

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP SCOPING TEAM MEETING

Tuesday, February 23, 2021, 9:00 am – 12:00 pm

By Webinar/Video Conference

ATTENDEES

Participants: Rich Szlemp (USFWS), Kim Garner (USFWS), Jim Muck (NOAA Fisheries), Tere O'Rourke (NOAA Fisheries), Jeff Young (NOAA Fisheries), Mike Wilson (ODF), Nick Palazzotto (ODF), Sarah Dyrdaahl (ODF), Julie Firman (ODFW), Rod Krahmer (ODFW), Ryan Singleton (DSL), Josh Seeds (DEQ)

Technical Consultant and Guests: Troy Rahmig (ICF), Aaron Gabbe (ICF), Melissa Klungle (ICF)

Facilitation Team: Cindy Kolomechuk (ODF), Sylvia Ciborowski (Kearns & West), Michelle Bardini (Kearns & West)

WELCOME AND INTRODUCTIONS

Sylvia Ciborowski, Kearns & West, welcomed Scoping Team (ST) members. She explained the purpose to the meeting is to review the HCP process and timeline and discuss any topics of interest from the ST's review of the draft HCP chapters. Sylvia noted this is a critical period in HCP development and emphasized the importance of receiving ST comments soon so they can be incorporated into the draft.

Sylvia reviewed the agenda, which included: 1) Agency updates, 2) Check-in on HCP process and timeline, 3) Review and discuss HCP chapters 1-3, 7-10, and 4-6, 4) Confirm topics for Steering Committee (SC) update, and 5) Approach going forward, next steps, and summary.

AGENCY UPDATES

Members provided the following updates relevant to the Western Oregon State Forests HCP process:

- **NOAA Fisheries:** Today is Jim Muck's last ST meeting; he will be retiring at the end of the week. Meeting participants acknowledged all of Jim's hard work and thanked him for his contributions to the development of the HCP.

- **Oregon Department of Forestry (ODF):** 1) A coastal marten habitat model is under development. 2) The red tree vole working group is restarting and seeks to develop a conservation strategy that will inform management actions. 3) The barred owl coordination group is working to develop a larger management strategy and a model to better understand how barred owls impact spotted owls. 4) Federal agencies have shifted to acoustic monitoring for owls. 5) The agency is evaluating effects of fire on Oregon slender salamanders. 6) ODF is working to implement marbled murrelet protocols. 7) ODF is working with watershed councils on Coho to leverage additional funds.
- There is a Board of Forestry (BOF) meeting on March 3, 2021. ODF and the Department of Environmental Quality (DEQ) will provide an update on the Santiam state forest restoration and water quality.

CHECK IN ON HCP PROCESS AND TIMELINE

Troy Rahmig, ICF, reviewed the HCP process and timeline. He noted that ICF/ODF have started making edits to the HCP in response to the ST's comments. The comments received to date largely seek to add clarity to the HCP and provide additional detail. The monitoring chapter will likely have the most revisions.

The intent is to provide a revised version of the HCP in late March that will be available to the public and will be posted to the ODF website. Troy encouraged the ST to provide comments by the end of next week. Any comments received later will still be considered but will not be included in the March HCP draft that will be posted on the ODF website. There will be another revised version of the HCP that will be included with the permit application and will be provided for public review and comment.

Tere O'Rourke, NOAA Fisheries, provided updates on the National Environmental Policy Act (NEPA) process and reviewed the following timeline:

- February 24: Tribal consultation and engagement will begin.
- March 8: Soonest possible date for the Notice of Intent (NOI) to be published in the Federal Register.
- March 31: Expected date for the public scoping meeting.

REVIEW AND DISCUSS HCP CHAPTERS 1-3, 7-10, AND 4-6

Troy framed discussion on the HCP chapters and members suggested topics to discuss as a group.

ST members provided the following questions and comments from the chapter review:

Chapter 6: Monitoring:

- Members considered how to add clarity to the monitoring chapter and discussed how best to include additional information on the protocols.
 - Suggestion to frame the narrative in the chapter around the goal, objectives, and the purpose of monitoring. Table 6.1 captures the information very well; it would be helpful to include a narrative summarizing this information in the chapter to add clarity. The appendix should be used to provide references or supplemental information.
 - It was noted that ODF will be partnering with Oregon Department of Fish and Wildlife (ODFW) to expand aquatic inventories.
- Suggestion to focus the chapter and provide clarity around how to determine compliance and effectiveness.
 - Consider referencing the monitoring effort in the implementation chapter, so it is not duplicated.
- The goals and objectives in the aquatic section of the monitoring chapter do not seem very specific. There are no metrics tied to the goals and objectives for aquatic species whereas other species have more specific and measurable goals.
 - The goal of the monitoring program is to allow ODF to determine if the HCP is effective. It is important to not be too detailed in the monitoring plan that it becomes too prescriptive or restrictive.
 - There is a difference between the goals and objectives for aquatic and terrestrial species. The aquatic strategy aims to improve habitat overtime, rather than striving for a specific target or metric. ODF/ICF can add language around the type of aquatic habitat we seek to build but assigning a specific metric to aquatic objectives is a challenge.
- In the adaptive management section, it is noted that changes to the HCP will be made by the HCP Administrator via implementation plans. It is unclear whether, and to what extent, any changes will occur to the HCP. Suggestion to provide clarity on when and how changes will be made to the HCP.
 - The only management that will occur in Habitat Conservation Areas (HCAs) and Riparian Conservation Areas (RCAs) is habitat improvement efforts as these areas are intended to grow older and provide better habitat overtime. More specificity about the management actions that could occur to rectify a situation can be added, such as a change in the timber harvest schedule.

- During monitoring, it is also important to consider what is working well. If some activities to develop habitat are over performing, it will also be important to provide an opportunity to increase or expand those efforts.
- ODF/ICF will update the monitoring chapter to add more clarity and detail, connect monitoring efforts to specific goals and objectives, and clarify how and when changes can be made to the HCP.

Barred Owl Management:

- The HCP created terrestrial and aquatic strategic conservation actions and one of the actions described is barred owl management. There is a commitment in the HCP to provide funding for barred owl management. It was suggested to not be too prescriptive with funding to allow for flexibility. The intent is to keep barred owl management as a tool in the HCP, however, it will be helpful to consider whether to soften the monetary commitment or provide the opportunity to shift funding priorities.
 - What are the specific activities for barred owl management? Do barred owl management activities benefit other species?
 - Barred owl management activities are in early discussion but will likely include a suite of options. Removal will likely be a key barred owl management effort. ODF will need to partner with landowners and other agencies to address this issue and support barred owl control.
 - Suggestion to broaden barred owl management as described in the HCP to include a variety of activities, rather than just removal.
 - This is a key issue in state forests currently, but it is important to not be confined to a monetary commitment as efforts to address the issue evolve. It may be helpful to have language that indicates that the HCP would support the USFWS barred owl management strategy at the given time.
 - It is important to include an earmark to address barred owls and acknowledge that funding is needed to address this concern. However, the funding allocated to barred owl management is significant and minimizes the funding for other conservation actions. Consider adding language to the HCP to provide flexibility and the opportunity for funding reallocation if appropriate, in coordination with the agencies.

Landslide Management:

- ODF provided updated steep slope and landslide information. This information could be helpful to include in chapter 4 and potentially chapter 5 of the HCP. These materials include a good description and proposed approach for the inner gorge, upland unstable slopes, and debris flow tracks. Suggestion to include the evaluation process of unstable slopes, the Geotech's work in the field, and debris flow tracks in the HCP to add clarity.

- ODF noted that this information can be incorporated into the HCP. ODF will need to discuss this internally and seek alignment with the Geotech's as the HCP is updated.
- There are a lot of helpful graphics and visuals in the materials (i.e., figure 1 and table 1) that would be helpful to describe in chapter 4 of the HCP. It gives a helpful explanation of how to address landslide prone slopes and its relationship with fish bearing streams and non-fish bearing streams.
- ODF can also consider how to incorporate monitoring of landslides into the monitoring chapter of the HCP to try to mitigate some of the effects.
 - A member noted that it could be beneficial to help stakeholders understand the process piece of landslides and how they are driven by significant rain events. It may not be necessary to include in the monitoring chapter unless we are monitoring specific activities during implementation. This is more of a research area.

Conservation Commitments:

- Figure 5-4 shows the projected increase in suitable habitat overtime but also indicates that these are not commitments. The biological goals and objectives were said to be commitments, but the language defines them as a target or desired condition. What are the commitments of the HCP? It will be important to see if ODF is on track to meet the HCP objectives in the interim before the permit term is over.
 - The project team used modeling to see how habitat suitability would change over the permit term that informed the targets for the biological goals and objectives. There will be habitat that develops outside of HCAs that is not included in these projections. The graphics in chapter 5 show the effect of harvest on species and show all acres inside and outside of HCAs. These numbers are different than what is included in the biological goals and objectives as these numbers are only from inside HCAs.
 - Suggestion to update language in the biological goals and objectives to make it clear they only include the acres inside HCAs.
 - Suggestion to update figure 5-4 to include a line in the graph that indicates where the target is. Consider including a narrative to explain the graph and that the goal is to surpass the target.
 - Recommendation to update the language to clarify that the metrics included in the biological goals and objectives are commitments as well as clarify the long term and short-term targets. It would be helpful to clarify the intent of the actions and the biological goals and objectives.

Intersection of the HCP with Clean Water Act

- It was noted that the HCP is intended to comply with the Endangered Species Act (ESA), but there have been questions regarding the HCP's relationship to the Clean Water Act. The aquatic strategy in the HCP addresses stream habitat and water quality, including stream temperature as it applies to the covered species. The Clean Water Act in Oregon also includes some provisions related to listed species.
 - Suggestion to develop talking points to show that the HCP is an ESA process for covered species but to also recognize that Oregon's water quality standards, under the Clean Water Act, are centered on the same species.
 - Josh Seeds, DEQ, to develop an explanation of the intersection of the HCP and the Clean Water Act and send to the ST/SC in the next few days.
 - Suggestion to articulate the intersection of the HCP with the ESA and Clean Water Act in the draft HCP to provide additional clarity (likely in the Regulatory Framework Section of HCP chapter 1).
 - It would also be helpful to have the Department of Justice (DOJ) provide some technical details to supplement this information for the ST/SC to reference.

CONFIRM TOPICS FOR STEERING COMMITTEE UPDATE

The next SC meeting is scheduled for March 4. This would be the last SC meeting before NOAA Fisheries releases the NOI to start the NEPA process.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Sylvia thanked members for their participation and reviewed upcoming meetings. The next ST meeting is scheduled for March 2 from 9am – 12pm. The focus of the meeting will be to discuss the draft chapters of the HCP. The ST was encouraged to send any topics or agenda items they would like to discuss at the meeting.

The project team is working to schedule a follow-up conservation stakeholder meeting in the next few weeks. ST members were invited to listen into the meeting.

ACTION ITEMS

The following action items were identified throughout the meeting:

- Josh Seeds, DEQ: Develop information on the intersection of the HCP and the Clean Water Act and send to the ST and SC in the next few days.

- KW: Invite ST members to the follow-up conservation stakeholder meeting.