

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP STEERING COMMITTEE MEETING

Tuesday, July 19, 2022, 9:00 am – 11:00 am

By Webinar and Teleconference Only

PARTICIPANTS

Steering Committee: Mike Wilson (ODF), Craig Rowland (USFWS), Joe Zisa (USFWS), Kim Kratz (NOAA Fisheries), Kate Wells (NOAA Fisheries), Kevin Blakely (ODFW), Bill Ryan (DSL), Dan Edge (OSU)

Technical Consultants: Melissa Klungle 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) Update and Habitat Conservation Plan (HCP) Development Timeline, 4) HCP Scoping Team (ST) Update, 5) Steering Committee (SC) Direction To ST, and 6) Approach Going Forward, Next Steps, and Summary.

Mike Wilson, ODF, thanked SC members for attending and noted the importance of designing a robust process for the HCP to ensure the plan is successful.

AGENCY UPDATES AND STAKEHOLDER ENGAGEMENT

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

- **ODF:** 1) Nick Palazzotto was promoted to Resource Support Unit Manager and ODF hired Vanessa Petro as the new Staff Wildlife Biologist. Vanessa will be working on the Marbled Murrelet Endangered Species Management Plan. 2) ODF is holding interviews to fill the Deputy Division Chief of Policy position. 3) Board of Forestry (BOF) support is strong for the HCP. ODF is continuing to meet with BOF members to engage them in the process. 4) ODF thanked SC members for their continued engagement and commitment to the Western Oregon HCP process. ODF noted the importance of alignment as the HCP moves through the end of the process.
- **NOAA Fisheries:** 1) NOAA Fisheries is continuing to be engaged in the Port Blakely HCP and the Elliott State Forests HCP. 2) NOAA Fisheries is ramping up to be engaged in Private Forests HCP.

- **DSL:** 1) DSL is moving forward with the Elliott State Forests HCP and Management Plan. 2) In June, ODF and DSL presented a business case for including Common School Forest Lands in the HCP to the State Land Board. The presentation was well received.
- **ODFW:** 1) ODFW's next Commission meeting is August 5 and will include an update on the roles that state agencies play in the conservation of marbled murrelet. 2) ODFW is continuing to work on the Private Forests HCP and has received feedback from landowners. 3) ODFW is hiring two beaver conservation biologists.
- **OSU:** OSU has hired a new president.
- **USFWS:** Craig Rowland is acting for Paul Henson with Joe Zisa until a replacement is identified.

NEPA UPDATE AND HCP DEVELOPMENT TIMELINE

NEPA Update

Kim Kratz, NOAA Fisheries, shared that NOAA Fisheries is processing public comments received during the DEIS Public Comment Period. Kim also provided a timeline update, noting that NOAA Fisheries submitted a waiver for NEPA timeline extension as they anticipate completing the Final EIS in June or July 2023 (was previously slated to be complete March 2023). Kim noted that the HCP is a priority and a commitment, and the timeline extension is due to internal NOAA Fisheries process constraints.

Mike Wilson shared that ODF understands the process that needs to happen and is fully committed to supporting NOAA Fisheries. One of the main ways to support the federal service is by updating the HCP for the Final EIS as soon as possible.

HCP Development Timeline

Cindy Kolomechuk, ODF, shared that ODF is working to complete some of the final pieces of the HCP by August 2. ODF is taking a final look at certain topics, including roads and recreation, to ensure the data is accurate for the development of the Final EIS and Biological Opinions. After August 2, ODF will continue to work with the ST on final details that don't impact the NEPA analysis, including the monitoring program. This work will conclude in early fall and ODF will continue to work with the Services on some of the reporting requirements.

Cindy provided a snapshot of feedback received on the HCP public comments. ODF received over 100 comments in the following categories:

- General clarifications
- Questions about how the covered species were selected
- Questions about the permit term duration
- Conservation action clarifications
- Riparian Conservation Area clarifications
- Wildfire, climate change, and unforeseen circumstances

Cindy noted that the public comments associated with the Draft EIS will be included as an attachment to the Final EIS. Comments are also available for the public to see on NOAA's website. ODF is meeting with the BOF September 7 to provide an update on the HCP and NEPA processes, including a summary of public comments.

Discussion

Question: How many comments were received on the Draft EIS?

- **Kate Wells:** Comments are available on regulations.gov. NOAA Fisheries received upwards of 400 comments, excluding form letters.

HCP ST UPDATE

Sylvia Ciborowski shared that the ST has been reviewing HCP language and prioritizing meetings. Melissa Klungle, ICF, provided an update on ST topics:

Adaptive Management

Melissa Klungle, ICF, shared that adaptive management language has been updated to reaffirm how the Services will be involved in the adaptive management process. This includes clarifying that the annual, five-, and 10-year reviews/reports will provide an opportunity to engage in adaptive management. If issues come up over the course of monitoring and reporting that need or require adaptive management, there is language to tie together how the Services will be engaged and consulted. The Services will be engaged to develop a suite of potential actions that are responsive to changing conditions. ODF would then select which of the actions would be implemented. ODF has had ongoing conversations with the ST about adaptive management and there is general agreement on the language in Chapter 6. A small group meeting is scheduled to ensure there is alignment with the Services moving forward.

Sylvia Ciborowski stressed that alignment around adaptive management is critical and asked if NOAA Fisheries or USFWS had anything to add. NOAA Fisheries thanked ODF for agreeing to a small group meeting to move the language forward and noted the importance of finding a balance between providing certainty while not being overly prescriptive.

Sale Transition Planning

Melissa Klungle shared that text was added to the HCP to ensure that 2023 timber sales are appropriately characterized. Some of the timber sales sold prior to the HCP will be harvested without full HCP constraints. This includes sales in fiscal years (FY) 2021, 2022, and 2023. In FY 2024, ODF will start full implementation of the HCP and harvested sales will be in full compliance.

Sylvia Ciborowski shared that there is alignment on this language with the ST.

Additional Management in HCAs

Melissa shared that ODF worked with the ST to clarify language around pace and scale of management in Habitat Conservation Areas (HCAs). ODF wanted flexibility to re-enter harvested stands later in the permit term to ensure that Swiss needle cast, hardwoods, and healthy conifer stands are on the right trajectory. Any additional management would follow

measures outlined in the HCP and would be contingent on concurrence with the Services. Adaptive management will be used to create better habitat for species by determining future management in HCAs, if conditions allow. This language will be finalized on August 2 for inclusion in the HCP.

Fish Passage Design Review

Melissa Klungle shared that ODF had ongoing conversations with NOAA Fisheries and the ST to reach alignment on the fish passage design review process. Clarifications were made to Chapter 4 to note that as long as a barrier project is compliant with state and federal fish passage design standards, no coordination with the Services will be required and it will be included in the annual reporting process. If ODF is unable to meet fish passage design standards, there will be a consultation with state and federal partners to collaboratively develop an appropriate fish passage design.

DISCUSSION

Question: NOAA Fisheries recently revised fish passage guidelines.

- **Melissa Klungle:** The 2022 version, or latest version, will be cited in the document along with ODFW standards.

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 specific direction.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Sylvia Ciborowski reviewed upcoming meetings and closed the meeting:

- Tuesday, August 2 9-11am – *HCP Scoping Team Mtg*
- Additional August ST and Small Group Meetings - *TBD*
- Tuesday, August 30 9-11am – *HCP Steering Committee Meeting*
- Tuesday, September 6 9-11am – *HCP Scoping Team Mtg*
- Tuesday, September 20 9-11am – *HCP Steering Committee Meeting*
- Tuesday, October 4 9-11am – *HCP Scoping Team Mtg*