

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP SCOPING TEAM

Tuesday, August 25, 2020, 10:00 am – 2:00 pm

By Webinar/Video Conference

ATTENDEES

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

Technical Consultant and Guests: Troy Rahmig (ICF), Melissa Klungle (ICF), Corey Grinnell (ODF)

Facilitation Team: Cindy Kolomechuk (ODF), Deb Nudelman (Kearns & West), Sylvia Ciborowski (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 report out on stakeholder engagement, 2) Conservation strategy, 3) Effects versus conservation benefits, 4) Discuss Chapter 6: Monitoring and Adaptive Management, 5) Initial questions about implementation and assurances of the HCP, 6) Confirm topics for Steering Committee (SC) update, and 7) Approach going forward, next steps, and summary.

Cindy Kolomechuk, Oregon Department of Forestry, and Brian Pew, expressed appreciation that Scoping Team (ST) members prioritized review of the HCP chapters and encouraged members to keep providing concise and specific comments that are very helpful in HCP chapter refinement.

AGENCY UPDATES AND REPORT OUT ON STEERING COMMITTEE MEETING

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

- **ODF:** 1) The Western Oregon HCP is a high priority for the agency, and the agency is getting a lot of interest from legislators and stakeholders. The agency recognized the

ST's hard work on this effort. 2) ODF has many management teams out in the field in response to wildfire season, though this has been an average year.

- **NOAA Fisheries:** 1) A marine mammal take proposal on the Willamette River came out that proposes the allowance for more take. 2) Jim Muck, NOAA Fisheries, provided an update on the Western Oregon HCP to the NOAA Fisheries regional staff, and the Regional Administrator was very interested and delighted to see the progress.
- **Oregon Department of Fish and Wildlife (ODFW):** The marbled murrelet listing decision is approaching and will occur before the Fish & Wildlife Commission in November.
- **Department of Environmental Quality (DEQ):** 1) The separate ongoing DEQ process is expected to be a distinct project that will not affect the Western Oregon HCP process. 2) The Institute for Natural Resources at Oregon State University has released literature on forestry's potential impact on drinking water ("Trees to Tap" Report). The findings and recommendations chapter of the report summarizes the information. It will be important to consider the implications of forestry decisions on drinking water. In general, practices that are protective of fish are also beneficial to drinking water. Josh Seeds, DEQ, will send a link to the report to the ST.

CONSERVATION STRATEGY

Troy Rahmig, ICF, framed today's discussion on the conversation strategy. The intent is to walk through key themes and topics of the ST's comments on the HCP chapters. ICF has summarized ST comments to help facilitate the discussion today. ST members were encouraged to mention if key topics and comments were missing.

Board of Forestry (BOF) and Timing of Chapters

Troy added that it will be important to identify the comments and critical path items that need to be resolved before the October BOF meeting, and which topics can be further discussed after October. The project team has been sorting ST comments in these two categories. As the team revises chapters of the HCP, the team will post the updated chapters to SharePoint, likely between September 4 and 11. The updated chapters will describe how comments were addressed. The team will also develop a BOF version, which might include placeholders for the items that have not been fully discussed or resolved with the ST.

Troy walked through key topics related to the conservation strategy, including:

- Acreage commitments for conservation.
- Management in Habitat Conservation Areas (HCAs).
- Barred owl removal conservation action.
- Coastal marten effects and conservation.

Key topics of his presentation included:

- The biological goals and objectives use the terms “conserve, maintain, and enhance.” These have been translated into the conservation strategy and management actions in the HCAs. “Conserve and maintain” loosely translates into little or no management activity in occupied, suitable, or highly suitable habitat inside of HCAs. “Enhance” translates into targeted management actions in low, marginal, or non-habitat to improve those lands over time. The expectation is that there would be no net reduction in habitat quality and quantity during the permit term. Regeneration harvest in HCAs would have sideboards including age of stands, habitat suitability, size and types of cuts, and front loading of this type of harvest in the permit term. There will also be a decision process for silvicultural treatments in HCAs. The conservation action language will be clear on what we are trying to achieve.
- There will be annual reporting on monitoring that will provide tracking of progress. There are some potential silvicultural practices that could occur in the HCAs, and a set of criteria will be used to determine when and if those can occur. There may need to be sideboards on the number of acres treated in a given time period.

Discussion

ST members discussed the conservation strategy and provided the following questions and comments:

- Even infrequent actions can have an impact. United States Fish and Wildlife Service (USFWS) may be providing some more detailed feedback on the frequency table soon.
- Suggestion to include allowance for a high level of treatment in low suitability areas. While maintaining both the habitat and the occupation of the habitat, some kinds of treatment may have long term benefits to the growth of trees but can have detrimental effects to occupation in the short term. It is important to make sure that we avoid those effects as much as possible, and not to impede the species’ use of certain areas.
 - The model estimates how the forest will change over time. We can make a commitment to never lose more habitat than we are gaining. Monitoring will help us understand habitat development over time and will likely result in some tweaking of pace and scale of management activities. The model helps estimate what may happen, and monitoring will help us understand what is actually happening on the ground.
- It makes sense to bracket the sideboards on the number of acres treated in a given time period. It would be helpful to know the frequency in a range, what kinds of activities will occur, and what impacts they will have across stand age classes in order to have a numerical description of frequency and to see the information across suitability and age class.

- The Effects Analysis summarizes acres harvested or treated by habitat suitability type for each of the species. The prescriptions are often done within certain age classes, but the information is not quantified by age class.
- Suggestion to break out age class within the suitability categories and then relate age class to suitability.
- ODF made final refinements to the HCAs, and will share those final HCA configurations and modeling results at an upcoming ST meeting so members are aware of what information ODF is taking to the BOF. The model is updated to better reflect restoration prescription in the HCAs. We are still in the timber harvest range that we talked about before. Some regeneration harvest associated with swiss needle cast and alder stands is generalized in the model; it does not include the nuance that would be included when implementing the prescriptions on the HCAs.
 - A member expressed interest in understanding the parameters used in the modeling of restoration prescriptions and the acreage data that is labeled as “unknown” or “unavailable.” ODF noted the team would consider having further discussion with the ST on these topics.

Habitat Acreage Commitments

Troy presented the habitat acreage commitments, noting that the forest management and species habitat modeling begins in 2023. The expectation is that the baseline will begin in the year 2023, and everything will be measured against that throughout the permit term.

Troy presented model outputs that showed the cumulative northern spotted owl suitable and highly suitable habitat gain and loss over the permit duration, in five-year intervals. The majority of habitat growth occurs inside of HCAs. There will also be some habitat growth outside of the HCAs, but the acreage commitments in the biological goals and objectives come from what is happening inside of HCAs. It was noted that ODF acreage commitments are different than what the model is showing in terms of cumulative habitat gain and loss. It will be important to communicate this clearly. It was clarified that most of the highly suitable and suitable habitat is inside of HCAs and there may be harvest of some suitable habitat outside of HCAs.

Discussion

Members discussed the baseline and habitat acreage commitments and provided the following questions and comments:

- Members noted that the baseline makes sense and needs to be well-articulated.
- It will be important to indicate the level of confidence in the acreage commitments in the HCP, and what the numbers really represent.
- Will the baseline be articulated for all forest acres or just acres within HCAs? Will the numbers be presented to the BOF?

- Yes, the numbers will go to the BOF as part of the draft HCP.
- ODF recognizes that habitat may grow outside of HCAs, but is not proposing any commitments to habitat growth outside of HCAs. The agency can commit to specific habitat growth inside of HCAs.
- Suggestion for ODFW and the federal agencies to confirm if they are comfortable with the acreage commitments before it is presented to the BOF. It will be important to fully understand the effect of take over time to determine whether they are comfortable with the acreage commitments.
- Pace and scale questions are being presented at the permit level, but it may be useful to present the information as broken out across the permit area (potentially by District).
- Some northern spotted owl sites are located in non- or low-suitable habitat. There is concern that actions could occur in these areas that completely remove the potential for owl occurrences. It is important to consider the occurrences of species in areas that are modeled as low suitability.
 - Certain criteria is applied to northern spotted owl sites to ascertain the overall risk to the owl. The agency can continue to do that, but the HCP is intended to move away from a take avoidance approach. ODF could build in a process to individually consider owl sites, but it shouldn't require the workload that is used for the case-by-case take avoidance approach that ODF uses currently.
- Members and ODF staff made clarifications around what suitability habitat index is being used in the HCP. They noted that currently in the model, areas labeled as "highly suitable" have a habitat suitability index of 0.8 and above. Lands labeled as "suitable" have an index of 0.6-0.8, and areas labeled as "low or marginal suitability" are below 0.6.
- The BOF will see actual numbers of habitat acreage commitments rather than a range. The actual numbers are important so that BOF can make a decision on whether to move the HCP into the National Environmental Protection Act (NEPA) process at its October meeting. It was clarified that the BOF will decide whether or not to move forward with the HCP—not vote on whether the HCP is the right approach.
 - What will happen if the numbers presented in October change dramatically between the October BOF meeting and the administrative draft of the HCP?
 - If there are significant changes to the numbers, ODF would likely have to go back to the BOF with the updated information before starting the NEPA phase. It is expected that the final BOF decision on the HCP would occur in summer 2022. The expectation is that the HCP would have completed the NEPA process and a fully written and drafted Forest Management Plan (FMP) would be completed that includes a lot of detail on managing the forest.

Barred Owl Removal

Troy presented on barred owl removal. Key topics of the presentation included:

- The HCP includes a barred owl removal conservation action. The ST has also discussed the potential of dedicating a portion of the conservation fund for barred owl removal.
- Suggestion to recharacterize this conservation action as broader northern spotted owl recovery related activities, and potentially include other activities within the fund.

Discussion

ST members discussed barred owl removal and provided the following comments:

- It would be useful to itemize the types of conservation actions that ODF would be comfortable with (including barred owl removal) but also retain flexibility in the amount of those actions that could occur in the future.
- Members expressed support for the conservation fund to be used to fund some research activities, as long as the activities are focused on mitigation and minimization rather than general research.
- It was clarified that if some of the conservation fund is not spent in one year, it can be accrued and spent in following years. The project team will make sure that this is explicitly stated in the Cost and Funding Chapter.

Coastal Marten

Troy and Nick Palazzotto, ODF, provided information and context on the coastal marten approach. It was noted that prior to today's ST meeting, ODF presented a proposed approach to the coastal marten strategy to a small group of the ST.

Troy and Nick then walked through the proposed approach for coastal marten. Key topics of the presentation included:

- ODF proposes a marten covered area that includes all ODF managed lands from the northern boundary of Lane County, south to the California border and west of I-5. All lands in the coastal marten covered area are considered to be potentially suitable habitat. About half of the coastal marten covered area is within HCAs.
- Large legacy trees (current and future), especially those with existing dens, decay, or other complex structures, would be prioritized for retention. Mast and fruit-bearing hardwoods would also be retained.
- In fire-prone areas, ODF would balance fuels reduction with the need for dense, ericaceous shrub-dominated understories.
- Maternal den protection would also be provided. This requires tagging and monitoring.

- A research, monitoring, and adaptive monitoring program would be set up. The Oregon Forest Carnivore Working Group would continue to be engaged and seek collaborative research and monitoring efforts. Some funding would be dedicated to the research and monitoring efforts as a financial commitment. Adaptive management would focus on legacy retention and recruitment strategies, den protection, slash piles, fuels management, and thinning for understory development.

Discussion

Members discussed the proposed approach for coastal marten and provided the following questions and comments:

- Has any analysis been done to identify potential future wildlife corridors?
- The coastal marten population is interspersed with state parks. Could there be mitigation outside of ODF lands on state parks lands? Those areas have great potential for coastal marten habitat.
- ODFW is still reviewing the proposal and will provide comments soon.

MONITORING AND ADAPTIVE MANAGEMENT

Troy summarized ST comments on monitoring and adaptive management and framed the key remaining issues to discuss on this topic. Key topics of ST members' written comments on the monitoring and adaptive management chapter included:

- Level and type of monitoring in HCAs, including management activities tracked annually, habitat trend monitoring, and habitat validation monitoring.
- Level and type of monitoring outside of HCAs, including species monitoring in suitable or high suitable habitat, and the process for addressing newly found occupied locations.

Discussion

Members discussed monitoring and adaptive management and provided the following comments:

- Would it be of value for ODF to make a monitoring commitment around control sites to understand the baseline?
- Monitoring outside of HCAs would be valuable to understand what is happening outside of HCAs, but it is important to be cautious that the monitoring program doesn't become an overly burdensome survey and management program.
- There is some data on longer term occupancy of marbled murrelets, but it is insufficient and additional monitoring is needed. There are some lower-cost monitoring options available.

- Without specific information, we would anticipate erring on the conservative side. There will need to be some monitoring inside of HCAs to ensure they are creating and sustaining existing habitat.
- Outside of HCAs, ODF proposes some monitoring activities to protect nesting birds and consider nesting trees.
- There is confidence that a monitoring approach can be developed that works for both USFWS and ODF, however, it depends on what happens inside of HCAs versus outside of HCAs in terms of net benefit to the species. Suggestion to ensure there is language in the HCP around protecting individual trees that are known nest sites outside of HCAs. There should be some provision to not remove trees while species are nesting in those trees (active nesting trees).

CONFIRM TOPICS FOR STEERING COMMITTEE UPDATE

The next SC meeting is scheduled for August 27.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Deb thanked members for their participation. The next ST meeting is scheduled for Tuesday, September 1, 2020. That will be an important final meeting before the HCP packet goes to the BOF for review.

Brian thanked the group for their great work and comments on the chapters of the HCP.

ACTION ITEMS

The following action items were identified throughout the meeting:

- DEQ: Send the Trees to Tap Report to the ST.
- ICF: Post updated chapters of the HCP to SharePoint between September 4 and 11.
- USFWS: Provide more detailed feedback on the frequency table.
- ODF: Break out age class within the suitability categories to relate age class to suitability.
- Project team: Consider having further ST discussion on the parameters used in the modeling of restoration prescriptions and the acreage data that is labeled as “unknown” or “unavailable.”