

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP STEERING COMMITTEE MEETING

Tuesday, January 18, 2021, 9:00 am – 11:00 am

By Webinar and Teleconference Only

PARTICIPANTS

Steering Committee: Paul Henson (USFWS), Joe Zisa (USFWS), Kim Kratz (NOAA Fisheries), Kate Wells (NOAA Fisheries), Leah Feldon (DEQ), Kevin Blakely (ODFW), Bill Ryan (DSL), Dan Edge (OSU), Mike Wilson (ODF), Kate Skinner (ODF), Liz Dent (ODF)

Technical Consultant and Guests: Melissa Klungle, David Zippin, and Jordan Mayor (ICF)

Facilitation Team: Sylvia Ciborowski and Ellen Palmquist (Kearns & West), Cindy Kolomechuk (ODF)

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) National Environmental Policy Act (NEPA) Process Update, 4) Timeline Update, 5) Update on Habitat Conservation Plan (HCP) Process, 6) Update on the Forest Management Plan (FMP) Process, 7) Steering Committee Direction to Scoping Team (ST), and 8) Approach Going Forward, Next Steps, and Summary.

Liz Dent announced that this will be her last Steering Committee (SC) meeting. Kate Skinner is filling in through March 30 as Interim State Forests Division Chief. Kate is a Tillamook District forester and has strong understanding of what the HCP effort means to the field. Liz shared that employees are familiar with the HCP goals and content. The HCP provides a level of certainty for ODF's work, including harvest, restoration, and recreation. Liz thanked SC members for coming to the table to work through the HCP process. Liz noted that as the process moves into the Draft Environmental Impact Statement (DEIS), ODF will be working closely with the Board of Forestry (BOF).

AGENCY UPDATES AND STAKEHOLDER ENGAGEMENT

SC members provided the following updates relevant to the Western Oregon HCP process:

- **ODF:** 1) Kate Skinner is serving as Interim State Forests Division Chief, 2) ODF is working with ODFW on the Endangered Species Management Plan for murrelets. In March, ODF will share recommendations for a planning framework with the BOF. 3) ODF is planning a May meeting with the BOF to share DEIS updates and to have a facilitated conversation with the Forest Trust Lands Advisory Committee (FTLAC).

- **USFWS:** Joe Zisa replaced Rich Szlemp on the ST. Joe has experience with HCPs and USFWS does not anticipate any issues with the transition.
 - **Question:** Should ODF work with Joe for Take Avoidance?
 - **USFWS:** Yes, contact Joe for Take Avoidance and any other needs normally fielded by Rich. Joe can elevate issues if needed.
- **NOAA Fisheries:** Kate Wells introduced herself and shared that she is excited about the opportunity to be part of the HCP process. Kate is the permanent Branch Chief for the Willamette Basin and the Interim Branch Chief for the Oregon Coast.
- **DEQ:** 1) DEQ is starting a rulemaking process to update aquatic life beneficial uses. The process will include updating fish maps showing designated beneficial uses of waterways across Oregon. DEQ will keep the group updated on the rulemaking process. The ST and the SC will want to keep tabs on the process to see if there are any impacted areas in the HCP due to any changes in beneficial uses of adjacent streams. 2) Thanked Liz for her leadership throughout the HCP process and for setting it up to be a success.
- **DSL:** 1) Thanked Liz for her work with ODF. 2) DSL is focused on the Elliott HCP and hoping to start the NEPA process soon. DSL is working on securing state funding to decouple the forest from the Common School Fund. DSL is also working on a legislative concept to set up the authority to manage the forest.
- **ODFW:** 1) ODFW is looking forward to continuing to work with Liz in a different capacity. 2) ODFW is waiting for budget building in the upcoming legislative session and has heard good news for the Recovering America's Wildlife Act from Congress. 3) ODFW is not a signatory for the Private Forests Accord but will be impacted by it. 4) ODFW is continuing to work through process and endangered species management plans with state agencies for the marbled murrelet up listing. State agencies will determine how their lands can play a role in recovery for the marbled murrelet.
- **OSU:** 1) Congratulated and thanked Liz. 2) No agency updates.
- **ICF:** 1) Thanked Liz for her leadership on the HCP. 2) Melissa Klungle is now the project manager for the HCP and Jordan Mayor is the Deputy Project Manager.

Sylvia Ciborowski shared an update on public and stakeholder engagement:

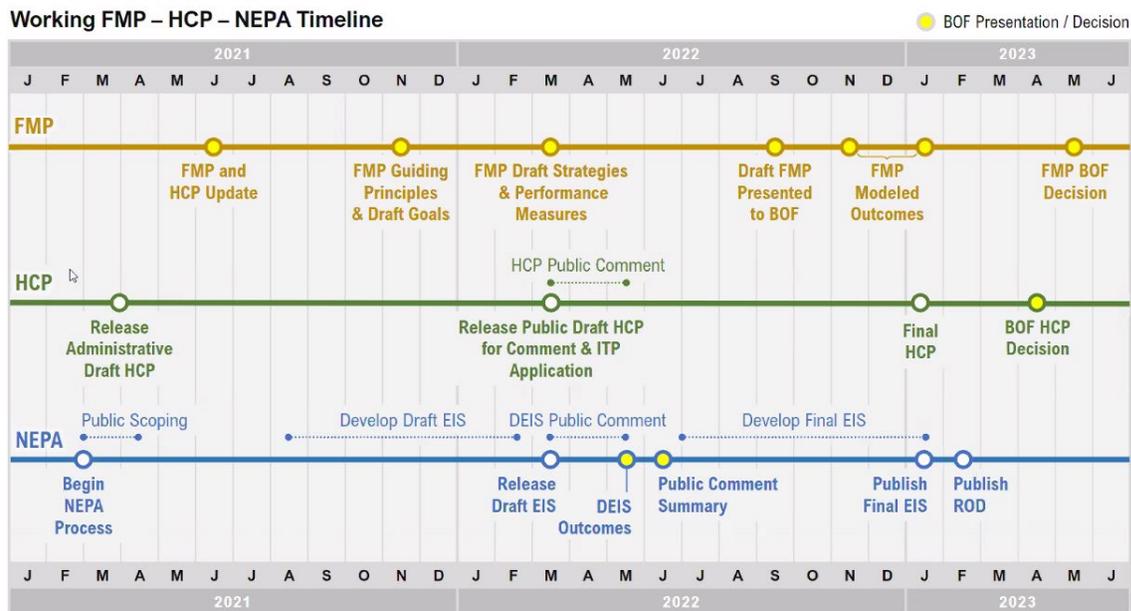
- ODF held a meeting open to the public on December 7. The update included notifying the public that the HCP will continue to move forward with the NEPA process and ODF is developing strategies for the FMP.
- ODF held Joint Stakeholder Meetings December 9 and 13 to discuss draft FMP strategies.
- ODF received 1,344 responses to a public survey for draft FMP strategies.

NEPA PROCESS UPDATE

Kate Wells, NOAA Fisheries, provided a NEPA update. Kate noted that NOAA Fisheries is moving towards publication of the DEIS through the Notice of Availability in the federal register. NOAA Fisheries and USFWS will issue a joint federal register notice for the receipt of application of the Incidental Take Permits (ITPs). The two agencies are working to coordinate the process and make it as efficient as possible. Tribes will be notified one week prior to publishing the federal register notice. NOAA Fisheries hopes to send the notice out by mid-March. The agency plans to hold one recorded virtual public meeting during the comment period for the DEIS in mid-April. NOAA Fisheries will let the SC know as soon as a meeting date is selected.

TIMELINE UPDATE

Cindy Kolomechuk, ODF, recognized the work NOAA Fisheries has been doing to move the DEIS forward before sharing the project timeline.



ODF is preparing to submit the ITP application and Public Draft HCP on February 9. The ST was asked to submit final comments by January 21 before the Draft is reviewed by a technical editor. ODF is planning to host a DEIS workshop with the BOF and FTLAC in May. The ICF NEPA Team will present DEIS information and the BOF and FTLAC will be able to ask questions and discuss. ODF would appreciate representation from USFWS and NOAA Fisheries and all state agencies are invited to attend the meeting.

In June or July, ODF will share a summary of public comment with the BOF and ask to move forward into the final EIS phase. In January 2023, the Final EIS will be published, and the Final HCP will go to the BOF for approval. A Record of Decision is anticipated in April 2023.

DISCUSSION

Question: When will ITP issuance occur?

- **Cindy Kolomechuk:** There is not an exact timeline for ITP issuance from the Services at this point in time.

Question: How long will the Services need for the issuance of the ITP?

- **NOAA Fisheries:** NOAA Fisheries will identify a timeline for the ITP.

Sylvia Ciborowski noted that ODF is hoping the Federal Services will attend the BOF workshop in May and asked if there were any thoughts or concerns about the approach. No concerns were raised.

UPDATE ON THE HCP PROCESS

Report out on ST level of alignment

Sylvia Ciborowski shared that ODF asked for ST concerns about moving the Public Draft HCP forward through the DEIS process. Several ST members noted that they wanted to spend additional time reviewing the draft, but overall, the ST did not have concerns moving the Draft forward. Sylvia noted that ODF wanted to do a similar check in with the SC.

Changed Circumstances

Mike Wilson, ODF, shared information about ODF's process for addressing disturbance in the HCP. Current language in the Public Draft HCP is being updated to reflect lessons learned from Labor Day Fires and direction from ST members. The HCP doesn't address fire management outside of the Habitat Conservation Areas (HCAs) but does address fire resiliency inside HCAs. Mike noted that there may be increased focus on fuels reductions with HCAs in the future, as circumstances change, forests age, and fire frequency and severity increase. Fuels reduction efforts in HCAs will focus on mitigating wildfire risk while minimizing effects on habitat suitability. Up to the threshold identified under foreseen circumstances, ODF will defer harvest in nearby habitat for an IP period, to serve as short term refugia. Within Riparian Conservation Areas (RCAs), ODF will monitor the areas and conduct restoration as needed over time, based on natural recovery and specific restoration needs.

Agency Involvement in Implementation of the HCP

Mike shared that the HCP includes annual reporting, a five-year mid-point check in, and a ten-year comprehensive review. The ten-year comprehensive review will allow ODF to plan for the next Implementation Plan (IP) and will involve the Services. IPs and Annual Operation Plans (AOPs) are transparent and public processes, and ODF will use them to actively engage state partner agencies and the Services.

Mike recognized concerns around the pace and scale of management. ODF wants to provide assurance that the Services will have opportunities to provide comment and to monitor. Mike shared that ODF will not sell more than 7,500 acres in any given five-year period. Contracts run

up to three years and ODF can control when timber is auctioned, but not when harvest occurs during the contract period.

Discussion

Question: What is the process for adaptive management?

- **Mike Wilson:** Adaptive management under the HCP needs to be connected to the covered species and is more likely to be used at a five-year or ten-year increment than after one year. Examples of adaptive management triggers are included in the HCP. The FMP is used for responding to an event that isn't triggered by the HCP. This could include a water quality standard.

Steering Committee roundtable on moving the Public Draft HCP forward in the NEPA process

Sylvia Ciborowski asked the SC if they were comfortable moving forward into the NEPA process or if there were any remaining issues to address.

- **USFWS:** USFWS revisited the Draft over the holidays and had no major concerns. The Draft is an improvement on the status quo and consistent with the public's general expectations for contributions to conservation. The prescriptions and mitigation goals look good and there will be flexibility to address comments after public review. Older forest cutting is still a potential point of contention, but not a permit issue. [A recent paper](#) demonstrated that older forests provide refugia for northern spotted owl after fire events and disputes the idea of heavily managing forests. The FMP and the HCP is a hedge against fire in addition to wildlife habitat and carbon sequestration.
 - **ODF:** ODF anticipates that older forest cutting will be an issue. The BOF will provide direction on this through the FMP. The BOF recognizes the importance of growing older forests for carbon storage but the public needs to understand that these trees will eventually be harvested if they're not in HCAs. The HCP specifically avoids harvesting old growth (>175 years). Conversations with BOF members have also included managing HCAs for fire risk.
- **NOAA Fisheries:** Reviewing the Draft one final time to see if there's anything that needs to be clarified. The agency is capturing final comments and will have these ready for the January 21 deadline.
- **ODFW:** No major concerns. Trying to gain perspective on resiliency on the landscape, particularly in the RCAs and HCAs. Part of this relies on disturbance and processes that bring in early seral stages and layering. Interested in the public comment on RCA management, this area isn't about preservation but rather the protection of function.
- **DEQ:** No red flags. The agencies have been working together and the ST has worked through issues. Comfortable proceeding.

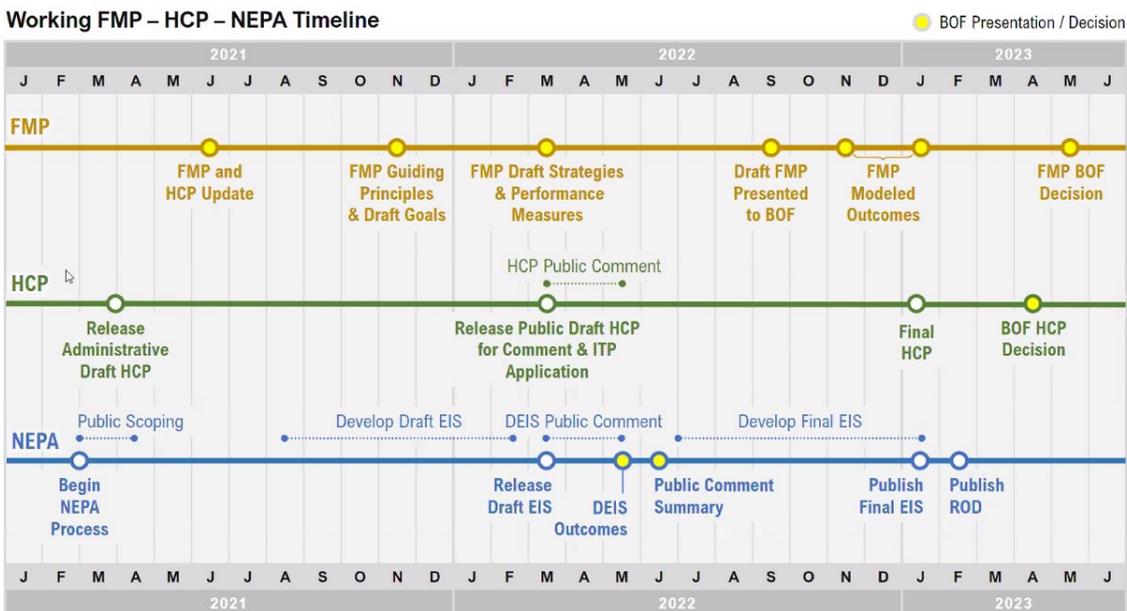
- **DSL:** No major concerns. Will review financial information for obligations to the common school lands (CSLs) when the DEIS is released and anticipate there will be questions on this. Don't see any issues with moving forward.
- **OSU:** Sounds like things are progressing well and agencies are comfortable with where the Draft is at.

Sylvia noted that it may be worth revisiting past HCP talking points and ODF agreed. ODF thanked the group for their collaboration over the past several years.

UPDATE ON THE FMP PROCESS

FMP Timeline

Mike Wilson, ODF, reviewed the FMP timeline:



Mike shared that ODF will share components of the FMP with the BOF for input to ensure they remain engaged throughout the process. ODF will present draft strategies and draft performance measures at the upcoming meeting in March. In September, ODF will share a full text draft of the FMP with the BOF.

ODF conducted a strategy mapping exercise to determine how each strategy is related to the goals. The strategy mapping exercise will illuminate any operational issues and help ODF identify potential metrics and performance measures. The performance measures will form a dashboard for the BOF to track FMP progress overtime. The performance measures shared in March will not have associated targets yet because modeling hasn't been completed. FMP modeling will take place in the fall and results will be presented to the BOF in 2023. During modeling, ODF will be able to analyze volume, flow, spatial and temporal variables, habitat, and carbon. Modeling results will inform a discussion on tradeoffs.

The timeline for the final FMP decision may shift depending on how much time the BOF needs for discussion and how quickly Board members come to agreement on balancing the outcomes. The FMP will also go through a rulemaking process.

IPs

Mike noted that the FMP and IPs will not be finalized when the BOF makes a decision on the HCP. ODF will need to implement the HCP and the IPs under the current FMP landscape design. The landscape design includes layered and older forest structure stands and does not line up well with the HCP. ODF will complete a two-year IP revision for fiscal year 2024 and 2025 to realign the desired future condition and allow for enough room to operate. The revision will include a new annual harvest objective and will give ODF's planners time to develop a full 10-year IP for the new FMP. Mike emphasized that ODF is not talking about a wholesale change in the desired future condition. ODF is working with ODFW to identify where complex stands are located and what would not move from the desired future condition.

Discussion

Question: What years would be covered by the revised IP?

- **Mike Wilson:** FY 2024 and 2025 will be covered by the revised IP. The new FMP will be implemented in FY 2026.

Question: What is the process for revising the IP?

- **Mike Wilson:** ODF needs to identify how to implement the current FMP with the understanding that decisions made now will influence what the landscape looks like under a 70-year HCP. ODF is looking at forest conditions across the landscape and how they overlap with HCAs. In areas where they are not aligned, ODF needs to consider what management will look like over the next couple years. This is being modeled to ensure sustainable harvest levels.

STEERING COMMITTEE DIRECTION TO SCOPING TEAM

Sylvia Ciborowski asked the SC if there was any direction for the ST. The SC did not provide any specific direction.

Question: Does ODF see a need for the ST to remain intact during the IP process?

- **ODF:** ODF would like to keep the group intact as a resource. The ST and SC format has worked well and positioned to make a transition.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Sylvia Ciborowski reviewed upcoming meetings:

- Tuesday, February 8 9-11am – FMP State Partners Meeting
- Tuesday, March 1 9-11am – HCP Scoping Team Meeting
- Tuesday, March 29 9-11am – HCP Steering Committee Meeting

Liz Dent thanked the group for attending and noted that it has been a pleasuring working with members on the HCP. Liz closed the meeting.