

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP SCOPING TEAM

Tuesday, August 2, 2022, 9:00 am – 12:00 pm

By Webinar/Video Conference

ATTENDEES

Participants: Kate Wells (NOAA Fisheries), Jeff Young (NOAA Fisheries), Rod Kraemer (ODFW), Julie Firman (ODFW), Josh Seeds (DEQ), Joe Zisa (USFWS), Sarah Dyrdaahl (ODF), Vanessa Petro (ODF), Nick Palazzotto (ODF)

Technical Consultants and Guests: Melissa Klungle and Jordan Mayor (ICF), Daren Cone (ODF)

Facilitation Team: Sylvia Ciborowski and Angela Hessenius (Kearns & West), Cindy Kolomechuk (ODF)

WELCOME AND AGENDA REVIEW

Sylvia Ciborowski, Kearns & West, welcomed Scoping Team (ST) members and reviewed the agenda, which included: 1) Welcome and Agenda Review, 2) Agency and Stakeholder Engagement Updates, 3) National Environmental Policy Act (NEPA) and Habitat Conservation Plan (HCP) Process Updates, 4) HCP Components and Changes – Discussion and Alignment, 5) Check in on Biological Opinions (Bi-Ops), 6) Report Out to HCP Steering Committee, and 8) Approach Going Forward, Next Steps, and Summary.

AGENCY AND STAKEHOLDER ENGAGEMENT UPDATES

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

- **DSL:** No updates.
- **NOAA Fisheries:** No updates.
- **ODF:** No updates.
- **ODFW:** No updates.
- **USFWS:** No updates.

NEPA AND HCP PROCESS UPDATES

Cindy Kolomechuk, ODF, provided an update on the HCP process, noting that the timeline has not changed. ODF will share an update on the HCP with the Board of Forestry (BOF) on September 7. The update will include a summary of public comment received on the HCP through the DEIS comment period. ST members are encouraged to view the meeting. Cindy noted that ODF is not anticipating that the Board will propose any significant changes to the Proposed Action.

Cindy shared that ODF anticipates having a Final HCP by the end of 2022. ODF is working internally to review monitoring and reporting requirements and will work with the ST on details during upcoming meetings.

Kate Wells, NOAA Fisheries, shared that NOAA Fisheries received a waiver to extend the two-year Environmental Impact Statement (EIS) process. NOAA Fisheries anticipates needing four additional months to accommodate internal processing steps and to make sure the document is legally sufficient. Kate noted that the pace of work will not change.

Sylvia Ciborowski shared that the NEPA timeline was discussed during the July 19 Steering Committee (SC) meeting and that the SC had no questions or concerns about the process or ST topics.

HCP COMPONENTS AND CHANGES – DISCUSSION AND ALIGNMENT

Barred Owl Management

Nick Palazzotto, ODF, shared that the team is updating barred owl management language in the HCP to reflect ODF's commitment. ODF is committed to a minimum of \$250,000 per year for barred owl management through the permit term and will check in after 20 years. Nick noted that the budget can be distributed elsewhere to support the species if management is found to be ineffective or if there is a reduced need for barred owl management.

Discussion

Question: Is it possible to include ODFW in the evaluation process with the Services? There will be a scientific take permitting requirement through ODFW, and the state would like to be included in discussions about barred owl management.

- **Cindy Kolomechuk:** ODF is trying to make it clear that USFWS is the permitting authority for barred owl management and will provide approval. ODF will work closely with ODFW on barred owl management and can discuss the scientific take permit during ODF and ODFW's weekly check-in.

Question: Does a footnote need to be included that ODFW issues a scientific take permit for barred owl management?

- **Melissa Klungle:** There is language in Chapter 1 about other permits that may be required.

Recreation Commitments

Sarah Dyrdaahl, ODF, shared language in the HCP for recreation commitments, noting that ODF re-ran the data and found that the changes have no implications to the NEPA analysis. The language distributed to the ST via email is representative of the current data. Melissa Klungle, ICF, shared the recreation table for planned trail miles in permit areas, Recreation Conservation Areas (RCAs), Equipment Restriction Zones (ERZs), and Habitat Conservation Areas (HCAs). Melissa noted that relocated trails would not detract from the total planned miles of new trails. The intent is to provide an upper bound on the proposed activity for the EIS analysis.

Sarah shared that long-range planning is still needed for trails. Recreation staff are confident in the total miles but less confident in stream crossings because it's difficult to project for trails that haven't been planned yet.

Discussion

Sylvia asked ST members if they were comfortable with the language moving forward. ST members were comfortable with the language moving forward and provided the following comments.

Comment: Recommend strengthening trail relocation language like “may choose” and making language more specific, like “as opportunities arise”.

- **Sarah Dyrdaahl:** ODF has an interest in retaining flexibility to be responsive as issues arise over time. Proposed language could include “as opportunities arise, ODF will prioritize relocation of trails with resource concerns and public safety issues”. Members were comfortable with this language change.

Question: Is 600 miles the maximum for construction of new trails over the permit term? Take is typically analyzed on an annual basis and a confidence interval or range would be helpful for the take analysis.

- **ODF:** Recreation staff projected values based on capacity, looked at the maximum that ODF could do on an annual basis, and projected this out over the permit term. The trail-building network isn't highly variable, and an average would likely be closer to the higher end.
 - **NOAA Fisheries:** It would be helpful to briefly summarize the process in an email to NOAA Fisheries so that it's clear that the number being used in the analysis is a maximum, with the understanding that there is some uncertainty.

Roads Language

Sarah Dyrdaahl shared updated roads language, noting that ODF re-ran the roads analysis. The roads language may need some refinements from ODF but is representative of the current data. Daren Cone, ODF, noted that roads projections are based on volumes, by district and that ODF reports the number of roads that are built each year. This allowed ODF to produce more accurate numbers and the data was vetted by road managers at the district level. Daren shared that road construction is projected to increase as ODF accesses lands outside of HCAs and

RCA's before declining overtime. The highest projection of 37 miles of roads per year reflects ODF's capacity for design and contracting.

Discussion

Sylvia asked ST members if they were comfortable with the language moving forward. ST members were comfortable with the language moving forward.

NOAA Fisheries commented that this information is helpful and captures the data that the agency needs to do a roads analysis.

Additional Management in HCAs

Nick Palazzotto reminded ST members that language for additional management in HCAs was shared during the last ST meeting. Members were generally in alignment and recommended a few language edits. Nick shared updated language and noted the following changes:

- Changed "may" to "will"
- Added narrative that ODF will work to seek concurrence with USFWS

Discussion

ODF representatives noted that ODFW had expressed interest in being part of the review of additional management in HCAs. ODFW will have time to review additional management in HCAs through the reporting process, the FMP, and operating processes. ODFW noted that they would appreciate being part of the conversation.

CHECK IN ON BI-OPS

Melissa Klungle shared that ODF is having ongoing conversations with the Services about adaptive management. Melissa asked if there were any questions or data needs for the Biological Opinions (Bi-Ops). NOAA Fisheries shared that they were moving forward with their Bi-Op and USFWS shared that they had not yet started their Bi-Op as they are waiting for a more finalized version of the HCP. USFWS anticipates starting their Bi-Op in September or October and estimates the process will take three to four months.

Discussion

Comment: Having a detailed timeline for the HCP and the EIS will help USFWS with workload planning for the Bi-Ops.

- **ODF:** The Final HCP will be available in November and is likely in a sufficient place for purposes of the Bi-Op development.

Comment: It would be helpful to have a track changes version of the HCP and a summary of changes that have been made.

Comment: NOAA Fisheries needs a Bi-Op from USFWS by a certain date. USFWS seeks clarification from NOAA Fisheries on the product that is needed and the date it is needed.

- **NOAA Fisheries:** Will follow-up with Michelle McMullin.

Comment: USFWS will likely have substantial information requests for ODF when developing the Bi-Op.

- **USFWS:** USFWS will reach out to schedule a discussion with USFWS Bi-Op writers and ODF staff when USFWS is ready to get started.

REPORT OUT TO HCP STEERING COMMITTEE

Sylvia Ciborowski asked ST members if they had anything to share with the SC. ST members did not provide any comments or questions for the SC.

APPROACH GOING FORWARD, NEXT STEPS, AND SUMMARY

Sylvia Ciborowski shared appreciation for the ST's engagement in the HCP process and review of language. Sylvia shared upcoming meeting dates before closing the meeting:

- Monday, August 8 8:30am – 9:30am – *HCP ST Small Group Mtg*
- 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*