

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP STEERING COMMITTEE MEETING

Tuesday, August 24, 2021, 12:00 pm – 2:00 pm

By Webinar and Teleconference Only

PARTICIPANTS

Steering Committee: Paul Henson (USFWS), Kim Kratz (NOAA Fisheries), Tere O'Rourke (NOAA Fisheries), Leah Feldon (DEQ), Kevin Blakely (ODFW), Bill Ryan (DSL), Dan Edge (OSU)

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

Facilitation Team: Sylvia Ciborowski and Ellen Palmquist (Kearns & West)

WELCOME AND AGENDA REVIEW

Sylvia Ciborowski, Kearns & West, reviewed the agenda which included: 1) Welcome and Agenda Review, 2) Agency Updates and Stakeholder Engagement, 3) HCP Internal Alignment Process and Feasibility Review, 4) Updates on the Forest Management Plan Process, 5) Updates on the HCP and NEPA Processes, 5) Steering Committee Direction to Scoping Team, 6) Approach Going Forward, Next Steps, and Summary.

AGENCY UPDATES AND STAKEHOLDER ENGAGEMENT

Steering Committee (SC) members provided the following updates relevant to the Western Oregon HCP process:

- **ODF:** 1) ODF has been working on draft goals for the Forest Management Plan (FMP). Draft goals were presented to stakeholders in August and will be shared with the Board of Forestry in November. 2) ODF will keep the group apprised of any resource issues with the coho lawsuit and other projects. 3) State Forester recruitment is on track, and a decision is anticipated at the end of October with a State Forester hired by mid-November.
- **USFWS:** 1) USFWS held a public meeting in Madras for the Deschutes HCP with 400-500 people in attendance. 2) Recommended that, for the Western Oregon HCP process, ODF take steps to prepare for unforeseen circumstances with fire or other issues. 3) The agency is moving forward with barred owl work and developing a possible EIS for a management program. California's range of spotted owl is also being included in this. 4) USFWS is working on post-fire hazard issues, like roadside trees. 5) The agency is still

taking comments on spotted owl critical habitat. 6) Franklin's bumblebee was listed as endangered species. This should not impact ODF.

- **NOAA Fisheries:** 1) NOAA Fisheries published a finding in the federal register noticing that the petition to list spring run chinook was not warranted in southern Oregon and northern California and that these species will not be listed at this time. 2) NOAA Fisheries is continuing to focus on the Private Forest Practices Accord.
- **DSL:** 1) The Elliott State Forest HCP is anticipated to begin the NEPA process after November. 2) DSL is reframing management relationships with OSU and decoupling funding risks.
- **OSU:** OSU is conducting a search for a director of the Oregon Hatchery Research Center. The center is operated by ODFW and the science is directed by OSU.
- **ODFW:** 1) Kevin Blakely introduced himself to the group and noted that he has replaced Doug Cottam on the committee. 2) The up-listing of the marbled murrelet is moving forward and ODFW is engaging in conversations with state agencies, like ODF, about developing timelines and approaches for these plans. 3) Bernadette Graham-Hudson joined ODFW the beginning of August and will be available to the committee when needed. 4) ODFW was allocated general funds for the Habitat Division and for conservation recovery in the Fish Division. There will be some movement in the agency to fill the new division. The water program is moving over to the Habitat Division which will have some interaction with HCP work.

Sylvia Ciborowski shared an update on public and stakeholder engagement:

- A Meeting Open to the Public was held on August 10 to provide an update on the HCP and NEPA process and to review FMP goals.
- A Joint Stakeholder Meeting was held on August 18 to provide input on FMP draft goals. The meeting was well attended by a diverse array of stakeholders.
- The next Meeting Open to the Public is scheduled for October 12, to be followed up by joint stakeholder meetings. These meetings will focus on FMP strategies.

Discussion

Members discussed engagement and provided the following comment:

- During the FMP Joint Stakeholder Meeting, it was powerful to see interests align on issues like climate change. This type of dialogue encourages ODF to incorporate feedback and consider how to approach goals, strategies, and performance measures or targets.

Feedback from the public and stakeholders:

- The September Board of Forestry meeting will focus on the Climate Change and Carbon Plan and may be beneficial for the HCP Steering Committee to track. The intent of the meeting is to keep conversation high-level, but the Board may discuss management of state forests.

HCP INTERNAL ALIGNMENT PROCESS AND FEASIBILITY REVIEW

HCP Review Process

Troy Rahmig, ICF, provided an update on ODF's operational feasibility review. Over the past several months, ODF has engaged district staff through a survey and three workshops to ensure HCP activities and conservation actions can be easily implemented. The Project Team received and responded roughly 475 staff comments on the Administrative Draft HCP. Many comments focused on clarifying changes, consistent definitions, and descriptions of covered activities. This process generated understanding and support for where ODF is headed. Troy stressed that no fundamental changes have been made to the HCP, except for ODF's approach to herbicides. These changes will not impact the NEPA analysis.

Troy shared that the Project Team met with a small group of Scoping Team members to discuss changes to Chapters 3 and 4 in the HCP. These changes will be reviewed by the full Scoping Team in September, and the Project Team will make final edits in preparation for the release of a Public Draft HCP in February 2022.

Herbicides Direction in the HCP

Sylvia Ciborowski thanked members of the Steering Committee that provided input on ODF's herbicide direction during a previous meeting. She asked if there were any remaining red flags, questions, or messaging that needed to be addressed. No issues were raised.

Mike Wilson, ODF, shared ODF's rationale for not including herbicides as a covered activity in the Western Oregon State Forests HCP.

Discussion

Question: Will ODF use herbicides in a way that avoids take?

- **Mike Wilson:** Yes, ODF will continue to use herbicides and avoid take. Some of the conservation strategies in the HCP would have limited ground-based application and increased the amount of aerial application. This has become a high-profile issue and some districts only use ground-based application.

Question: What are the risks for not including herbicides as a covered activity?

- **ODF:** The legal and biological risks are low. ODF anticipates shifting to more hand spraying and identifying opportunities to not use herbicides. ODF's riparian conservation area buffers are large, and herbicides will not be applied within these buffers, except for invasive plant issues. ODF will also replace Swiss needle cast stands with more diverse plantings spaced further apart that require less application of herbicides.

Question: Are herbicides a covered activity for the Elliott State Research Forest HCP?

- **Troy Rahmig:** Conversations are ongoing, but ODF's direction will influence what happens on the Elliott HCP.

Question: Is the FMP the most effective way to evaluate use of herbicides?

- **Mike Wilson:** There is some flexibility at the higher planning levels. The FMP has Annual Operating Plans (AOPs) attached to it that ODF can modify. This is more

scheduled for September 16. Draft goal comments from public and stakeholder engagement will be shared with the Board of Forestry during the November meeting.

October engagement, including a meeting open to the public and follow-up joint stakeholder meetings, will be focused on the draft FMP strategies. Strategies will not be ready for the Board of Forestry to review for the November meeting and will be shared at a later date.

FMP Modeling

The Board of Forestry will provide direction on the modeling outcomes analysis at the November meeting. This will allow the FMP Project Team to begin modeling scenarios. The outcomes analysis will be presented, along with the draft FMP, at the April 2022 Board of Forestry Meeting.

ODF will complete modeling calibration this fall, with scenarios available for staff review shortly after. Scenarios are not policy level changes and still incorporate the HCP as is. FMP modeling will be more detailed than HCP and EIS modeling to provide more certainty for field staff when the plan is implemented. To reduce confusion between the FMP and EIS modeling, ODF will provide continual messaging on the differences between the two.

ODF is also working with the counties to test spatial and temporal aspects of the volume flow strategy. This will allow ODF to have a better sense of actions that can be taken to avoid untenable situations for jobs and resources.

Climate Change and Carbon Plan

The Climate Change and Carbon Plan will be discussed during the September 8 Board of Forestry meeting and is anticipated to be finalized at the November Board of Forestry meeting.

UPDATES ON THE HCP AND NEPA PROCESSES

Tere O'Rourke, NOAA Fisheries, provided an update on the NEPA process. The NEPA Project Team is currently working on refining alternatives. Tere noted that they are working to ensure that any comments from tribal consultation, the National Historic Preservation Act, and the Environmental Protection Agency are incorporated. The Team encountered some delays while working with the counties to receive information about the distribution of funds and impacts to school and fire districts. Tere noted that ODF has been helpful by providing data needed for modeling efforts.

Discussion

Question: How are the counties being engaged in the NEPA process?

- **Tere O'Rourke:** Four counties did not respond to requests for information. Commissioner Yamamoto is helping secure the information requested.

Question: Is the January 31 deadline for the Public Draft EIS still on track?

- **Tere O'Rourke:** NOAA Fisheries is working with ICF to stay on track.

Comment: ECONorthwest has information for the counties that can be shared at a future meeting date.

STEERING COMMITTEE DIRECTION TO SCOPING TEAM

Sylvia Ciborowski asked if there is anything the group would like to communicate to the HCP Scoping Team and encouraged members to get in touch with their Scoping Team members to ensure there is communication between the two groups. Sylvia also noted that the frequency of Scoping Team meetings may increase after the Public Draft EIS is released.

The Steering Committee shared that the operational reality check ODF completed is critical for the HCP to be accepted and implemented and commended ODF for doing this.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Sylvia Ciborowski shared that the next HCP Steering Committee meeting is scheduled for December 14 from 12-2pm.

Liz Dent thanked the group and closed the meeting.