

Agenda Item No.:	7
Work Plan:	State Forests Work Plan
Topic:	State Forests Management
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**CONTEXT**

The State Forests Division has been directed by the Board of Forestry (Board) to explore forest management options that will improve conservation and financial outcomes. The Board directed the Division to develop a revised Forest Management Plan (FMP) and a Habitat Conservation Plan (HCP). Ultimately, the Board will have the option to adopt a revised Forest Management Plan that complies with the Endangered Species Act (ESA) either with a take-avoidance approach or a Habitat Conservation Plan.

The State Forests Division developed a 3-phase approach to explore the possibility of a Western Oregon HCP. The Board approved this approach in November 2017. In 2018, the Division completed Phase 1: HCP Initiation and Scoping, and the Board directed the Division to begin work on Phase 2: Strategy Development. This work is funded by a \$1 million (\$750,000 federal, \$250,000 match) United States Fish and Wildlife Service Technical Assistance grant. Once Phase 2 is complete, the Board will be asked to determine if it is in the best interest of the state to continue to Phase 3: National Environmental Policy Act (NEPA) analysis and consultation.

Concurrent with the development of the HCP, Division staff have been working on a revised FMP that uses a take-avoidance approach to comply with the ESA. Staff will complete a draft of the FMP and engage with stakeholders, Forest Trust Land Advisory Committee (FTLAC), and State Forest Advisory Committee to make improvements to the draft before bringing the final draft of the FMP to the Board in April 2020.

**BACKGROUND AND ANALYSIS**

During the HCP initiation phase, the Division hired Oregon Consensus and Kearns and West to assist with stakeholder engagement and facilitation needs. ICF and EcoNorthwest were hired to assist with developing the content of the HCP. These consultants, in coordination with Division staff serve as the HCP Project Team.

In 2018, Oregon Consensus and Kearns and West assisted the Division in developing a multi-agency governance structure to support the HCP planning process. This structure includes a Steering Committee comprised of policy-level representatives from state and federal agencies, and a Scoping Team comprised of technical representatives from state and federal wildlife agencies. The Steering Committee and the Scoping Team serve as the Planning Teams that will lead the development of a potential Western Oregon HCP.

## **Phase 2: HCP Process Update**

The Division is now focusing its efforts on Phase 2 of the HCP project, which includes strategy development and stakeholder engagement. Phase 2 will culminate in the 1<sup>st</sup> Administrative Draft of a Western Oregon HCP. Phase 2 has been expanded to include early NEPA planning to prepare for Phase 3: NEPA Analysis and consultation.

The Project Team and Planning Teams are continuing to make excellent progress on the HCP and continue to refine the process to ensure a successful outcome. To that end, the Division recognizes the need to provide the Board ample time to become familiar with the complexities and potential outcomes of the full draft of the HCP. Thus, the date for the Board to consider the full draft HCP has been moved from July to September 2020. The Division will provide an HCP update to the Board in June, 2020.

In September 2020, Division staff and HCP consultants will meet with the Board for a full day to ensure that the Board has sufficient time to determine whether to move forward with Phase 3: NEPA analysis and consultation. Despite this change, the work toward an HCP will continue at its current pace in terms of deliverables. The schedule for the HCP process (Attachment 1) reflects the new September Board meeting date. The schedule retains a November 2021 decision date for final approval of the HCP (after NEPA has been completed). The timing for this decision is dependent on the federal NEPA process, and will be updated as more information becomes available.

## **Phase 2: HCP Stakeholder Engagement Update**

Public engagement is critical for an effective HCP process. The goals of the stakeholder engagement process are to provide a variety of touch points to keep a diversity of stakeholders informed, and provide a venue for efficient exchange of ideas and information as work products are developed (Attachment 2).

It begins with a series of quarterly HCP Update meetings open to the public, where draft work products that are developed and approved by the Planning Teams are presented. These meetings are designed to provide information regarding HCP work products, solicit feedback, and gauge the interest for more in-depth, targeted meetings with Project Team members. Following the HCP Update meetings, the Project Team meets with stakeholders individually and in focus groups to further the discussion and gather feedback for the Steering Committee and the Scoping Team to consider.

Due to our special relationship with the FTLAC, the Division is providing regular updates on the HCP process and work products. These FTLAC updates are focused on addressing the unique interests of the FTLAC members to better integrate their perspectives in a meaningful way. Many FTLAC members attend the meetings that are open to the public and provide valuable feedback in this forum as well.

Once all feedback has been gathered, it is presented to the Planning Teams (Steering Committee and Scoping Team), where edits are considered for integration into a final draft. The feedback loop is then closed by presenting final drafts at the upcoming FTLAC and HCP Update meetings. Here, the Project Team reviews the edits and the rationale for those edits. This iterative process is designed to ensure an authentic review process, where all feedback is considered.

To date, there have been three HCP Update Meetings open to the public (March 21<sup>st</sup>, June 12<sup>th</sup>, and Oct. 15<sup>th</sup>), each attended by over 50 people. The Division worked with Public Affairs to create a webinar option for those not able to attend in person.

The Project Team has conducted 34 stakeholder meetings to engage interested parties in the HCP process. Focus groups representing a variety of interests are also meeting to discuss and provide feedback on work products presented at the HCP Update meetings. In addition, updates are provided at State Forests Advisory Committee (SFAC), Conservation Collaboration, and Industry ad hoc meetings. For those members of the public that may not be able to participate directly, we provide a bi-monthly email update to keep them abreast of the progress of the HCP.

The Division has been working to engage tribes with ties to lands within the HCP and FMP planning areas. Oregon Department of Forestry (ODF) staff has given presentations to the Natural Resources Cluster and the Cultural Resources Cluster to increase awareness of the HCP and FMP planning processes, and request their participation. We have offered to meet individually with tribes and will be reaching out directly to further engage with the tribes.

### **Phase 2: HCP Content Update**

The Planning Teams are finalizing the foundational components of the HCP, including the HCP Plan Area and Permit Area, and the Covered Species List. Drafts of these work products were provided at the April Board meeting. It is important to note that the Scoping Team recommends adding Spring Chinook to the covered species list, given its likelihood of listing.

Since April, the HCP Project Team has met with the FTLAC, the public, and stakeholders to review and provide feedback on the HCP draft work products to date: Plan Area and Permit Area, Covered Species List, Covered Activities, HCP Mission Vision and Goals (Attachment 3), and Conceptual Biological Goals and Objectives (Attachment 4). Input from the FTLAC, the public, and stakeholders centered on the draft Mission, Vision and Goals, and the Conceptual Biological Goals and Objectives.

The Western Oregon State Forests HCP Mission, Vision, and Goals describe what the agency intends the HCP to accomplish in the context of ODF's broader regulatory requirements. Feedback from the FTLAC, public, and stakeholders was presented to the HCP Steering Committee for consideration at their August 29<sup>th</sup> meeting. The Steering Committee integrated feedback into the final draft that was subsequently approved.

The biological goals and objectives are the first step in developing HCP Conservation Strategies. Biological goals and objectives are high-level statements that note the long-term aim of the HCP. Biological goals and objectives are required for each species covered by the HCP. They are succinct, and include measurable outcomes necessary to achieve each goal. The long-term success of the HCP will be determined by whether the biological goals and objectives are achieved.

The Conceptual Biological Goals and Objectives were presented to the Steering Committee for review and feedback on August 29<sup>th</sup>, and are have been presented to the FTLAC, public, and stakeholders. Feedback on the Conceptual Biological Goals and Objectives will be presented to the Steering Committee for consideration at their Dec. 6<sup>th</sup> meeting.

The second step to completing the HCP Conservation Strategy is to develop the conservation actions. Conservation actions are the measures required to accomplish the biological objectives.

Once the Final Draft Biological Goals and Objectives are complete, the Scoping Team will develop the conservation actions necessary to achieve them. Once developed, the Steering Committee, FTLAC, stakeholders and the public will have opportunities to engage in discussions on the conservation actions.

### **HCP Phase 2: State Forests Management Comparative Analysis**

The Business Case Analysis conducted for Phase 1 of the Western Oregon State Forests Habitat Conservation Plan (HCP) process focused on differences in financial outcomes between an HCP and the current (2010) take-avoidance Forest Management Plan (FMP). In the absence of a draft HCP, this analysis relied on a number of assumptions. In addition, it did not include the full range of benefits to Oregonians required under GPV, including environmental and social benefits. In November 2018, the Board asked the Division to revisit this analysis once the HCP draft is complete to reduce assumptions and include additional environmental and social benefits.

In tandem with development of the HCP, ODF is also revising the 2010 take-avoidance FMP. ODF has determined that it will be useful to assess the tradeoffs between the revised take-avoidance FMP relative to the current take-avoidance FMP, using the analysis that will be applied to the HCP.

The Comparative Analysis will first be used to evaluate outcomes of the current FMP with the draft revised FMP to assist the Board in determining if the draft revised take-avoidance plan improves conservation and financial outcomes and provides the best suite of outcomes for Oregonians. The analysis will then be used to compare the preferred take-avoidance FMP with the HCP to provide a single, consistent, comprehensive method for comparing these forest management options.

The Division has been working with Board members and the FTLAC to expand the economic, environmental, and social factors that will be evaluated. We are also seeking input from the Board and FTLAC to ensure that the analysis focuses on information most beneficial for decision-making.

### **Draft Western Oregon Forest Management Plan**

As discussed, in addition to pursuing an HCP, the Board has also directed the Division to develop a revised FMP with a take-avoidance approach for complying with the Endangered Species Act that will increase financial and conservation outcomes as compared to the current FMP. The draft Western Oregon Forest Management Plan (draft FMP) applies to Board of Forestry lands west of the Cascades and includes guiding principles, goals, strategies and measurable outcomes. The Board approved the guiding principles in July, 2018 and reviewed a draft set of goals, strategies and measurable outcomes in November, 2018. The Division is working to a completed draft FMP.

In addition to FTLAC meetings, public engagement has included round tables following scheduled FTLAC meetings from April, 2018 through April, 2019. On September 25, 2019 the Division hosted a workshop to engage stakeholders and the public on a refined set of measurable outcomes (i.e., the quantifiable results of strategies). The Division emphasizes the importance of the measurable outcomes as a tool to determine if draft FMP strategies result in desirable outcomes for social, economic, and environmental benefits for the people of Oregon. Utilized in an adaptive management context, the measurable outcomes allow policy-makers to weigh benefits and tradeoffs when making decisions that direct the management of public forests for multiple benefits. Input from the September 2019 Measurable Outcomes Workshop is being synthesized. The division will document the workshop process, public input, how the feedback is incorporated, and if it isn't incorporated the Division will document why.

The Division anticipates having a draft revised FMP later this year. In December of 2019, the Division will host three more workshops for FTLAC, SFAC, and the public to engage stakeholders and committees in a review of the Draft FMP. The draft FMP will be available for public review starting November 13, 2019 through January 1, 2020.

The Division will return to the Board in April 2020, for a full day session, with a draft that incorporates public feedback, as appropriate, and a summary of the comments received. At that time, the Division will present the results of an analysis comparing the current FMP to the draft revised FMP to determine if the revised FMP increases conservation and financial outcomes. The Division is also working to convene a panel of subject matter experts to review and evaluate the revised FMP to obtain feedback on the scientific basis of the plan. The panel's findings will be reported to the Board along with the comparative analysis and summary of comments.

An HCP will not, by itself, meet all of the requirements for forest management planning established by the Forest Management Planning Rule (OAR 629-035-0030), and will require a companion FMP. The draft FMP currently under development will also serve as the framework for the companion FMP to the HCP, should the Board determine an HCP with incidental take permit is the preferred method of ESA compliance.

### **RECOMMENDATION**

Information Only.

## **NEXT STEPS**

The Division and its contractors will continue to develop an administrative draft of the Western Oregon State Forests HCP and a revised FMP. Specific steps include:

- Implement an HCP public engagement process.
- Begin to develop and evaluate conservation and management strategies.
- Provide an update on HCP Phase 2 progress to Board in June 2020.
- Present Phase 2 outcomes to the Board in September 2020:
  - 1<sup>st</sup> Administrative Draft of the Western Oregon HCP.
  - Updated Business Case Analysis.
- Complete a draft revised FMP and seek stakeholder feedback in December 2019.
- Conduct comparative analysis of the current FMP to a revised FMP that has been subject to review by a panel of experts.
- Present the revised draft FMP, science assessment, comparative analysis, and summary of public comment to the Board in April 2020.

## **ATTACHMENTS**

1. Western Oregon HCP – Phase 2 HCP Process Timeline
2. Western Oregon HCP – Phase 2 HCP Stakeholder Process Timeline
3. Western Oregon HCP – Phase 2 Final Draft Mission, Vision, and Goals
4. Western Oregon HCP – Phase 2 Conceptual Draft Biological Goals and Objectives