

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP JOINT STEERING COMMITTEE AND SCOPING TEAM MEETING

Wednesday, August 28, 2024, 1:00 pm – 3:00 pm

By Webinar and Teleconference Only

PARTICIPANTS

Steering Committee: Mike Wilson (ODF), Bridget Moran (USFWS), Kim Kratz (NOAA Fisheries), Jennifer Wigal (DEQ), Bill Ryan (DSL)

Scoping Team: Jeff Young (NOAA Fisheries), Lance Kruzic (NOAA Fisheries), Julie Firman (ODFW), Rod Krahmer (ODFW), Josh Seeds (DEQ)

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

Facilitation Team: Ellen Palmquist (Kearns & West), Gillian Garber-Yonts (Kearns & West), Cindy Kolomechuk (ODF)

WELCOME AND AGENDA REVIEW

Ellen Palmquist, Kearns & West, reviewed the agenda which included: 1) Welcome and Agenda Review, 2) Agency Updates and Stakeholder Engagement Updates, 3) Board of Forestry (BOF) Update, 4) Habitat Conservation Plan (HCP) Process Update, 5) HCP Topics, 6) Steering Committee (SC) Direction to Scoping Team (ST), 7) Approach Going Forward, 8) Next Steps, and Summary

Mike Wilson, ODF, welcomed SC and ST members and thanked them for joining.

AGENCY UPDATES AND STAKEHOLDER ENGAGEMENT

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

- **NOAA Fisheries:** Lance Kruzic is the new Branch Supervisor for the Oregon Coast Division.
- **USFWS:** Bridget Moran is the new Deputy State Supervisor for USFWS.
- **DSL:** Chris Castelli is the new Land Manager for DSL and will be serving on the Steering Committee.
- **DEQ:** No updates.
- **ODFW:** No updates.
- **ICF:** No updates.

- **ODF:** Corey Grinnell is the new Interim Biological Support Unit Manager. Nick Palozzotto is the new Deputy Division Chief for State Forests.

BOARD OF FORESTRY UPDATE

Mike Wilson shared that there are two new BOF members, Heath Curtis, Hampton Lumber, and Bob VanDyke, formerly Wild Salmon Center. BOF member Karla Chambers stepped down and member Chandra Ferrari transitioned to the Governor's Office. Mike shared that Heath and Bob are being briefed on the HCP process and will be highly engaged moving forward. In March, the BOF voted to move forward with the HCP and is now shifting focus to the Forest Management Plan (FMP).

Mike shared that ODF will meet with the BOF and the Forest Trust Land Advisory Committee (FTLAC) in September to discuss FMP modeling scenarios and potential outcomes of rotation adjustments. ODF will take feedback, develop modeling scenarios, and share outcomes by Spring 2025 for a BOF discussion around tradeoffs. Mike emphasized the need to understand the utility of the modeling and noted that the BOF will update Performance Measures (PMs) on a decadal basis.

Discussion

Comment: Heath represented industry during a previous process.

- **Mike Wilson:** Bob and Heath have worked closely together in the past and have the ability to work through issues.

HCP PROCESS UPDATE

Cindy Kolomechuk, ODF, shared that the Services asked ODF to develop a Supplemental Data Package (SDP) in 2023. The draft SDP is scheduled for finalization in mid-September. Once the SDP has been shared with the Services, USFWS can begin developing their Biological Opinion (BiOp). The Final Draft HCP is scheduled to be sent to the Services on October 31. ODF has been working with USFWS and NOAA Fisheries on small refinements and clarifications to the HCP. Any changes in the revised Draft HCP will have been shared with and reviewed by the Services and the ST prior to submission of the document. The document sent to the Services will be redlined to help identify updates made since the release of the Public Draft HCP and will be accompanied by an updated key changes document.

Cindy shared that the HCP delivered to the Services at the end of October will rely on the 2020 model, as that represents the level of management activity requested under the HCP, and will not cover the Western pond turtle. ODF is working with the Services on these outstanding topics.

Mike Wilson shared that ODF is working on a White Paper to provide context on the Comparative Analysis and 2023 modeling efforts. He reminded ST and SC members that ODF conducted the Comparative Analysis to help the BOF decide to submit the draft HCP to the federal services. Modeling from the Comparative Analysis was used in the Draft Environmental Impact Statement (EIS). To prepare for Incidental Take Permit (ITP) issuance, ODF revised Implementation Plans in 2023 for the FMP. The new modeling yielded different results than past modeling due to new software and data. He shared that the White Paper will clearly explain

differences between the modeling outcomes and why the Comparative Analysis is the best data to use for finalizing the HCP.

Mike shared that ODF understands USFWS's need to analyze the Western pond turtle in the Bi-Op and that ODF is considering covering the species, although the draft to be submitted by the end of October will not specifically cover it. ODF is considering what it would look like to add the species and will be asking for USFWS to help analyze the effects.

Discussion

Comment: USFWS is working to develop clear guidance on how to assess the Western pond turtle.

HCP TOPICS

Fish Salvage

Erik Moberly, ODF, shared that ODF recognized the need to conduct fish salvages as part of fish passage and stream enhancement projects. ODF applied for and received an ODFW/NOAA 4(d) Scientific Take Permit. Erik shared that he is identified as the Lead Investigator and is responsible for leading efforts and training staff and added that data collected will be reported as required by the ETP and the HCP.

Discussion

Question: Is ODF confident the take exemptions will apply to the HCP?

- **Erik Moberly:** Yes.

Private Forest Accord (PFA) Data

Erik Moberly provided an overview of stream classifications in Riparian Conservation Areas (RCAs) and shared that both the Private Forest Accord (Statewide Flowline Layer) and WOSF data sets could be used during implementation. ODF has updated the HCP to note that during implementation the application will use TerrainWorks or the best available science. He shared that the Statewide Flowline Layer is being updated based on field surveys.

Discussion

Question: What is flow permanence? For the HCP everything will be checked before any action is taken.

- **ODF:** A flow permanence model is not currently available, though we have heard one is under development. A model has been developed to determine the End-of-Fish use, but sometimes a field-based survey provides more accuracy. As a division we use a modeled approaches for End-of-Fish use and eventually will utilize a modelled approach for determining flow permanence; where appropriate. When we find discrepancies, we have recommended District staff to conduct field surveys. We currently have the two stream layers because both provide valuable data to determine stream characteristics.

Comment: We appreciate hearing that decisions will be based on field validation. Having multiple layers may complicate decision making.

- **Erik Moberly:** We know both models are right and wrong. We have decided to move forward with the WOSF for HCP development.

Question: After removal of overstory vegetation there is more water and streams that are becoming perennial because of greater water availability. Do we have a way to account for that? It is particularly relevant to stream temperature.

- **Erik Moberly:** The current HCP language does not account for changes in seasonality due to timber harvest. Timber harvest information updates would need to be completed in the field.

Comment: Once ODF has identified an effectiveness monitoring approach for steep slopes and riparian protections, the agency can look into seasonality post clear cutting. This likely wouldn't happen for a few years and has come up with Total Maximum Daily Loads (TMDLs).

- **ODF:** We should be in lock step with the PFA. ODF is looking at lowering planting density. The TerrainWorks data included modeling analysis for wood recruitment which was a limiting factor NOAA was worried about as well as climate change analysis, which makes the WOSF TerrainWorks helpful for HCP development. This topic is relevant to the Adaptive Management Discussion for the FMP. We can discuss this with the State Partners. When developing RCAs, State Forest applies a 100' Transition Zone between Type N (perennial) and Type N (seasonal) to account for errors in the perennial/seasonal transition point.

Equipment Restriction Zone (ERZ) Suspension Logging

Erik Moberly shared that there is currently a 35-foot ERZ. ODF has proposed allowing limited temporary machinery access across Type N perennial and seasonal streams associated with high energy and debris tract reaches. He shared that ODF would prepare a needs assessment prior to approving any access and that the intention of allowing temporary machinery access is to avoid building more roads. Erik added that ODF has also proposed to allow ground-based operations and one-end suspension cable operations when Type N seasonal streams are dry. He shared that Best Management Practices (BMPs) would be implemented to reduce impacts to the stream channel and fine sediment delivery. He noted that full suspension logging would still be required during cable logging when water is flowing or when there is ponded water to reduce impacts to water quality.

Discussion

Question: Has NOAA Fisheries reviewed this change to the HCP? We will need to make sure we capture enough specificity to evaluate this in the Section 7 analysis.

- **ODF:** This update provides ODF flexibility to avoid building new roads to complete operations. This is in the latest draft that has moved through the ST process and has been approved for the current Draft HCP. NOAA Fisheries has reviewed the change.

Process Based Restoration (PBR)

Erik Moberly shared that prior to the new RCA buffer standards agreed upon in the Public Draft HCP, riparian areas were buffered following the Forest Practices Act (FPA) rules and the FMP. He shared that FPA and FMP buffers were not as wide as those identified in the HCP which resulted in outer layers of proposed RCAs being densely planted conifer stands that were previously managed for timber production. He shared that ODF wants to increase the conservation benefit by implementing PBR within the outer layers of these RCAs to accelerate the development of forest structure to benefit the covered species. ODF planning staff calculated that around 3,000 acres have stand characteristics that could benefit from PBR. He added that subdominant trees would be felled and left on the ground to provide habitat and soil nutrients and informed the group that Jeff Young, NOAA Fisheries, visited PBR sites and discussed the topic with ODF.

Management in Habitat Conservation Areas (HCAs)

Nick Palazzotto, ODF, reviewed edits to Table 4-10 and 4-11 in 4.7.7 Management in HCAs. Table 4-10 links silvicultural prescriptions to expected biological outcomes. The table shows proposed actions and expected outcomes for habitats for covered species. ODF clarified language for prescriptions. Table 4-11 details allowable activities for different habitat types for the covered species. Edits were made to better reflect discussions with the SC and ST. The table was updated to clarify that activities are focused, strategic, and constrained, in contrast to areas outside of the HCAs where volume is an objective.

Coastal Marten

Vanessa Petro, ODF, shared that coastal marten conservation actions in the HCP reflect what ODF has already committed to doing in the conservation agreement. Within the HCP, the section that speaks to coastal marten den locations under the covered activity was expanded to include any activity.

Beaver Management

Vanessa Petro shared that ODF incorporates beavers in the HCP where stream restoration is mentioned. Chapter 3 expands on how ODF would respond to conflict issues with infrastructure and beavers. ODF made clarifying changes to Chapters 3 and 4 and re-organized Chapter 4 to improve flow.

STEERING COMMITTEE DIRECTION TO SCOPING TEAM

Ellen Palmquist 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

Ellen Palmquist thanked SC and ST members for attending and shared upcoming meeting dates:

- Tuesday, September 24, 12-2pm – *HCP Steering Committee Mtg*
- Wednesday, September 25, 1-3pm – *HCP Scoping Team Mtg*

Mike Wilson thanked the group for their attendance and for continuing to engage in the process before closing the meeting.