

MEETING SUMMARY

WESTERN OREGON STATE FORESTS HCP SCOPING TEAM

Wednesday, January 25, 2023, 1:00 pm – 3:00 pm

By Webinar/Video Conference

ATTENDEES

Participants: Kate Wells (NOAA Fisheries), Jeff Young (NOAA Fisheries), Joe Zisa (USFWS), Rod Kraemer (ODFW), Jiajia Lin (DEQ), Ryan Singleton (DSL), Nick Palazzotto (ODF)

Technical Consultants and Guests: Melissa Klungle (ICF)

Facilitation Team: Sylvia Ciborowski and Ellen Palmquist (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) Process Update, 4) Habitat Conservation Plan (HCP) Finalization, 5) Biological Opinions (BiOp) Update 6) Roads Update, 7) Sales Transition Language, 8) HCP Implementation, 9) Report Out to HCP Steering Committee (SC), and 10) 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:

- **ODF:** 1) USFWS released a notice of funding for HCP assistance. ODF will not apply this round because the agency anticipates having ITPs and will be ineligible. 2) ODF is working on a draft of the Forest Management Plan (FMP) that will be shared with the Board of Forestry (BOF) and public in June and discussed at the September 7 BOF meeting. 2) ODF is working on two-year Implementation Plans (IPs) for harvest levels that align with the HCP commitments and current FMP commitments. The IPs will be shared with the public over the next several weeks and discussed during the Meeting Open to the Public on February 2.
- **ODFW:** ODFW received all Endangered Species Management Plans for the marbled murrelet and plans to review the plans with the Commission in April. Approval is anticipated mid-July.
- **DSL:** No updates.

- **DEQ:** No updates.
- **NOAA Fisheries:** No updates.
- **USFWS:** No updates.

Stakeholder Engagement Updates

Sylvia Ciborowski shared that ODF anticipates holding a meeting open to the public on February 7, 2023. The meeting will include an update on the FMP Management Approach and Guidelines, as well as an update on the HCP and NEPA processes. ST members are welcome to listen in to the meeting. For the HCP update, ODF will describe changes to the HCP since the Public Draft HCP. The final HCP will be available to the public when the Final Environmental Impact Statement (EIS) is released.

SC Meeting Update

Sylvia provided an update on the January 24 SC meeting. The SC reiterated interest in hearing about ST discussions and hopes the meetings continue to be collaborative space for issues to be raised. ODF shared that discussions are productive and there is general alignment.

NEPA PROCESS UPDATE

Kate Wells, NOAA Fisheries, reminded the ST that the Draft EIS and HCP were published for public comment on March 18, 2022. The comment period closed in June and comments are available at regulations.gov. Kate shared that comment letters addressed content in the Draft EIS and HCP. NOAA Fisheries is currently working on processing comments and coordinating responses with USFWS and ICF. ICF is also updating the Draft EIS and HCP as necessary to be responsive to comments from the public and agencies. The Final EIS will include response to comments in the appendix for the Draft EIS and the HCP. The Final EIS will also contain a summary of changes in the appendix.

HCP FINALIZATION

Cindy Kolomechuk, ODF, shared that ODF is continuing to work with the Services to support the BiOp process. ODF is making any necessary changes to the HCP based on conversations with the Services and public comment on the HCP. ODF is also looking ahead to implementation of the HCP and is working on streamlining monitoring and reporting requirements. ODF has identified the first set of monitoring requirements that will need to be integrated with sales in July 2023.

Joe Zisa, USFWS, shared that ODF had a productive discussion about streamlining reporting and ensuring information received on an annual, five-, and ten-year basis is valuable. Joe noted that monitoring and reporting will be an iterative process that may change over time, especially in the first ten years as lessons are learned. Joe noted that it may be helpful to draft additional language for communicating the process to the public. Kate Wells noted that NOAA Fisheries had a productive conversation with ODF as well and focused on options for packaging

monitoring and reporting information. Kate agreed that the process is iterative and may be adjusted in the first ten years. Cindy shared that refinements will be made as needed to the HCP and any additional language will be shared with the ST at the next meeting. ODF would like to create an automated dashboard for the monitoring and reporting process so it's easy for ODF to generate reports and for the Services to access data.

Discussion

Comment: It would be helpful for the BiOp team to see what changes have been made prior to release of the final HCP to help with finalizing BiOps.

- **Cindy Kolomechuk:** ODF has reviewed changes to the HCP with the ST throughout the process. It may be possible to share changes to the HCP this Spring to show how key issues have been resolved over the past several months. It would be beneficial to hold this meeting prior to technical editing in case any changes are needed.

BIOP CHECK-IN

Sylvia Ciborowski asked NOAA Fisheries and USFWS to provide updates on BiOp development:

NOAA Fisheries: Jeff Young, NOAA Fisheries, shared that NOAA Fisheries continues to work with ODF on harvest data and is getting close to a completed draft.

USFWS: Joe Zisa shared that USFWS anticipates starting to write the BiOp in late winter or early spring. The consultation process is underway and USFWS is meeting with ODF and ICF.

Cindy Kolomechuk shared that ICF is supporting USFWS in the development of the BiOp and ODF is continuing to meet with USFWS to streamline the process and ensure they have the information needed for their analysis.

ROADS UPDATE

Melissa Klungle shared that the ST has been discussing roads over the past few meetings and there have been slight changes in ODF's approach to roads. After review of data and coordination with NOAA Fisheries, ODF decided to use the original approach to roads that was documented in the Public Draft HCP. This includes an average of 25.5 constructed road miles per year over the course of the permit term. Additional language will be added to note that road miles will be constructed more frequently over the first 30 years of the permit term and will then decline over time. Melissa noted that this is consistent with what has been analyzed in the NEPA document. Melissa also shared that ODF will shift the discussion of road numbers from the existing road system to the road construction subheading in the HCP document.

Discussion

Question: How closely is road construction and harvest tied together?

- Nick Palazzotto: Road construction and harvest is very closely related. Roads will be constructed as ODF continues to modernize the system and access new areas. Most roads built every year are directly tied to a sale.
- Members had no other comments or concerns with the roads language.

SALES TRANSITION LANGUAGE

Melissa Klungle shared updates to sales transition language in the HCP. ODF removed language in Section 8.7 Timber Sale Contracts to clarify that ODF will not provide take coverage to sales that have been sold prior to the HCP.

ODF also made updates to Section 8.8 Decision Making and Implementation in response to comments from the USFWS Regional Office. ODF removed language regarding formal dispute resolution. The amendment process and other options for modification of the HCP are described elsewhere in the HCP and the language was deemed unnecessary.

Melissa Klungle shared additional changes to permit language in the HCP. ODF removed language in 8.9 Changes to Permit Area because ODF does not intend to transfer the permit to other entities. Melissa clarified that language in Chapter 1 states that land sold will always be acquired through a purchase or a swap. ODF also added language to 8.9 Changes to Permit Area clarifying that if there were changes in the permit area, the Services would be notified.

Discussion

Comment: NOAA Fisheries is meeting internally about revisions to the permit area language.

Comment: It's important to be able to see all of the changes together.

- **Melissa Klungle:** Updates to language will be shared after the meeting.

HCP IMPLEMENTATION

Cindy Kolomechuk noted that ODF is working with ICF to develop a training manual and internal trainings to integrate requirements and commitments into the Operations Plans (OPs). ODF is receiving help to figure out how to implement the commitments.

REPORT OUT TO HCP STEERING COMMITTEE

Sylvia Ciborowski asked the ST if they had anything to report to the SC. The ST did not provide any updates 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 noted that Kearns & West would send out rescheduling options for 2023 ST meeting via email and closed the meeting.