

# PFA August MAC Meeting

**Meeting called by:** Andy Spyrka (Oregon Dept. of Fish & Wildlife)    **Type of meeting:** General PFA Mitigation Advisory Committee Meeting

**Facilitator:** Chad Washington (Vice Chair)    **Note taker:** Sarah Reif & Andy Spyrka

**Attendees:** Chad Washington, Mark Stern, Heath Curtiss, Jennifer Weikel, Chris Allen, Kate Wells, Fran Cafferata, Mark Grenbemer.

## Minutes

**Agenda item:** 1. Call to Order, Roll Call, & Approval of Agenda    **Presenter:** Chad Washington

**Discussion:**

General call to order, roll call, and approval of agenda.

**Conclusions:**

Mark Stern motioned to approve the agenda, and Heath Curtiss seconded the motion. No objections and the agenda was approved.

**Agenda item:** 2. Consent Agenda    **Presenter:** Chad Washington

**Discussion:**

None.

**Conclusions:**

No objections, consent agenda approved.

**Agenda item:** 3. Public Comment    **Presenter:** Chad Washington

**Discussion:**

- No public comment was requested before the meeting or during the meeting.

**Agenda item:** 4. Staff Report    **Presenter:** Andy Spyrka

**Discussion:**

- Andy provided an update to the MAC regarding the previously distributed staff report. The following updates were given:
  - Grant guidelines:
    - Drafted and need additional MAC edits. Working groups have been meeting to review the guidelines. Expect to have a final document by the end of September or sooner – pending updates after today's meeting.
    - The urgent Grants narrative was requested to be more robust, explaining why it should be the exception for applications. Andy proposed that clarifying language will be in the final grant guidelines.
  - Grant Review Process:
    - Andy provided a rough outline of the review process and what the working group has proposed.
    - MAC decided on an 8-week open solicitation.
    - MAC discussed doing anonymous voting software when making final funding decisions.

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- MAC agreed but requested that projects still get discussed before any voting
- Land Acquisition:
  - Andy recommended a halt on year 1 for any land acquisition due to limited capacity and lack of any programmatic documents to support the acquisition.
  - Discussion amongst MAC, general support for halting in year 1 to better prepare and ensure the grant program can adequately review and evaluate acquisitions.
  - Andy noted that after the launch of the first solicitation, he would form a working group with ODFW, OWEB, and MAC members to begin working on the land acquisition portfolio.
    - Andy also noted he would contact COLT and inform them of the delay for year 1.
- MAC In-person 2024 meeting
  - Andy noted that with the new 8-week solicitation window, the Jan 2024 meeting is canceled, and will send out a new meeting hold for mid-late February once he re-works the dates.
  - MAC agreement. Discussion amongst MAC regarding when Commission would be presented to, assumed March 2024. Tentatively.

**Conclusions:**

Continue discussion of land acquisition at the next MAC meeting.

Action items	Person responsible	Deadline
• Grant Guidelines Edits	MAC	August 18
• Update Grant Review Process timelines with 8-week solicitation	Andy	ASAP

**Agenda item:** 5. Presentation from National Marine Fisheries Service **Presenter:** Kate Wells

**Discussion:**

- Kate Wells presented to the MAC in regard to mitigation and expected HCP requirements.
  - The presentation is posted online
  - Primary takeaways:
    - All covered species are treated as listed species for the HCP, providing safe harbor
    - Slopes V Restoration Programmatic ESA coverage for Corps-permitted projects that meet certain design criteria
    - If not Corps permit, applicants will need to consult
    - Mitigation projects will need to describe the covered activities they are mitigating for
    - Mitigation projects may need to occur within the same watershed in which the covered activities are occurring on private forestlands.
    - How will mitigation projects be linked to affected fish populations?
    - What instrument will be used to track advanced mitigation? Who will manage it?
    - How will the services have enough certainty that mitigation will "fully offset" adverse effects of the covered activities in order to be able to issue an ITP?
    - Section 7 BiOp will look at surrogates for take: miles of road created, acres of habitat impacted and look at the population scale.
    - Metric for mitigation, such as miles of stream opened, needs to be identified.
- MAC discussion occurred requesting clarifying questions from the presentation.

**Conclusions:**

Continue discussions at the next MAC meeting

Action items	Person responsible	Deadline
• None.		

**Discussion:**

- Chris Allen presented to the MAC in regard to mitigation and expected requirements.
  - The presentation is posted online
  - Primary takeaways:
    - The majority of covered species that USFWS would cover are not listed
    - Challenging questions to answer at this point in the process:
      - ESA coverage for mitigation actions
      - Adequacy of mitigation actions
    - Lahontan probably won't be much of a focus because there really isn't private forestland in that watershed.
    - Oregon Conservation Strategy as the guide for the non-listed species
    - State assessments and Conservation & Recovery Plans for coastal cutthroat, rainbow/redband, mountain whitefish, lahontan, westslope cutthroat
    - Amphibians, mostly from western Oregon, on federal lands
    - SLOPES Programmatic might cover bull trout actions with Corps
    - Other actions will require consultation
    - USFS & BLM restoration programmatic with NMFS & FWS may provide ESA coverage
    - Additional questions USFWS is contemplating:
      - Will HCP provide ESA take coverage for the Mitigation Fund Program
      - How do other watershed grant programs function re: ESA permitting? Permittee responsible
      - Should we have an advanced mitigation plan be memorialized in a formal agreement with the Services (HCP handbook Section 3.5.7)?
      - The certainty that mitigation will fully offset the covered activities?
      - How are newly listed species accommodated within an existing HCP? Western ridged mussel, western pond turtle
      - Beaver
- MAC discussion
  - Mark Stern: will applicants be responsible for doing their own ESA consultation in this interim period before the HCP is finalized?
  - Heath: the degree of specificity required to demonstrate offsets doesn't align with the PFA authors' expectation that the mitigation fund would outweigh the impacts of the forest practices way.
  - Chad: wants to see a list of project types posted on our website
    - Chris will work on creating such a list.

**Conclusions:**

Continue discussions at the next MAC meeting

<b>Action items</b>	<b>Person responsible</b>	<b>Deadline</b>
• Eligible project list	Chris Allen	ASAP.

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***Other Information***

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This meeting was recorded, transcribed, and posted on the ODFW webpage <https://www.dfw.state.or.us/habitat/PFA/meetings/index.html>.