes to the language to better clarify and define “minimize” and “where feasible.” The ICF team noted that in some instances, “where feasible” language remains to give ODF some flexibility when harvesting.
 - Suggested relating the narrative language to the table of activities.
 - Some concern about the “where feasible” language related to removal of old growth trees or trees with structures known to be important to covered species. Removing those types of structures should be avoided—not just “avoided where feasible,” and the activity should be classified as “rare.” If ODF will have some flexibility here, then there should be clear sideboards on when the activity is allowed. It may also be helpful to include language reflecting a long-term point of view and looking at the overall road system and long-term impacts of that road once the timber sale is complete.
 - Troy noted that it may be possible to develop a list of potential situations where feasibility would be a consideration. However, it will not be possible to contemplate every future situation, and some flexibility is needed to allow ODF to make decisions in those unforeseen situations.

EQUIPMENT RESTRICTION ZONE

Troy and Mike provided updates on management activities within the ERZ. They noted that the ST provided helpful comments on the ERZ in between meetings and a few topics are outstanding. The team reviewed a proposal for width and spacing of yarding corridors.

Discussion

ST discussed the ERZ and provided the following questions and comments:

- Noted that yarding corridor widths depend on stream types. In practice the corridors may be spaced very differently depending on stream type and geography.
- As much as possible, the intent should be to avoid frequent corridors in areas lower down in the watershed, where critical habitat tends to be. Troy noted that it may be possible to include language noting that the intent is to limit wide corridors around perennial fish bearing streams and critical habitat.
- Consider describing yarding corridors as BMPs rather than management direction. This would allow for more flexibility for ODF. Troy noted that in annual reporting, all instances of applying BMPs will likely not be called out.
- After hearing ST discussion, ODF proposed that in the lower watershed, yarding corridors be prescribed so that they are built as narrow as possible and spaced apart as wide as possible. Then in upper watershed areas, prescriptions around corridor width and spacing would not have to be as prescribed. Members agreed with this overall approach.

GENERAL DISCUSSION ON MONITORING

Troy provided a brief introduction on monitoring in the HCP. Key topics of the presentation included:

- Monitoring is a required element of the HCP. There are two pieces to the monitoring program: 1) Compliance/implementation monitoring and 2) Effectiveness monitoring.
 - Compliance/implementation monitoring looks at whether ODF is implementing the HCP as written and is complying with permits.
 - Effectiveness monitoring is monitoring to determine the effectiveness of the conservation strategy at achieving the biological goals and objectives.
- For covered fish species, both types of monitoring will be used.
- Effectiveness monitoring for aquatic species includes looking at changes in the riparian forest structure, long-term trends in wood delivery, changes in water quality and quantity, and access to habitat following barrier removal.
- The project team is beginning to consider what ODF's monitoring responsibilities will be. It is important to make sure the sizing of the monitoring program is appropriate to be able to assess progress on the biological goals and objectives.

TEMPERATURE MONITORING

Kara Anlauf-Dunn, ODFW, provided an overview of how the monitoring under the HCP might dovetail with ODFW's monitoring efforts. Key topics of the presentation included:

- Provided an overview of ODFW's temperature monitoring plans and the agency's habitat monitoring program.
- ODFW's temperature monitoring plan includes:
 - ODFW utilizes a two-fold approach: 1) Statewide, reach-scale temperature estimates and 2) Intensive monitoring of certain watersheds.
 - Many groups and agencies are already measuring temperatures and can provide their data to add to the effort, to make the monitoring more robust. More data is available for some geographies than others.
 - Statewide monitoring: ODFW is evaluating using land surface temperature (LST) as covariate in linear models which provides estimates of mean daily temperature. This is an attractive statewide approach to estimate temperature because it uses free data, uses linear models, and can incorporate partners easily. The model would need to be run every year. To date, the model has been

run for 2016. ODFW is still considering how best to do this statewide temperature monitoring approach.

- Intensive monitoring of watersheds: The goal is to conduct intensive monitoring of several watersheds throughout the state. ODFW would compare the LST approach to other approaches to see which approach works best in each reach.
- Physical habitat: ODFW is also evaluating a repository for all of this data. DEQ has a database that allow different groups to contribute data to; however, it is difficult to add data to the database. The interest is to be able to store data from multiple sources in one place that is easy to use and access. However, there currently is a challenge with funding.
 - Aquatic inventories project: The primary goal of this project is to understand the status and trends. There are twenty years of data on habitat, juveniles, and adults that are derived from spawning surveys. Habitat data is limited to smaller streams and does not include large rivers. For the past six years, the habitat sample sites and juvenile sample sites have overlapped. Some of the sites have been sampled annually while others are sampled less frequently.
 - We are able to look within different land ownerships to see trends across ownerships (i.e., agriculture, federal forest, private forest, and state forest).
 - Physical habitat surveys are intensive, and collect data on morphology, habitat unit types, substrate composition, large wood, and shade. Riparian surveys used to be completed but are no longer done.
 - Provided information related to Habitat Limiting Factors Model (HLFM).
 - Recently looked at trends in various watersheds (i.e., increasing, decreasing, or no significant change across various factors).
- Connection to the HCP: In the coming years, ODFW is planning to alter the program to get at questions more directly. The goal is to better to understand spatial patterns, habitat quality, and habitat use. The scale of monitoring is likely to change to meet this goal.

Discussion on Temperature Monitoring

Troy framed the conversation and explained that as we consider the monitoring program in the aquatic environment, rather than reinventing the wheel, there might be a natural partnership with ODFW. There is interest in hearing the ST thoughts on this approach. Additionally, a commitment will need to be made to monitoring and funding for monitoring in the HCP and there is an interest in hearing from ST members on how ODF could meet this commitment.

ST members discussed temperature monitoring and provided the following questions and comments:

- Expressed interest in conducting monitoring through this partnership with ODFW.
- For wood recruitment monitoring, would the HCP still include some project-specific actions in addition to the ODFW monitoring?
 - Troy responded that the intent would be to track trends in wood recruitment over time. In the future, would want to see what's already part of ODFW's monitoring program, and what ODF would need to add to it to fully monitor wood recruitment for the HCP.
 - Kara added that ODFW has realized that the data is great at looking at trends over a large spatial scale, but more specific questions are difficult to answer with the data that has been gathered. It is important to match the data being gathered to the question you are trying to answer.
- It seems that the ODFW monitoring program described has great value as the overall effectiveness monitoring for HCP. However, for some specific activities it will be important to have supplemental monitoring. For example, for restoration projects consider implementation plans (perhaps over 10-year periods), and then design monitoring program to understand impacts of those restoration projects. For road management projects, consider having drivers visit the projects to find hot spots and problems related to sedimentation and runoff and address them.
- There will likely also be effectiveness monitoring associated with BMPs.
- Members asked how funding for monitoring will remain stable. ODF and ICF noted that the HCP document will address funding. The commitment to fund the monitoring program is tied into the incidental take permit; it is not discretionary.
- It will be important for the monitoring program to have enough sample sites to understand trends across the landscape of state forestlands.
- Members discussed appropriate scale for temperature monitoring, and whether reach-specific information or larger-scale information would be useful.
 - Some noted that the interest is in looking at the larger scale to understand temperature at the basin-level. Others advocated for reach level data because different streams respond differently to harvest and air temperature; working at only the larger scale may miss what is happening at the finer scale.
 - One suggestion was to focus monitoring in temperature protection zones, while assuming that buffers in other reaches are sufficient to protect temperature.
 - It will be important to have a defined effectiveness monitoring program and also an adaptive management approach that allows the agency to shift monitoring in the future to meet needs that we can't anticipate now.

Troy noted that the project team will be writing the monitoring chapter of the HCP. The chapter will include a combination of carrying forward some work that's been done, identifying where we need to do more specific things or answer specific questions, and contemplate how the monitoring program may need to change over time to answer new questions. The next time the project team will present information on monitoring to the ST will be as language for the monitoring chapter.

UPDATE ON RESTORATION APPROACH

Overall Restoration Approach

Troy, Melissa and Brian provided an update on the restoration approach. Key topics of the presentation included:

- The project team has been considering ways to broaden the restoration approach and raised the proposal of creating a fund of money to use for restoration projects.
 - A portion of timber sales could be used to fund conservation. ODF could look at what ODF spends on restoration projects in various watersheds today to help determine the size of the fund.
 - Certain restoration activities can be included as part of a timber sale agreement (i.e., instream fish projects, wood recruitment, or leaving snags could be done as part of the timber sale). Each timber sale could contribute through either in-kind work, instream project work requirement, and/or a percentage of gross sale from timber harvest that goes into the conservation fund. The money collected from timber sales would go into a pooled account used for restoration actions that best benefit the covered species.
- It will be important to determine the right level of funding for restoration projects.
 - Reviewed data on restoration projects that have been done by ODF over the past 23 years. Most of the projects were road activities. In-stream, riparian, and fish-passage projects were also completed.
 - In the future, it is expected that ODF restoration projects would have a similar mix of project type.

Discussion on Overall Restoration Approach

ST members discussed the restoration approach and provided the following questions and comments:

- Members noted the conservation fund is a good concept and would offer a stable funding source. The difficulty is how to make decisions on which projects to fund. It could be helpful to have a restoration plan with criteria set up in advance.

- There are federal funding examples that could be a good model that could be helpful to utilize or reference.
- Would like to better understand how ODF can leverage OWEB funds or other revenues such as neighbor authority sales to help fund projects that would be beneficial to multiple groups. ODF noted that OWEB projects have certain requirements and it would be important to consider funding those projects that would provide credit back to ODF.
- Members discussed drawbacks and benefits of potentially funding restoration projects downstream and off ODF lands.
- Suggest that research and barred owl management be included as eligible restoration project types.
- Consider soliciting grant applications from watershed councils as an opportunity to work in restoration areas that are high priority. ODF could provide funding to the watershed councils, that would then be matched.

Criteria and Types of Restoration Projects

Melissa and Troy presented the types of restoration projects that could be included under the HCP, and criteria for selecting projects to fund. They noted:

- Types of restoration projects that could be funded under the HCP include instream complexity (e.g., wood placement), floodplain reconnection, side channel restoration, fish passage, and road vacating/improvements.
- Restoration project selection: the team suggests not identifying actual projects in the HCP, but instead listing criteria to select the projects in the future. Melissa reviewed the suggested list of criteria. These criteria would be used by ODF to decide which project to select and would be included as part of the annual reporting process to show which projects were funded. Monitoring would be done to evaluate the effects of the restoration projects.

Discussion on Criteria and Types of Restoration Projects

- Members overall agreed with the list of types of restoration projects. Suggest adding “research” as restoration project type.
- For fish passage projects, it can be difficult to sort out culvert upgrades associated with road obligations from opportunities to create fish passage. The project selection committee should have criteria that distinguish between the two and prioritize funding of those projects that are not related to existing road obligations.
- Members agreed with the approach of identifying project selection criteria rather than listing restoration projects in the HCP.

- Members also mentioned that the decisions about which projects should be funded and implemented would be decided within ODF and reported to NOAA and USFWS during the annual reporting process.

Next Steps: ICF will circulate the draft list of project selection criteria list to the ST for review.

UPDATE ON TERRAINWORKS MODELING

Troy explained the project team has begun receiving information back from TerrainWorks and is incorporating the information into the timber harvest modeling. The project team expects to receive the wood recruitment data later this week. The hope is to have TerrainWorks present on wood recruitment outputs at the June aquatic-focused ST meeting, or at a separate meeting.

CONFIRM TOPICS FOR STEERING COMMITTEE UPDATE

The next SC meeting is scheduled for May 28. Agenda topics should include a discussion on the overall structure and concepts of the items discussed today, including restoration projects process, conservation fund, and management and allowable uses in RCAs.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Deb thanked members for their participation. The next ST meeting is scheduled for May 26 and will be terrestrial focused. Some terrestrial small group meetings are scheduled for next week.

A member asked when ODF plans to release the conservation strategy to the public. Cindy responded that it depends on how much progress is made. The goal is to be close to a final draft of a strategy before it is shared with the public. The project team will seek alignment from the ST before releasing the strategy to the public. The goal is the share the conservation strategy by late summer.

ACTION ITEMS

The following action items were identified throughout the meeting:

- Project team: Circulate additional pieces of information for the management and allowable uses inside RCAs including the standards/exceptions table.
- Project team: Circulate the restoration project selection criteria list to the ST for review and feedback.