

# MEETING SUMMARY

## WESTERN OREGON STATE FORESTS HCP STEERING COMMITTEE MEETING

Tuesday, February 28, 2023, 12:00 pm – 2:00 pm

*By Webinar and Teleconference Only*

### PARTICIPANTS

**Steering Committee:** Mike Wilson (ODF), Kessina Lee (USFWS), Craig Rowland (USFWS), Joe Zisa (USFWS), Kim Kratz (NOAA Fisheries), Kate Wells (NOAA Fisheries), Kevin Blakely (ODFW), Ryan Singleton (DSL), Jennifer Wigal (DEQ)

**Technical Consultants:** Melissa Klungle (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 Updates, 3) National Environmental Policy Act (NEPA) Process Update, 4) Biological Opinions (BiOp) Process Update, 5) Habitat Conservation Plan (HCP) Scoping Team (ST) Update, 7) Reflection on Process and HCP Moving Forward, 8) Steering Committee (SC) Direction to ST, and 9) Approach Going Forward, Next Steps, and Summary.

Mike Wilson, ODF, opened the meeting and thanked everyone for being part of the process.

### AGENCY UPDATES AND STAKEHOLDER ENGAGEMENT

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

- **USFWS:** Kessina Lee is the new State Supervisor for USFWS. She will be serving on the HCP SC going forward.
- **NOAA Fisheries:** No updates.
- **DSL:** 1) Ryan Singleton is filling in for Bill Ryan today. 2) There are several upcoming deadlines for the Elliott State Research Forest HCP. The Final Environmental Impact Statement (EIS) for the Elliott State Research Forest HCP is due July 1, 2023, and the research authority is anticipated to start January 1, 2024. The research forest is required to have a Forest Management Plan (FMP) by 2024. Meeting the deadlines has proved

challenging and extending the deadline would require legislative action. If the HCP is delayed this may impact the Marbled Murrelet Management Plan. 2) DEQ is working with the Tribes, SW Community College, and other entities to share space at the Shutter Creek Correctional Facility. The facility would provide a base for OSU's research offices, equipment, and vehicles.

- **Question:** What are the consequences of not meeting the Final EIS deadline?
  - **Ryan Singleton:** To extend the deadline, the project team would need to ask the Legislature for an amendment during the long session.
- **Comment:** Shutter Creek is a Department of Corrections facility and has some marbled murrelet habitat.
  - **Ryan Singleton:** Department of Corrections was able to submit a Marbled Murrelet Management Plan that DSL will continue to collaborate on.
- **ODFW:** ODFW received endangered species management plans for marbled murrelet from each of the agencies involved. ODFW is working with agencies to finalize the plans and will post them to the website. In April, ODF and ODFW staff will meet with ODFW Commissioners to review items in ODF's plan.
- **DEQ:** Leah Feldon is the new Director for DEQ and Jennifer Wigal will attend SC meetings.
- **ODF:** ODF provided an update on FMP and HCP development as it relates to modeling and conversation with the Board of Forestry (BOF). ODF's management will continue under the current FMP until a new FMP is adopted. To accommodate work under the current FMP and the HCP, ODF developed transition Implementation Plans (IPs) for fiscal years 2024 and 2025. A Special BOF meeting was held on February 15 to discuss the HCP and IP modeling. At the end of the meeting, the BOF voted to turn down a motion to work on a second HCP alternative. ODF is working on modeling for the new FMP and to provide a full picture of what harvest will look like under a new FMP with the HCP. Modeled outcomes are anticipated to be available in June and will be presented during the September BOF meeting. ODF will continue to have conversations internally as modeling is completed to make sure the agency understands what the volume changes might be.
  - **Question:** Is the BOF concerned about the HCP modeling or the FMP modeling?
    - **Mike Wilson:** In 2020, the HCP comparative analysis came in at an average of 225 million board feet per year. The IP modeling came in at 165-185 million board feet per year. The BOF is hoping to see higher numbers.
  - **Comment:** The BOF could still ask for modifications to the proposed action and preferred alternative if they're concerned with modeling the volume outputs. This could affect the Section 7 consultation.

Members noted the risk to the timeline and process if changes to the HCP are requested by the BOF at this time. ODF is committed to working through the SC and ST process if any changes are requested.

### Stakeholder Engagement Updates

Sylvia Ciborowski shared that ODF held a meeting open to the public on February 7. The meeting was well attended, with close to 100 participants from various interest groups. Many comments focused on financial impacts, climate change and carbon sequestration, and timber harvest. For the HCP, ODF received questions related to de-listing species and Habitat Conservation Areas (HCAs). ODF plans to share modeled outcomes with the public in the summer along with the Draft FMP.

## **NEPA PROCESS UPDATE**

Kate Wells, NOAA Fisheries, share that the agency is in the process of addressing updates to the Final EIS and is waiting on some information to be finalized by ODF to inform the Final EIS and BiOps.

## **BIOP PROCESS UPDATE**

Cindy Kolomechuk, ODF, shared that the agency is working closely with USFWS to package information from the HCP for the Section 7 BiOp development team. Cindy noted that ODF will have a better idea of anticipated harvest levels near the end of April.

## **Discussion**

**Comment:** Members discussed the HCP timeline as it relates to getting more information on anticipated harvest levels, and noted the importance of having reliable information as a basis for the HCP.

**Comment:** The supplemental data package that ODF and ICF are working on is incredible. ODF and ICF are wading through information in the HCP to distill it into a more usable product for the Section 7 consultation. USFWS believes this will result in a more efficient process.

## **HCP ST UPDATE**

Cindy Kolomechuk outlined remaining items ODF is working on related to monitoring, reporting, and implementation:

- 1) ODF is in the process of reviewing monitoring and reporting requirements for the HCP with field staff. ODF anticipates implementing the HCP on July 1, 2023, for fiscal year 2024 sales. ODF is working with ICF on an implementation training manual for staff.
- 2) ODF is working with the Services to get alignment on monitoring and annual reporting requirements and will take this information to the ST in the coming months.
- 3) Remaining monitoring and reporting requirements will be shared with the ST in the next month or so.

Cindy mentioned that there was interest in sharing the Final Draft HCP with the public prior to the release of the Final EIS. ODF is in alignment with NOAA Fisheries and will wait to release the Final HCP with the Final EIS. ODF will provide a summary of changes to keep stakeholders and the public up to date on modifications to the HCP. Cindy noted that changes are for clarity and that no modifications are being made to habitat commitments.

Sylvia Ciborowski shared that during the last ST meeting, members were asked to reflect on the HCP and flag any remaining issues. The ST shared overall support and optimism that the HCP would meet the biological goals and objectives. Members were happy that the process was collaborative and involved state and federal agencies, and the public. They were also appreciative that facilitation and technical consultants were part of the process. ST concerns included apprehension about what it would mean for the BOF to ask for changes or to revisit pace and scale. ODF shared that they would continue to use the ST and SC process to get alignment if there were any changes.

## **REFLECTION ON PROCESS AND HCP MOVING FORWARD**

Sylvia Ciborowski asked SC members to share any additional reflections on the HCP process as we head into the final stages of the product development.

SC members shared the following reflections:

NOAA Fisheries: This has been a very collaborative process and agencies have built a good working relationship with one another over time. Some questions and concerns about getting the BiOps complete on time, and the overall timeline especially if the HCP changes in response to new harvest volume information. It's important to continue to be transparent about details and to work collaboratively to address any issues that may arise.

USFWS: The SC members are very willing to communicate and move through the process together. This HCP stands at the top in terms of process and product.

ODFW: Optimistic about the future of this HCP and supportive of the process. The only hesitancy is that the HCP may result in more work for agencies in implementation. ODFW is in alignment with the direction of the HCP and will take time to communicate the value of the plan.

DSL: Appreciative of everyone's hard work on this. Understandable that there is apprehension from stakeholders because this is a long-term process and commitment. It's valuable to take the time needed to ensure everything is accurate.

DEQ: Supportive of the direction of the HCP. DEQ is happy to help mitigate risk.

## **STEERING COMMITTEE DIRECTION TO SCOPING TEAM**

Sylvia Ciborowski asked the SC if they had any direction for the ST. The SC did not provide any direction.

## **APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY**

Sylvia Ciborowski shared that the next SC meeting is Tuesday, April 25.

Cindy Kolomechuk thanked everyone for their thoughts and Mike Wilson shared that the relationships among all agencies have improved during the process.